

Journal of the SENATE State of Florida

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



CONTINUATION OF
FORTY-EIGHTH REGULAR SESSION
UNDER THE CONSTITUTION AS REVISED IN 1968
JANUARY 12 THROUGH MARCH 11, 2016



Journal of the Senate

Number 12—Regular Session

Thursday, February 11, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 1:18 p.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

PRAYER

The following prayer was offered by Tony B. McCoy, Senior Pastor of Hope International Church, Groveland:

Father of all creation, you are Elohim, creator of heaven and earth. We thank you for being love, for your word states, not that you loved, but rather that you are love.

Thank you for the invitation to love you with all our heart, soul, mind, and strength, and thank you for the commandment to love our fellow man likewise.

Father, we thank you for the lessons of love that we are receiving through your word, for your word states that, "Love is patient, love is kind. It does not envy, it does not boast, it is not proud. Love is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil, but rejoices with the truth. It always protects, always trusts, always hopes, and always perseveres."

Love assembles, love directs, and love speaks for those that have no voice. Let us not be hearers of love only, but let us be men and women who dare to apply your love, and by doing so, we will be faithful to reflect your beauty, power, and faithfulness throughout this great State of Florida and our blessed country. These blessings and declarations we ask in your son Jesus' name. Amen.

PLEDGE

Senate Pages, Dominique Pierre of North Miami; Cristian Mendez of Pembroke Pines; Nicolas Mendez of Pembroke Pines; Kalee Wilkins of Orlando; and Cayla Hollander of Weston, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Christina Cavanagh of Fort Myers, sponsored by Senator Benacquisto, as the doctor of the day. Dr. Cavanagh specializes in family medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Richter—

By Senators Richter and Benacquisto—

SR 1730—A resolution recognizing October 3, 2016, as the Centennial Anniversary of Lee Memorial Health System and commending the board of directors, nurses, doctors, employees, auxiliaries, and volunteers of, and donors to, Lee Memorial Health System for their support and dedication to the delivery of quality health care services to area residents.

WHEREAS, Lee County Hospital began serving area residents on October 3, 1916, as a 15-bed hospital, and

WHEREAS, Lee County Hospital grew to become one of the largest public, not-for-profit health systems in the country, and is now known as Lee Memorial Health System, and

WHEREAS, the overall quality of life enjoyed by residents of a community is reflective of the health and well-being of the residents and the availability of quality health care services to those residents, and

WHEREAS, Lee Memorial Health System is working to achieve its vision to be the best patient-centered and family-centered health care system in the nation by working to deliver excellence in quality, safety, efficiency, and compassion, and

WHEREAS, for the past century, Lee Memorial Health System has maintained its commitment to provide fully accessible health care services for residents of Southwest Florida without regard to their ability to pay and without direct taxpayer support, and

WHEREAS, Lee Memorial Health System is a fully accredited, comprehensive health system providing a continuum of health care services through its hospitals, physician practices, outpatient facilities, wellness programs, home health services, and skilled nursing facilities, and

WHEREAS, Lee Memorial Health System provides services unique to the region, such as the Golisano Children's Hospital of Southwest Florida, a regional trauma center, a regional cancer center, a regional perinatal intensive care center, a Level III neonatal intensive care unit, and a kidney transplant clinic, and

WHEREAS, Lee Memorial Health System is one of the region's largest employers, with a staff of more than 11,000, including 300 primary and specialty care physicians and advanced practitioners, a medical staff of more than 1,400, and three auxiliaries that include 4,500 volunteers, all in support of more than a million patient encounters each year, and

WHEREAS, Lee Memorial Health System collaborates with community and social service agencies through Healthy Lee, Lee Community Health Care, and multiple outreach programs aimed at identifying the health needs of the community and constructing a strategic plan for improving residents' health and quality of life, and

WHEREAS, as a result of its unique combination of facilities, capabilities, and people, including the people of Southwest Florida, whose support and generosity over the past 100 years have played a major role in its success, Lee Memorial Health System has been recognized with numerous quality and safety awards at the national, state, and local levels, NOW, THEREFORE,

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

That October 3, 2016, is recognized as the Centennial Anniversary of Lee Memorial Health System, and the board of directors, nurses, doctors, employees, auxiliaries, and volunteers of, and donors to, Lee Memorial Health System are commended for their support and dedication to the delivery of quality health care services to area residents.

—was introduced, read, and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1740—A resolution recognizing February 4, 2016, as “Golf Day at the Capitol” in Florida.

WHEREAS, the golf industry has become an integral part of the economy, identity, and quality of life in this state, with a direct economic impact of \$8.2 billion and an indirect economic impact of \$11 billion in 2013, and

WHEREAS, in 2013, the golf industry employed 132,000 Floridians and had an annual payroll of \$3.6 billion, and

WHEREAS, Florida is home to the PGA TOUR in Ponte Vedra Beach; the LPGA International in Daytona Beach; the PGA of America in Palm Beach Gardens; and The First Tee, the World Golf Hall of Fame, and the World Golf Foundation in St. Augustine, and

WHEREAS, Florida has more than 1,500 public and private golf course facilities, more than any other state, which generate annual revenues of \$4.1 billion, a sum greater than that of all other spectator sports in the state combined, and

WHEREAS, Florida will host 20 professional golf championships in 2016, including six PGA TOUR events, four Champions Tour events, two Web.com Tour events, and two LPGA Tour events, and

WHEREAS, two of golf's most prestigious events are played in Florida, THE PLAYERS Championship at TPC Sawgrass in Ponte Vedra Beach and the World Golf Championships—Cadillac Championship, played since 2007 at Trump National Doral in Miami, and

WHEREAS, Florida's golf industry is a top contributor to charitable organizations, with donations totaling more than \$383.4 million annually from numerous golf outings and events, as well as the charitable giving associated with professional golf tournaments, and

WHEREAS, beneficiaries of these charity events include the Nicklaus Children's Hospital, The First Tee Miami, the Make-A-Wish Foundation, the Baptist Children's Hospital, the Children's Miracle Network Hospitals, the Nicklaus Children's Health Care Foundation, The First Tee National School Program, the Boy Scouts of America, the American Red Cross, the Alzheimer's Support Network, the Big Brothers Big Sisters of the Sun Coast, and many others, and

WHEREAS, Florida's golf course owners and superintendents have continued to be stewards of the environment by using best practices in hazardous waste management, wetland and stormwater protection, and wastewater minimization, and

WHEREAS, the game of golf assists in the development of Florida's youth through the introduction of life skills and experiences, manage-

ment of emotions, goal setting, conflict resolution, and improving relationships with family and community, and

WHEREAS, the concentration of golf activity in Florida in 2016 will bring an unprecedented level of worldwide exposure to this state, and

WHEREAS, golf is a tremendous asset to this state, affecting its quality of life and tourism and strengthening the state's position as a great place to live and do business, and

WHEREAS, the golf industry has a significant impact on the state's economy, provides recreation and wellness opportunities for residents of all ages, fosters strong character development for Florida's youth, contributes significantly to charitable organizations, and is intrinsic to the brand of the Sunshine State, NOW, THEREFORE,

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

That February 4, 2016, is recognized as “Golf Day at the Capitol.”

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the affiliated organizations of the Golf Florida Alliance as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Richter—

By Senators Richter and Benacquisto—

SR 1750—A resolution recognizing January 26, 2016, as “Florida Gulf Coast University Day” in Florida.

WHEREAS, in May 1991, the State of Florida authorized the creation of Florida's tenth public university to provide higher education opportunities and workforce development in the previously underserved region of Southwest Florida, and

WHEREAS, on August 25, 1997, Florida Gulf Coast University (FGCU) opened its doors to students, holding its first graduation in May 1998 with 81 graduates, and

WHEREAS, FGCU has grown into a regional university of nearly 15,000 students and now offers more than 53 undergraduate degree programs, 24 graduate degree programs, 9 certificate programs, and 3 doctoral degree programs, and

WHEREAS, FGCU's top priority is student success, with five colleges providing relevant programs with an accomplished faculty, small classes, and extensive individualized attention to help students prepare for successful careers and meet regional and statewide workforce needs, and

WHEREAS, FGCU has achieved national prominence in academics, environmental sustainability, and student service learning, with 1.5 million student service learning hours provided to the Southwest Florida community since 1997, and

WHEREAS, FGCU plays a critical role in stimulating the Southwest Florida economy, creating 3,723 jobs and infusing \$422 million into the region annually, and

WHEREAS, half of the FGCU campus, some 400 acres, is designated as restored and preserved wetlands, and the university operates a 15-acre solar field that generates 85 percent of the power for three academic buildings, saving \$700,000 in energy costs annually, and

WHEREAS, the Emergent Technologies Institute will open this year, providing research and learning opportunities that enhance the university's STEM and sustainability initiatives, and

WHEREAS, FGCU is focused on college affordability for all students by maintaining its commitment to cost containment, holding tuition at the same level for 3 years, and

WHEREAS, FGCU emphasizes innovative and interdisciplinary learning, using the region as a living laboratory and offering students

diverse opportunities to participate in meaningful research led by their professors, who have conducted more than \$194 million in research and sponsored programs since 1997, and

WHEREAS, FGCU has established the Institute of Entrepreneurship, which brings together engineering and business students to develop products and business plans in a real-world setting with the help of community mentors, and

WHEREAS, FGCU's golf-management program is one of only 19 PGA-certified programs in the nation and the largest in this state, and

WHEREAS, FGCU is a leader in the State University System, with 74 percent of graduates employed within a year after graduation, and

WHEREAS, FGCU serves as a cultural hub for the region, offering a wealth of enrichment opportunities that include the visual arts, music, theater, and public radio and television, and

WHEREAS, FGCU's athletics program is a growing source of pride, with the women's basketball team winning the Atlantic Sun Conference title for five straight seasons and ranking 20th in the nation in the AP Top-25 poll in March 2015, progressing to the second round of the National Collegiate Athletic Association (NCAA) Championship, and

WHEREAS, the FGCU swimming and diving team claimed the Coastal Collegiate Swimming Association Championship for the sixth time in 7 years and was ranked 19th in the nation on www.collegeswimming.com in November 2015, and

WHEREAS, the FGCU men's soccer team captured its sixth consecutive regular season title in the Atlantic Sun Conference, and the women's soccer team has won six consecutive conference titles and, for the first time, reached the second round of NCAA competition in 2015, and

WHEREAS, the FGCU collegiate experience continues to enrich the lives of students through the university's long-standing commitment to promote racial, ethnic, and cultural diversity on campus, NOW, THEREFORE,

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

That January 26, 2016, is recognized as "Florida Gulf Coast University Day" in Florida in recognition of the university's contributions as an outstanding institution of higher education focused on student success.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Florida Gulf Coast University President Wilson G. Bradshaw, Ph.D., as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1766—A resolution expressing appreciation for the sister-state relationship and bilateral economic and cultural ties between Florida and Taiwan and reaffirming the commitment of the State of Florida to the strong and deepening relationship with Taiwan, as the two embrace the fundamental values of freedom, democracy, and the protection of human rights.

WHEREAS, the people of Taiwan, officially known as the Republic of China, elected their new president, Dr. Tsai Ing-wen, on January 16, 2016, by popular vote, further enhancing the roots of democracy within the island, which strengthen the common values it shares with the United States, and

WHEREAS, April 10, 2016, marks the 37th anniversary of the enactment of the Taiwan Relations Act, which maintains peace, security, and stability in the Western Pacific and promotes the foreign policy of the United States by authorizing the continuation of commercial, cultural, and other relations between the people of the United States and the people of Taiwan, and

WHEREAS, Taiwan is one of the allies in the East Asian region which the United States continues to provide with defensive weaponry, including naval vessels, equipment, and munitions, creating job opportunities in this country and helping Taiwan maintain its defensive capabilities in the region, and

WHEREAS, President Ma Yin-jeou's East China Sea Initiative and South China Sea Peace Initiative and the Taiwanese code of conduct, each of which recognizes the conflicting territorial viewpoints of the interested parties, call upon all parties to resolve their regional disputes peacefully and share resources in accordance with international law, which is consistent with the security and economic interests of the United States in East and Southeast Asia, and

WHEREAS, the United States supports Taiwan's meaningful participation in and cooperation with more than 50 international organizations, including its bid for attendance in the International Criminal Police Organization, specifically, Taiwan's recent active participation in the International Civil Aviation Organization Assembly and its membership in both the Asia-Pacific Economic Cooperation and the World Trade Organization, and

WHEREAS, support for Taiwan's continued economic growth and prosperity is important to the interests of the United States, especially with regard to Taiwan's bid to join the Trans-Pacific Partnership and the Regional Comprehensive Economic Partnership, which will further expand Taiwan's participation in the global market, increase equal competition with member states, and prevent economic marginalization, and

WHEREAS, Taiwan was the United States' 10th largest two-way trade partner in 2014, and

WHEREAS, with respect to Taiwan's contributions in the global market by both its traditional and innovative industries, support for continued bilateral talks under the Trade and Investment Framework Agreement and the establishment of a Bilateral Investment Agreement with the United States will further globalize Taiwan's economy and eliminate trade barriers, thus solidifying Taiwan as a robust and trustworthy partner to the United States for trade and security in the East Asian region, NOW, THEREFORE,

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

That the significance of the relationship and shared interests between the people of Taiwan and the United States is recognized, as is the importance of supporting future opportunities for international trade developments with Taiwan to further strengthen the substantive relationship between Florida and Taiwan.

BE IT FURTHER RESOLVED that the Florida Senate welcomes the initiatives of the Taiwanese government to maintain peace in the East China Sea and the South China Sea and to promote trade with the United States and this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Taipei Economic and Cultural Office in Miami and to the Executive Office of the Governor of this state as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

CS for CS for SB 196—A bill to be entitled An act relating to public records; amending s. 339.55, F.S.; providing an exemption from public records requirements for financial information of a private entity applicant which the Department of Transportation requires as part of an application process for loans or credit enhancements from the state-funded infrastructure bank; providing an exception to the exemption; defining the term "financial information"; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for SB 196** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Diaz de la Portilla	Montford
Abruzzo	Evers	Negron
Altman	Flores	Richter
Bean	Gaetz	Ring
Benacquisto	Galvano	Simmons
Bradley	Garcia	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Soto
Bullard	Hutson	Stargel
Dean	Latvala	
Detert	Legg	

Nays—7

Clemens	Margolis	Thompson
Gibson	Sachs	
Joyner	Sobel	

Vote after roll call:

Yea—Grimsley

CS for CS for SB 202—A bill to be entitled An act relating to the Florida Association of Centers for Independent Living; amending s. 413.402, F.S.; requiring that a specified agreement be maintained between the Florida Endowment Foundation for Vocational Rehabilitation and the Florida Association of Centers for Independent Living; renaming the James Patrick Memorial Work Incentive Personal Attendant Services Program as the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program; defining a term; requiring the program to provide additional support and services; revising eligibility requirements; expanding the kinds of training required; requiring the association, in cooperation with the oversight council for the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program, to adopt and revise certain policies and procedures and to provide technical assistance and support under certain circumstances; requiring that the oversight council recommend the maximum monthly reimbursement provided to program participants; requiring the program to reimburse the Florida Association of Centers for Independent Living for certain costs approved by the center's board of directors, taking into consideration certain recommendations; prohibiting the program's operation, administration, and oversight from exceeding a certain percentage of the annual operating budget; creating the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program Oversight Council adjunct to the Department of Education; providing the council's purpose; providing for council membership; amending s. 413.4021, F.S.; revising the maximum amount of specified funds for each state attorney which may be used to administer the personal attendant and employment assistance program and to contract with the state attorneys participating in the tax collection enforcement diversion program; amending s. 320.08068, F.S.; making a technical change; conforming a provision to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 202** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Gaetz
Benacquisto	Dean	Galvano
Bradley	Detert	Garcia

Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Negron	Soto
Hutson	Richter	Stargel
Joyner	Ring	Thompson
Latvala	Sachs	
Lee	Simmons	

Nays—None

MOTION

On motion by Senator Simmons, by two-thirds vote, **CS for CS for SB 202** was ordered immediately certified to the House.

CS for SB 334—A bill to be entitled An act relating to severe injuries caused by dogs; providing a directive to the Division of Law Revision and Information; amending s. 767.12, F.S.; providing for discretionary quarantine or impoundment of dogs that cause severe injuries to humans; specifying responsibility for payment of boarding and other costs; revising the hearing and final order procedures, and related confinement requirements, for dangerous dog actions; specifying circumstances under which a dangerous dog that has caused severe injury to a human may be euthanized; deleting an exception; transferring, renumbering, and amending s. 767.13(2), F.S.; revising a requirement for automatic euthanasia for certain dogs that cause severe injury to humans; deleting a criminal penalty related to severe injury or death caused by a dog; creating s. 767.136, F.S.; re-creating an existing criminal penalty related to severe injury or death caused by a dog in a new statutory section; amending s. 767.14, F.S.; authorizing local governments to adopt certain ordinances pertaining to dogs that have bitten or attacked persons or domestic animals; amending s. 767.16, F.S.; exempting law enforcement dogs from regulation under Part II of ch. 767, F.S.; providing an effective date.

—as amended February 2, was read the third time by title.

Pending further consideration of **CS for SB 334**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 91** was withdrawn from the Committees on Judiciary; Community Affairs; and Rules.

On motion by Senator Montford, by two-thirds vote—

CS for CS for CS for HB 91—A bill to be entitled An act relating to severe injuries caused by dogs; providing a directive to the Division of Law Revision and Information; amending s. 767.12, F.S.; providing for discretionary, rather than mandatory, quarantine or impoundment of dogs that cause severe injuries to humans; revising the hearing and final order procedures, and related confinement requirements, for dangerous dog actions; specifying circumstances under which a dog that has caused severe injury to a human may be euthanized; transferring, renumbering, and amending s. 767.13(2), F.S.; repealing automatic euthanasia requirement for dogs that cause severe injury to humans; deleting a criminal penalty related to severe injury or death caused by a dog; creating s. 767.136, F.S.; re-creating an existing criminal penalty related to severe injury or death caused by a dog in a new statutory section; amending s. 767.14, F.S.; authorizing local governments to adopt certain ordinances pertaining to dogs that have bitten or attacked persons or domestic animals; amending s. 767.16, F.S.; exempting law enforcement dogs from regulation under Part II of chapter 767, F.S.; providing an effective date.

—a companion measure, was substituted for **CS for SB 334** and read the second time by title.

On motion by Senator Montford, by two-thirds vote, **CS for CS for CS for HB 91** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Smith
Flores	Lee	Sobel
Gaetz	Legg	Soto
Galvano	Margolis	Stargel
Garcia	Montford	Thompson
Gibson	Negron	
Grimsley	Richter	

Nays—None

CS for SB 380—A bill to be entitled An act relating to violation of an injunction for protection; amending ss. 741.31, 784.047, and 784.0487, F.S.; providing enhanced criminal penalties for a third or subsequent violation of an injunction for protection against specified acts of violence or a foreign protection order issued for the same victim under specified provisions; defining the term “conviction”; reenacting s. 741.30(9), F.S., relating to injunctions for protection against domestic violence, to incorporate the amendment made by the act to s. 741.31, F.S., in a reference thereto; reenacting s. 741.315(2), F.S., relating to recognition of foreign protection orders, to incorporate the amendments made by the act to ss. 741.31, 784.047, and 784.0487, F.S., in references thereto; reenacting s. 784.0485(9), F.S., relating to injunctions for protection against stalking, to incorporate the amendment made by the act to s. 784.0487, F.S., in a reference thereto; reenacting s. 901.15(6) and (7), F.S., relating to when arrest by an officer without warrant is lawful, to incorporate the amendment made by the act to ss. 741.31 and 784.047, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for SB 380** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 500—A bill to be entitled An act relating to the Children and Youth Cabinet; amending s. 402.56, F.S.; revising the membership of the cabinet; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 500**, pursuant to Rule 3.11(3), there being no objection, **HB 241** was withdrawn from the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Rules.

On motion by Senator Montford, by two-thirds vote—

HB 241—A bill to be entitled An act relating to the Children and Youth Cabinet; amending s. 402.56, F.S.; revising the membership of the cabinet; providing an effective date.

—a companion measure, was substituted for **SB 500** and read the second time by title.

On motion by Senator Montford, by two-thirds vote, **HB 241** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 542—A bill to be entitled An act relating to continuing care facilities; amending s. 400.235, F.S.; providing financial requirements for certain nursing homes to be recognized as a Gold Seal Program facility; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 542**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 127** was withdrawn from the Committees on Health Policy; Children, Families, and Elder Affairs; and Fiscal Policy.

On motion by Senator Stargel, by two-thirds vote—

CS for HB 127—A bill to be entitled An act relating to continuing care facilities; amending s. 400.235, F.S.; providing financial requirements for certain nursing homes to be designated as a Gold Seal Program facility; providing an effective date.

—a companion measure, was substituted for **CS for SB 542** and read the second time by title.

On motion by Senator Stargel, by two-thirds vote, **CS for HB 127** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for CS for SB 618—A bill to be entitled An act relating to prearrest diversion programs; creating s. 901.40, F.S.; encouraging local

communities and public or private educational institutions to implement prearrest diversion programs for certain offenders; requiring that a prearrest diversion program share information with other prearrest diversion programs under certain circumstances; authorizing law enforcement officers of participating law enforcement agencies, at their sole discretion, to issue civil citations to adults under specified circumstances; requiring an adult who is issued a civil citation by a participating law enforcement agency to report for intake as required by the prearrest diversion program; requiring the provision of appropriate behavioral health care services; requiring that an adult who is issued a civil citation fulfill a community service requirement; requiring the adult to pay restitution to a victim; providing for criminal prosecution of adults who fail to complete the prearrest diversion program; prohibiting an arrest record from being associated with a certain offense for adults who successfully complete the program; establishing a steering committee for the prearrest diversion program; providing duties and membership of the committee; specifying the nonviolent misdemeanor offenses that are eligible for the prearrest diversion program; providing applicability; providing an effective date.

—was read the third time by title.

Senator Evers moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (108126)—Delete line 95 and insert:
of age in violation of s. 562.111.

On motion by Senator Evers, **CS for CS for CS for SB 618**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 628—A bill to be entitled An act relating to fees for records; amending s. 943.053, F.S.; adding the Agency for Persons with Disabilities to the list of specified state entities and vendors that pay a reduced fee per record for criminal history information for each name submitted; reenacting ss. 110.1127(4), 435.04(1)(e), 496.4101(3)(b), and 943.0542(2)(c), F.S., relating to employee background screenings and investigations, level 2 screening standards, licensure of professional solicitors and certain employees thereof, and access to criminal history information provided by the Department of Law Enforcement to qualified entities, respectively, to incorporate the amendment made to s. 943.053, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 628** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Gaetz	Latvala	Simmons
Galvano	Lee	Simpson
Garcia	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Negron	Stargel
Hukill	Richter	Thompson
Hutson	Ring	
Joyner	Sachs	

Nays—None

SB 716—A bill to be entitled An act relating to the Florida Holocaust Memorial; creating s. 265.005, F.S.; providing legislative intent; establishing the Florida Holocaust Memorial; providing for administration by the Department of Management Services; prohibiting the department from constructing and placing the memorial until certain conditions are met; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **SB 716** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 854—A bill to be entitled An act relating to funeral, cemetery, and consumer services; amending s. 497.005, F.S.; defining terms; amending s. 497.141, F.S.; revising required information for licensure to include e-mail addresses; requiring the Department of Financial Services to include e-mail notification as a means to administer the licensing process; amending s. 497.146, F.S.; revising required information for current licensees to include an address for e-mail notification; providing for rulemaking relating to electronic reporting; amending s. 497.152, F.S.; conforming provisions to changes made by the act; requiring, rather than authorizing, the Board of Funeral, Cemetery, and Consumer Services to provide certain criteria; prohibiting the board from requiring a fine when certain deficiencies are fully corrected within a specified period; amending s. 497.161, F.S.; revising requirements for rules of the licensing authority; amending s. 497.266, F.S.; revising the prohibition against withdrawal or transfer of assets within the care and maintenance trust fund to include an exception; amending s. 497.267, F.S.; revising provisions relating to the disposition of withdrawals from the care and maintenance trust fund; creating s. 497.2675, F.S.; requiring the board to adopt certain rules; requiring a licensed cemetery company to request a method for withdrawal from the cemetery company's care and maintenance trust fund; providing requirements for such methods; requiring that taxes on capital gains be paid from the trust principal; amending s. 497.268, F.S.; conforming provisions to changes made by the act; deleting a required deposit in a cemetery company's care and maintenance trust fund for mausoleums or columbaria; deleting the requirement that taxes on capital gain be paid from the trust corpus; amending s. 497.269, F.S.; requiring a trustee to annually furnish financial reports that record the fair market value of the care and maintenance trust fund; amending ss. 497.273 and 497.274, F.S.; conforming provisions to changes made by the act;

amending ss. 497.283 and 497.286, F.S.; conforming provisions to changes made by the act; amending s. 497.371, F.S.; providing that an applicant for the embalmer apprentice program may not be licensed without a determination of character by the licensing authority; amending ss. 497.372 and 497.381, F.S.; conforming provisions to changes made by the act; amending s. 497.452, F.S.; deleting an exception that prohibits a person from receiving specified funds without holding a valid preneed license; amending ss. 497.454 and 497.456, F.S.; conforming provisions to changes made by the act; amending s. 497.458, F.S.; revising requirements relating to the disposition of proceeds on a preneed contract; authorizing the board to specify criteria for the classification of items sold in a preneed contract; requiring the trustee to furnish the department with an annual report regarding preneed licensee trust accounts beginning on a specified date; providing requirements for the annual report; revising which investments a trustee of a trust has the power to invest in; deleting provisions relating to the preneed licensee; amending s. 497.459, F.S.; prohibiting certain preneed contracts from being canceled during the life or after the death of the contract purchaser or beneficiary; requiring unexpended moneys on an irrevocable contract to be deposited into the Medical Care Trust Fund under certain circumstances; amending s. 497.460, F.S.; conforming provisions to changes made by the act; repealing s. 497.461, F.S., relating to the authorization for a preneed licensee to elect surety bonding as an alternative to depositing funds into a trust; amending s. 497.462, F.S.; deleting obsolete references to surety bonds; amending s. 497.464, F.S.; conforming provisions to changes made by the act; amending s. 497.465, F.S.; requiring an inactive preneed licensee to deposit a specified amount of funds received on certain preneed contracts into the trust upon a specified time; amending ss. 497.601 and 497.607, F.S.; specifying that cremated remains are not property; requiring a division of cremated remains to be consented to by certain persons; providing that a dispute shall be resolved by a court of competent jurisdiction; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 854** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 962—A bill to be entitled An act relating to vocational rehabilitation; amending s. 413.207, F.S.; requiring the Division of Vocational Rehabilitation to initiate, by a specified date, a performance improvement plan designed to achieve specified goals; requiring the division to submit a performance report annually, by a specified date, to the Governor and the Legislature which includes specified information; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 962** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Abruzzo	Altman
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Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	
Gaetz	Montford	

Nays—None

SB 7016—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.361, F.S.; providing for payment of annual dues for the compact; creating s. 1000.40, F.S.; providing for future review and repeal of ss. 1000.36, 1000.361, 1000.38, and 1000.39, F.S., relating to the compact; repealing s. 2 of chapter 2013-20, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.38, and 1000.39, F.S., relating to the compact; providing for contingent retroactive operation; providing effective dates.

—as amended February 2, was read the third time by title.

On motion by Senator Altman, **SB 7016**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTION

On motion by Senator Simmons, by two-thirds vote, **SB 7016** was ordered immediately certified to the House.

SB 606—A bill to be entitled An act relating to state symbols; creating s. 15.053, F.S.; designating the Big Orange as the official state symbol for New Year’s Eve celebrations; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **SB 606** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Gaetz
Benacquisto	Dean	Galvano
Bradley	Detert	Garcia

Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Negron	Soto
Hutson	Richter	Stargel
Joyner	Ring	Thompson
Latvala	Sachs	
Lee	Simmons	

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Nays—None

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—as amended February 10, was read the third time by title.

Pending further consideration of **SB 2500**, as amended—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5001** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries, and other expenses, capital outlay—buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5001** was withdrawn from the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries, and other expenses, capital outlay—buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—a companion measure, was substituted for **SB 2500**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Lee, the engrossed version of **SB 2500** was adopted as an amendment to **HB 5001** to make the bills identical.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (953700)—Delete everything after the enacting clause and insert:

Pursuant to Rule 7.6, **Amendment 1 (953700)** constituted an entirely new bill and was not published in the Journal.

On motion by Senator Lee, by two-thirds vote, **HB 5001**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2500/HB 5001**, **SB 2502/HB 5003**, and **SB 2508/HB 5101** which come before the Senate for a vote on February 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Lee, the Senate having refused to pass **HB 5001** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Lee, by two-thirds vote, **HB 5001** was ordered immediately certified to the House.

SB 2502—A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 1011.62, F.S.; revising the method for allocating funds for exceptional student education programs; extending by 1 fiscal year the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; revising the computation of the district sparsity index for districts that meet certain criteria; deleting obsolete language; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; conforming cross-references; amending s. 1011.71, F.S.; conforming a cross-reference; providing for the future expiration and reversion of specified statutory text; amending s. 1004.935, F.S.; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; providing for the future expiration and reversion of specified statutory text; amending s. 1013.74, F.S.; authorizing a university board of trustees to expend certain reserve or carry forward balances from a prior year for specified capital outlay projects if certain conditions are met; amending s. 1001.92, F.S.; re-

vising requirements for the performance-based metrics adopted by the Board of Governors of the State University System for purposes of the State University System Performance-Based Incentive; requiring the Board of Governors to establish eligibility thresholds to determine a state university's eligibility to receive performance funding; creating s. 1001.66, F.S.; requiring a Florida College System Performance-Based Incentive to be awarded to Florida College System institutions using certain performance-based metrics and benchmarks adopted by the State Board of Education; specifying allocation of the funds; requiring the State Board of Education to establish eligibility thresholds to determine an institution's eligibility to receive performance funding; requiring certain funds to be withheld from, and certain improvement plans to be submitted to the State Board of Education by, institutions based on specified performance; specifying monitoring and reporting requirements for improvement plans; requiring the Commissioner of Education to withhold disbursement of specified funds until certain conditions are met; specifying requirements regarding the distribution of funds; requiring the State Board of Education to report to the Governor and the Legislature regarding the performance funding allocation; amending s. 1012.75, F.S.; extending by 1 fiscal year provisions authorizing the Department of Education to administer an educator liability insurance program; creating s. 1001.67, F.S.; establishing the Distinguished Florida College System institution program; specifying the excellence standards for purposes of the program; prescribing minimum criteria for an institution to receive a distinguished college designation; specifying that designated institutions are eligible for funding as provided in the General Appropriations Act; amending s. 1001.7065, F.S., and reenacting subsection (1), relating to the preeminent state research universities program; revising academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets certain criteria as an "emerging preeminent state research university"; revising provisions governing the award of funds to a designated preeminent state research university; requiring an emerging preeminent state research university to submit a benchmark plan to the board; specifying the method of determining funding amounts; deleting a provision establishing the Preeminent State Research University Enhancement Initiative; removing authority for a state research university to establish special course requirements; providing for the future expiration and reversion of specified statutory text; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding based upon a specified model, methodology, and framework; specifying requirements for such realignment; requiring the Agency for Persons with Disabilities to offer enrollment in the Medicaid home and community-based waiver to certain individuals; specifying criteria for enrollment prioritization; requiring an individual to be allowed to receive home and community-based services if his or her parent or legal guardian is an active-duty servicemember transferred to this state under certain circumstances; providing that individuals remaining on the wait list are not entitled to a hearing in accordance with federal law or an administrative proceeding under state law; specifying the requirements that apply to the iBudgets of clients on the home and community-based services waiver until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule; providing for application of the new allocation algorithm and methodology after adoption of the final rule; providing requirements for an increase in iBudget funding allocations; amending s. 296.37, F.S.; extending for 1 fiscal year the requirement that certain residents of a veterans' nursing home contribute to their maintenance and support; requiring the Agency for Health Care Administration to ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers have resided in a skilled nursing facility residency for a specified period; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a certain frailty-based screening; authorizing the Agency for Health Care Administration to adopt rules and enter into certain interagency agreements with respect to program enrollment; authorizing the delegation of certain responsibilities with respect to program enrollment; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to reflect certain enrollment changes within the Children's Medical Services Network; authorizing the agency to submit a request for nonoperating budget authority to transfer federal funds to the Department of Health under certain circumstances; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hos-

pital reimbursement programs for the 2016-2017 fiscal year; amending s. 893.055, F.S.; extending for 1 fiscal year the authority of the Department of Health to use certain funds to administer the prescription drug monitoring program; prohibiting the use of funds received from a settlement agreement to administer the program; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; extending for 1 fiscal year the authority for a municipality to expend funds from its special law enforcement trust fund to reimburse its general fund for certain moneys; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for trust fund loans to the state court system which are sufficient to meet the system's appropriation; prohibiting the Department of Corrections from transferring funds from a salaries and benefits category to another category unless approved by the Legislative Budget Commission; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to ensure that such deductions do not reduce distributions below amounts necessary for certain payments relating to bonds; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending s. 27.5304, F.S.; revising certain limitations on compensation for private court-appointed counsel; providing for the future expiration and reversion of specified statutory text; amending s. 28.36, F.S.; prescribing procedures regarding the distribution of funds appropriated in the General Appropriations Act for the clerks of the court for the 2015-2016 and the 2016-2017 county fiscal years; specifying the manner in which funds must be released; requiring the Department of Management Services to use tenant broker services to renegotiate or procure private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and the Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of specified statutory text; reenacting s. 282.709(2)(a), F.S., relating to the creation and membership of the Joint Task Force on State Agency Law Enforcement Communications; providing for the future expiration and reversion of specified statutory text; specifying the amount of the transaction fee to be collected for use of the online procurement system; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act for the 2016-2017 fiscal year; requiring that a minimum allocation of funds for the Florida Communities Trust be applied towards projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities; authorizing such funds to be used toward redevelopment and renewal projects if certain conditions are met; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used towards projects providing recreational enhancements and opportunities for individuals with unique abilities; requiring the Department of Environmental Protection to award grants by a specified date; revising the limitation on the number of grant applications a local government may submit; requiring the department to prioritize certain projects; amending s. 380.507, F.S.; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects; amending s. 206.9935, F.S.; exempting specified revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund; providing for the future expiration and reversion of specified statutory text; amending s. 403.709, F.S.; extending by 1 fiscal year provisions governing the establishment of a solid waste landfill closure account within the Solid Waste Management Trust Fund; reviving, reenacting, and amending s. 403.7095(5), F.S.; requiring the Department of Environ-

mental Protection to award a certain sum of grant funds for specified solid waste management programs to counties that meet certain criteria; amending s. 215.18, F.S.; extending by 1 fiscal year the authority for the Governor to transfer funds from other trust funds in the State Treasury as a temporary loan to certain land acquisition trust funds with a deficit; requiring the Department of Environmental Protection to transfer revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 376.3071, F.S.; specifying that earned interest may be transferred between the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund as authorized by the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 288.047, F.S.; specifying requirements and limitations with respect to the approval of applications, the execution of agreements, and reimbursement amounts under the Quick-Response Training Program; requiring the Department of Economic Opportunity to transfer funds to CareerSource Florida, Inc., if certain conditions exist; authorizing CareerSource Florida, Inc., to request an advance of the appropriation for the program; requiring CareerSource Florida, Inc., to set aside a specified percent of a certain appropriation to fund instructional programs for businesses located in a rural area of opportunity under certain circumstances; authorizing, rather than requiring, an educational institution receiving program funding to be included in the grant agreement prepared by CareerSource Florida, Inc.; authorizing certain matching contributions to be counted toward the private sector support of Enterprise Florida, Inc.; providing for the future expiration and reversion of specified statutory text; amending s. 339.135, F.S., and revising, reenacting, and amending paragraphs (4)(j) and (5)(c); extending by 1 fiscal year provisions requiring the Department of Transportation to use appropriated funds for purposes related to the establishment of a multiuse trail system; authorizing the department to use up to a certain amount of appropriated funds for strategic and regionally significant transportation projects; amending s. 339.2818, F.S.; redefining the term "small county" for purposes of the Small County Outreach Program; reenacting s. 341.302(10), F.S., relating to the Department of Transportation's duties and responsibilities for the rail program; providing for the future expiration and reversion of specified statutory text; amending s. 339.2816, F.S.; specifying the amount of funding from the State Transportation Trust Fund that may be used for the Small County Road Assistance Program for the 2016-2017 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 420.9072, F.S.; extending by 1 fiscal year provisions authorizing each county and eligible municipality to use its portion of the local housing distribution for certain purposes; amending s. 420.5087, F.S.; extending by 1 fiscal year provisions specifying the reservation of funds for the tenant groups within each notice of fund availability with respect to the State Apartment Incentive Loan Program; requiring the Florida Housing Finance Corporation to issue a notice of fund availability for loans to be used for certain purposes; amending s. 427.013, F.S.; requiring the Commission for the Transportation Disadvantaged to allocate and award appropriated funds for specified purposes; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of specified statutory text; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for human resource management services; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for

a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of specified statutory text; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—as amended February 10, was read the third time by title.

Pending further consideration of **SB 2502**, as amended—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 5003 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5003—A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 11.45, F.S.; requiring the Auditor General to conduct audits of the Florida School for the Deaf and Blind; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing a preeminent state research university to consider certain courses as a part of the general education requirements; providing that such courses are in addition to certain required courses; authorizing a preeminent state research university to require that such courses be earned at the university; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the Board of Governors to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and provide the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; amending s. 1002.39, F.S.; providing that a John M. McKay Scholarship is not subject to the maximum value for funding a student under the Florida Education Finance Program; amending s. 1008.46, F.S.; revising the date by which the Board of Governors must submit a specific report; amending s. 1009.23, F.S.; revising provisions relating to the Florida College System institution distance learning course user fee; providing that the fee may not exceed a specified amount per credit hour; requiring that an increase in the

current fee be approved by the State Board of Education; amending s. 1009.24, F.S.; revising provisions relating to the state university distance learning course fee; providing that the fee may not exceed a specified amount per credit hour; requiring each state university board of trustees to report specified information relating to the fee to the Board of Governors by a specified date; amending s. 1009.40, F.S.; revising provisions relating to student eligibility for state financial aid awards and tuition assistance grants; providing that a student may only be granted one probationary funding award; revising requirements for the award of probationary funding to a student who fails to earn the minimum number of credits; amending ss. 1009.50, 1009.505, 1009.51, and 1009.52, F.S., relating to the Florida Public Student Assistance Grant Program, the Florida Public Postsecondary Career Education Student Assistance Grant Program, the Florida Private Student Assistance Grant Program, and the Florida Postsecondary Student Assistance Grant Program; requiring the expected family contribution and all other aid available to a student be accounted and considered when determining a student's unmet need; requiring participating institutions to conduct an assessment of the available financial resources for each student; requiring certain funding mechanisms to be included in the assessment; revising the priority in the distribution of grant moneys; revising reporting requirements for participating institutions; amending s. 1009.701, F.S.; including Florida College System institutions in the First Generation Matching Grant Program; revising the state fund matching ratio for the grant program; amending s. 1011.61, F.S.; providing that a John M. 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category, other than a salaries and benefits category, unless approved by the Legislative Budget Commission; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer funds withheld to specified trust funds; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; directing the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of statutory text requiring the deposit of certain fees into the Administrative Trust Fund; specifying the amount of the transaction fee to be collected for use of the online procurement system; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; authorizing agencies to transfer certain data processing funds to contract with a private sector cloud service under certain circumstances; specifying that such transfers are subject to certain notice, review, and objection procedures; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resource management services; providing for replacement of Florida Accounting Information Resource Subsystem; providing for project governance structure; amending s. 161.143, F.S.; extending by 1 fiscal year the directive that the amount allocated for inlet management funding is provided in the General Appropriations Act; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 403.709, F.S.; revising the conditions under which the Department of Environmental Protection may use the solid waste landfill closure account within the Solid Waste Management Trust Fund to contract with a third party to close and provide long-term care of certain solid waste management facilities; authorizing the Department of Environmental Protection to use the Solid Waste Management Trust Fund under specified circumstances if amounts paid under an insurance policy or alternative financial assurance do not cover the cost of the closing or providing long-term care of a facility; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 403.890, F.S.; providing for use of funds deposited into or appropriated to the Water Protection and Sustainability Trust Fund; requiring the Department of Highway Safety and Motor Vehicles to contract with a

specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term "small county" for purposes of the Small County Outreach Program; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text related to the source and use of specified trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of statutory text related to the state employees' prescription drug program; prohibiting agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5003** was withdrawn from the Committee on Appropriations.

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

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amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the

Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 403.890, F.S.; providing for use of funds deposited into or appropriated to the Water Protection and Sustainability Trust Fund; requiring the Department of Highway Safety and Motor Vehicles to contract with a specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term "small county" for purposes of the Small County Outreach Program; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text related to the source and use of specified trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of statutory text related to the state employees' prescription drug program; prohibiting agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

—a companion measure, was substituted for **SB 2502**, as amended, and by two-thirds vote, read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (951174) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2016-2017 fiscal year.*

Section 2. *In order to implement Specific Appropriations 7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2016-2017 fiscal year in the document titled "Public School Funding: The Florida Education Finance Program," dated XX, 2016, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2017.*

Section 3. *In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2016-2017 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 94 of the 2016-2017 General Appropriations Act. This section expires July 1, 2017.*

Section 4. *In order to implement Specific Appropriation 23 of the 2016-2017 General Appropriations Act and notwithstanding s. 1013.64(2), Florida Statutes, any district school board that generates less than \$2 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mill for the 2016-2017 fiscal year toward the cost of funded special facilities construction projects. This section expires July 1, 2017.*

Section 5. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, paragraphs (e) and (f) of subsection (1), paragraph (a) of subsection (4), paragraph (b) of subsection (7), paragraph (a) of subsection (9), and present subsection (13) of section 1011.62, Florida Statutes, are amended, present subsections (13), (14), and (15) of that section are renumbered as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) Funding model for exceptional student education programs.—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated ~~initially annually~~ to each school district in the amount provided in the General Appropriations Act. These funds shall be ~~supplemental in addition~~ to the funds appropriated ~~for the basic funding level on the basis of FTE student membership in the Florida Education Finance Program~~, and the amount allocated for each school district shall ~~not~~ be recalculated ~~once~~ during the year, ~~based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount.~~ These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.~~

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. ~~The categorical fund funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds~~ shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the ~~2016-2017~~ ~~2014-2015~~ fiscal year, each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective ~~in~~ ~~at~~ teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~may~~ ~~shall~~ not be included in the 300 schools. ~~For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment.~~ After this requirement has been met, supplemental instruction strategies may include, but are not limited to: ~~use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size reduction, an extended school year, intensive skills development in summer school, and other methods of~~ ~~for~~ improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. ~~Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that shall have a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.~~

4. ~~3.~~ Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

5. ~~4.~~ The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

~~6.5.~~ Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d) 3.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph ~~(15)(b)~~ ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. *For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.*

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. ~~For the 2016-2017 2014-2015~~ fiscal year, in each

school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. *For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment.* Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~may shall~~ not be included in the 300 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. ~~For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on the statewide, standardized reading assessment or, upon implementation, the English Language Arts assessment, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.~~

(13) *FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian lands. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.*

(c) *The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).*

~~(14)(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from

prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 6. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, subsection (1) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 7. *The amendments made by this act to ss. 1011.62 and 1011.71, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 8. In order to implement Specific Appropriations 10 and 122 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education through June 30, 2017 ~~2016~~, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory

impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 9. *The amendment made by this act to s. 1004.935(1), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 10. In order to implement Specific Appropriations 13 and 142 through 150 of the 2016-2017 General Appropriations Act, subsection (7) is added to section 1013.74, Florida Statutes, to read:

1013.74 University authorization for fixed capital outlay projects.—

(7) *For the 2016-2017 fiscal year, a university board of trustees may expend reserve or carry forward balances from prior year operational and programmatic appropriations for fixed capital outlay projects approved by the Board of Governors which include significant academic instructional space or critical deferred maintenance needs in this area. This subsection expires July 1, 2017.*

Section 11. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, *including wage thresholds that reflect the added value of a baccalaureate degree*; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based *funding model metrics* shall consist of the state's *investment in appropriation for performance funding, including increases in base funding* plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System; in an amount provided in the General Appropriations Act. *The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding.* The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based *funding model metrics*.

(3)(a) A state university that fails to meet the Board of Governors' minimum *institutional investment performance funding eligibility threshold* shall have ~~a portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board *which that* specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university ~~that is~~ determined by the board to be making satisfactory progress on im-

plementing the improvement plan ~~may not shall~~ receive ~~no~~ more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) This section expires July 1, 2017 ~~2016~~.

Section 12. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) *A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The State Board of Education shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.*

(3)(a) *Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.*

(b) *A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.*

(c) *The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan may not receive more than one-half of the withheld institutional investment in January and the balance of the*

withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) *Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.*

(5) *By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.*

(6) *This section expires July 1, 2017.*

Section 13. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, subsection (3) of section 1012.75, Florida Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive force.—

(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel's professional capacity. For purposes of this subsection, the terms "full-time," "part-time," and "administrative personnel" shall be defined by the individual district school board. For purposes of this subsection, the term "instructional personnel" has the same meaning as provided in s. 1012.01(2).

(a) Liability coverage of at least \$2 million shall be provided to all full-time instructional personnel. Liability coverage may be provided to the following individuals who choose to participate in the program, at cost: part-time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program pursuant to s. 1012.39(3).

(b) By August 1, the department shall notify the personnel specified in paragraph (a) of the pending procurement for liability coverage. By September 1, each district school board shall notify the personnel specified in paragraph (a) of the liability coverage provided pursuant to this subsection. The department shall develop the form of the notice which shall be used by each district school board. The notice must be on an 8 1/2-inch by 5 1/2-inch postcard and include the amount of coverage, a general description of the nature of the coverage, and the contact information for coverage and claims questions. The notification shall be provided separately from any other correspondence. Each district school board shall certify to the department, by September 15, that the notification required by this paragraph has been provided.

(c) The department shall consult with the Department of Financial Services to select the most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 14. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System institution program.—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College System institutions.

(1) *EXCELLENCE STANDARDS.—The following excellence standards are established for the program:*

(a) *A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.*

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) **DISTINGUISHED COLLEGE DESIGNATION.**—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) **DISTINGUISHED COLLEGE SUPPORT.**—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

(4) **EXPIRATION.**—This section expires July 1, 2017.

Section 15. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (1) of section 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (9) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) **STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.**—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) **ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.**—~~Effective July 1, 2013,~~ The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, which includes, but is not limited to, the *U.S. News and World Report* rankings, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) ~~PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.~~—The Board of Governors shall designate each state ~~research~~ university that annually meets:

(a) At least 11 of the 12 academic and research excellence standards identified in subsection (2) as a “preeminent state research university.”

(b) At least 6 of the 12 academic and research excellence standards identified in subsection (2) as an “emerging preeminent state research university.”

(5) ~~PROGRAM PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.~~—

(a) A state ~~research~~ university designated as a preeminent state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section ~~an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.~~ A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5 year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5 year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs in residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.~~ In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first time in college students to take a 9 to 12 credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.

~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.~~—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.

~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.~~—The Board of Governors is encouraged to establish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

Section 16. *The amendment made by this act to s. 1001.7065, Florida Statutes, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 17. *In order to implement Specific Appropriations 199, 206, 207, 208, 211, and 218 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration is authorized to submit a budget amendment pursuant to chapter 216, Florida Statutes, to realign funding based on the model, methodology, and framework in the "Medicaid Hospital Funding Programs" document incorporated by reference in Senate Proposed Bill 2502. Funding changes shall be consistent with the intent of the model, methodology, and framework displayed, demonstrated, and explained in the "Medicaid Hospital Funding Programs" document, while allowing for the appropriate realignment to appropriation categories related to Medicaid Low-Income Pool, Disproportionate Share Hospital, Graduate Medical Education, Inpatient Hospital and Outpatient Hospital programs, Prepaid Health Plans, and the diagnosis related groups (DRG) methodology for hospital reimbursement for the 2016-2017 fiscal year, including requests for additional trust fund budget authority. Notwithstanding s. 216.177, Florida Statutes, if the chair or vice chair of the Legislative Budget Commission or the President of the Senate or the Speaker of the House of Representatives timely advises the Executive Office of the Governor, in writing, that the budget amendment exceeds the delegated authority of the Executive Office of the Governor or is contrary to legislative policy or intent, the Executive Office of the Governor shall void the action. This section expires July 1, 2017.*

Section 18. (1) *In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, and notwithstanding s.*

393.065(5), Florida Statutes, the Agency for Persons with Disabilities shall offer enrollment in the Medicaid home and community-based waiver program in the following order of priority:

(a) *Individuals in category 1, which includes clients deemed to be in crisis as described in rule.*

(b) *Individuals in category 2, which includes:*

1. *Individuals on the wait list who are from the child welfare system with an open case in the Department of Children and Families' statewide automated child welfare information system and who are:*

a. *Transitioning out of the child welfare system at the finalization of an adoption, a reunification with family members, a permanent placement with a relative, or a guardianship with a nonrelative; or*

b. *At least 18 years old but not yet 22 years old and need both waiver services and extended foster care services.*

2. *Individuals on the wait list who are at least 18 years old but not yet 22 years old and who withdrew consent pursuant to s. 39.6251(5)(c), Florida Statutes, to remain in the extended foster care system.*

For individuals who are at least 18 years old but not yet 22 years old and who are eligible under sub-subparagraph 1.b., the Agency for Persons with Disabilities shall provide waiver services, including residential habilitation; and the community-based care lead agency shall fund room and board at the rate established in s. 409.145(4), Florida Statutes, and provide case management and related services as defined in s. 409.986(3)(e), Florida Statutes. Individuals may receive both waiver services and services under s. 39.6251, Florida Statutes. Services may not duplicate services available through the Medicaid state plan.

(c) *Individuals in categories 3 and 4 in an order based on the Agency for Persons with Disabilities Waitlist Prioritization Tool, dated March 15, 2013. Using the tool, the agency shall move those individuals whose needs score highest to the waiver during the 2016-2017 fiscal year, to the extent funds are available.*

(d) *Individuals in category 6 shall be moved to the waiver during the 2016-2017 fiscal year, to the extent funds are available, based on meeting the following criteria:*

1. *The individual is 30 years of age or older;*

2. *The individual resides in the family home;*

3. *The individual has been on the wait list for waiver services for at least 10 continuous years; and*

4. *The individual is classified at a level of need equal to Level 3, Level 4, or Level 5 based on the Questionnaire for Situational Information.*

(2) *The agency shall allow an individual who meets the eligibility requirements under s. 393.065(1), Florida Statutes, to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military servicemember and, at the time of the servicemember's transfer to this state, the individual was receiving home and community-based services in another state.*

(3) *Upon the placement of individuals on the waiver pursuant to subsection (1), individuals remaining on the wait list are deemed not to have been substantially affected by agency action and are, therefore, not entitled to a hearing under s. 393.125, Florida Statutes, or an administrative proceeding under chapter 120, Florida Statutes.*

(4) *This section expires July 1, 2017.*

Section 19. *In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act:*

(1) *Until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule pursuant to s. 393.0662, Florida Statutes:*

(a) *Each client's iBudget in effect as of July 1, 2016, shall remain at its July 1, 2016, funding level.*

(b) *The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled on the home and community-based services waiver on or after July 1, 2016, using the same allocation algorithm and methodology used for the iBudgets in effect as of July 1, 2016.*

(2) *After a new algorithm and methodology is adopted by final rule, a client's new iBudget shall be determined based on the new allocation algorithm and methodology and shall take effect as of the client's next support plan update.*

(3) *Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statutes. A client's funding allocation may also be increased if the client has a significant need for transportation services to a waiver-funded adult day training program or to a waiver-funded supported employment where such need cannot be accommodated within the funding authorized by the client's iBudget amount without affecting the health and safety of the client, where public transportation is not an option due to the unique needs of the client, and where no other transportation resources are reasonably available. However, such increases may not result in the total of all clients' projected annual iBudget expenditures exceeding the agency's appropriation for waiver services.*

(4) *This section expires July 1, 2017.*

Section 20. In order to implement Specific Appropriations 569 through 578 of the 2016-2017 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:

296.37 Residents; contribution to support.—

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$105 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

Section 21. *In order to implement Specific Appropriation 231 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration shall ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days. This section expires July 1, 2017.*

Section 22. *In order to implement Specific Appropriation 232 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration and the Department of Elderly Affairs shall prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a frailty-based screening that provides a priority score (the "scoring process") and shall enroll individuals in the program according to the assigned priority score as funds are available. The agency may adopt rules, pursuant to s. 409.919, Florida Statutes, and enter into interagency agreements necessary to administer s. 409.979(3), Florida Statutes. Such rules or interagency agreements adopted by the agency relating to the scoring process may delegate to the Department of Elderly Affairs, pursuant to s. 409.978, Florida Statutes, the responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and the responsibility for defending, as needed, the scores assigned to persons on the program wait list in any resulting Medicaid fair hearings. The Department of Elderly Affairs may delegate the provision of notice of Medicaid fair hearing rights to its contractors. This section expires July 1, 2017.*

Section 23. *In order to implement Specific Appropriations 192A through 226 and 541 of the 2016-2017 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the*

actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for non-operating budget authority to transfer the federal funds to the Department of Health, pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2017.

Section 24. *In order to implement Specific Appropriations 199, 206, 207, 208, 211, and 218 of the 2016-2017 General Appropriations Act, the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated XX, 2016, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs. This section expires July 1, 2017.*

Section 25. In order to implement Specific Appropriation 524 of the 2016-2017 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department may use state funds appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations Act to administer the prescription drug monitoring program. Neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2017 ~~2016~~.

Section 26. In order to implement Specific Appropriations 599 through 706 and 721 through 755 of the 2016-2017 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17, 2015 ~~February 27, 2015~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2017 ~~2016~~.

Section 27. *In order to implement Specific Appropriations 1283 and 1284 of the 2016-2017 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2017.*

Section 28. In order to implement Specific Appropriations 1219 and 1224 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(d) Notwithstanding any other provision of this subsection, and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipi-

pality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before October 1, 2001. This paragraph expires July 1, 2017 ~~2016~~.

Section 29. In order to implement section 7 of the 2016-2017 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2016-2017 ~~2015-2016~~ General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This subsection expires July 1, 2017 ~~2016~~.

Section 30. *In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act for the Department of Corrections and notwithstanding s. 216.292, Florida Statutes, the Department of Corrections may not transfer funds from a salaries and benefits category to any other category within the department other than a salaries and benefits category without approval of the Legislative Budget Commission. This section expires July 1, 2017.*

Section 31. (1) *In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice shall review county juvenile detention payments for the purpose of ensuring that counties fulfill their financial responsibilities required in s. 985.686, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.*

(2) *As an assurance to holders of bonds issued by counties before July 1, 2015, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this subsection, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.*

(3) *This section expires July 1, 2017.*

Section 32. In order to implement Specific Appropriation 780 of the 2016-2017 General Appropriations Act, subsection (5) of section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation; notice.—

(5) The compensation for representation in a criminal proceeding may ~~shall~~ not exceed the following:

(a) For misdemeanors and juveniles represented at the trial level: \$1,000.

(b) For noncapital, nonlife felonies represented at the trial level: ~~\$15,000~~ ~~\$6,000~~.

(c) For life felonies represented at the trial level: ~~\$15,000~~ ~~\$9,000~~.

(d) For capital cases represented at the trial level: \$25,000. For purposes of this paragraph, a "capital case" is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.

(e) For representation on appeal: \$9,000.

Section 33. *The amendment made by this act to s. 27.5304(5), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 34. Effective upon becoming a law and in order to implement Specific Appropriation 3023 and sections 35 and 36 of the 2016-2017 General Appropriations Act, subsections (5) and (6) are added to section 28.36, Florida Statutes, to read:

28.36 Budget procedure.—There is established a budget procedure for the court-related functions of the clerks of the court.

(5) *Funds appropriated in the General Appropriations Act to augment the revenues received from fines, fees, service charges, and costs for court-related functions by the clerks of the court during the 2015-2016 county fiscal year shall be distributed by the Department of Revenue to clerks of the court in accordance with this subsection. The Florida Clerks of Court Operations Corporation shall certify to the Department of Revenue a proposed distribution of a portion of the appropriated funds for each clerk with a deficit after retaining all of the projected collections from the court-related fines, fees, service charges, and costs and for which a distribution under subsection (3) is not available to relieve that deficit; however, each clerk's expenditures may not exceed the amount approved for the 2015-2016 county fiscal year by the Legislative Budget Commission. The Department of Revenue shall certify the amount needed for each individual clerk to the Executive Office of the Governor and request release authority for such amounts from the Clerks of Court Trust Fund. Notwithstanding s. 216.192, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue and the Chief Financial Officer shall release the funds to each clerk in accordance with the release approved by the Governor. This subsection expires July 1, 2017.*

(6) *Funds appropriated in the General Appropriations Act for the clerks of the court for the 2016-2017 county fiscal year shall augment the amount of revenues projected to be received from fines, fees, service charges, and costs for court-related functions by the clerks of the court when each clerk of the court prepares, summarizes, and submits their budget to the Florida Clerks of Court Operations Corporation pursuant to subsection (2). The Florida Clerks of Court Operations Corporation shall determine the portion of the appropriated funds which shall be included in each individual clerk's proposed budget submitted pursuant to subsection (2). The proposed budgets for each clerk of court submitted to the Legislative Budget Commission pursuant to s. 28.35(2)(h) shall separately identify the amount of the appropriated funds proposed to be distributed to each clerk of the court. During consideration of the clerks' of the court budget pursuant to s. 28.35(2)(h), the Legislative Budget Commission shall consider the proposed distribution of the appropriated funds and shall approve, disapprove, or amend and approve the distribution of appropriated funds as a part of the clerks' combined budgets or any individual clerk's budget. If the Legislative Budget Commission fails to approve or amend and approve the clerks' combined budgets or amend and approve each individual clerk's budget, including the appropriated funds, before October 1, 2016, the corporation shall certify to the Department of Revenue a proposed distribution of a portion of the appropriated funds for each clerk with a deficit after retaining all of the projected collections from the court-related fines, fees, service charges, and costs and for which a distribution under subsection (3) is not available to relieve that deficit; however, each clerk's expenditures may not exceed the amount approved by the Legislative Budget Commission for the 2015-2016 county fiscal year. The Department of Revenue shall*

certify the amount needed for each individual clerk to the Executive Office of the Governor and request release authority for such amounts from the Clerks of Court Trust Fund. Notwithstanding s. 216.192, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue and the Chief Financial Officer shall release the funds to each clerk in accordance with the release approved by the Governor. This subsection expires July 1, 2017.

Section 35. In order to implement appropriations used for the payments of existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocur all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2017.

Section 36. In order to implement Specific Appropriations 2257 through 2265 of the 2016-2017 General Appropriations Act, section 624.502, Florida Statutes, is reenacted to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the plaintiff shall pay to the department or office a fee of \$15 for such service of process, which fee shall be deposited into the Administrative Trust Fund.

Section 37. The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2013, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 38. In order to implement Specific Appropriations 2834 through 2845 of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is reenacted to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of State Fire Marshal of the Department of Financial Services who shall be appointed by the State Fire Marshal.

7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 39. The amendment to s. 282.709(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 40. In order to implement Specific Appropriations 2740 through 2752 of the 2016-2017 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, shall be seven-tenths of 1 percent for the 2016-2017 fiscal year only. This section expires July 1, 2017.

Section 41. In order to implement Specific Appropriations 1533 and 1534 of the 2016-2017 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended, and paragraph (n) is added to that subsection, to read:

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(m) Notwithstanding paragraphs (a)-(j) and for the 2016-2017 ~~2015-2016~~ fiscal year only, \$22,256,206 ~~\$17.4 million~~ to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects and \$30 million to the Florida Communities Trust. This paragraph expires July 1, 2017 ~~2016~~.

(n)1. For the 2016-2017 fiscal year:

a. Notwithstanding any allocation required pursuant to paragraph (c), 66.67 percent of the funds available to the Florida Communities Trust shall be allocated for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

b. The Department of Environmental Protection may waive the local government matching fund requirement in paragraph (c) for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

c. Notwithstanding sub-subparagraphs a. and b., any funds required to be used to acquire conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities which have not been awarded for those purposes by May 1, 2017, may be awarded to redevelop or renew outdoor recreational facilities on public lands, including recreational trails, parks, and urban open spaces, together with improvements required to enhance recreational enjoyment and public access to public lands, if such redevelopment and renewal is primarily geared toward enhancing recreational opportunities for individuals with unique abilities. The department may waive the local matching requirement in paragraph (c) for such redevelopment and renewal projects.

2. This paragraph expires July 1, 2017.

Section 42. In order to implement Specific Appropriation 1698A of the 2016-2017 General Appropriations Act, subsection (4) is added to section 375.075, Florida Statutes, to read:

375.075 Outdoor recreation; financial assistance to local governments.—

(4)(a) For the 2016-2017 fiscal year:

1. Notwithstanding any other provision of this section, at least 30 percent of the program funds for projects must be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities. The department shall conduct a separate grant application process exclusively for such projects. The department shall make the schedule for the grant application process for projects that provide recreational enhancements and opportunities for individuals with unique abilities publicly available and shall award the grants for such projects by December 31, 2016.

2. Notwithstanding subsection (3), a local government may submit up to three grant applications for projects, if at least one of those projects provides recreational enhancements and opportunities for individuals with unique abilities. The maximum project grant for each project application that provides recreational enhancements and opportunities for individuals with unique abilities may not exceed \$500,000 in state funds.

(b) The selection criteria used by the department for grant applications submitted pursuant to this subsection shall prioritize projects that allocate the greatest share of state funds to provide recreational enhancements and opportunities for individuals with unique abilities.

(c) This subsection expires July 1, 2017.

Section 43. In order to implement Specific Appropriation 1534 of the 2016-2017 General Appropriations Act, paragraph (h) is added to subsection (2) of section 380.507, Florida Statutes, to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(2) To undertake, coordinate, or fund activities and projects which will help bring local comprehensive plans into compliance and help implement the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or which will otherwise serve to conserve natural resources and resolve land use conflicts, including, but not limited to:

(h) Projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities. This paragraph expires July 1, 2017.

Section 44. In order to implement Specific Appropriations 1599, 1599A, 1599B, and 1748 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment early restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2017 ~~2016~~.

The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.

Section 45. In order to implement specific appropriations from the Water Quality Assurance Trust Fund within the Department of Environmental Protection contained in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 206.9935, Florida Statutes, is amended to read:

206.9935 Taxes imposed.—

(2) TAX FOR WATER QUALITY.—

(b) The excise tax shall be the applicable rate as specified in subparagraph 1. per barrel or per unit of pollutant, or equivalent measure as established by the department, produced in or imported into the state. If the unobligated balance of the Water Quality Assurance Trust Fund is or falls below \$3 million, the tax shall be increased to the applicable rates specified in subparagraph 2. and shall remain at said rates until the unobligated balance in the fund exceeds \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. If the unobligated balance of the fund exceeds \$12 million, the levy of the tax shall be discontinued until the unobligated balance of the fund falls below \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. Changes in the tax rates pursuant to this paragraph shall take effect on the first day of the month after 30 days' notification to the Department of Revenue when the unobligated balance of the fund falls below or exceeds a limit set pursuant to this paragraph. The unobligated balance of the Water Quality Assurance Trust Fund as it relates to determination of the applicable excise tax rate shall exclude the unobligated balances of funds of the Dry Cleaning, Operator Certification, and nonagricultural nonpoint source programs, and other required reservations of fund balance. The unobligated balance in the Water Quality Assurance Trust Fund is based upon the current unreserved fund balance, projected revenues, authorized legislative appropriations, and funding for the department's base budget for the subsequent fiscal year. *Revenues for penalties collected pursuant to s. 403.121(11) and all moneys recovered under s. 373.430(7) are exempt from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund.* Determination of the unobligated balance of the Water Quality Assurance Trust Fund shall be performed annually subsequent to the annual legislative appropriations becoming law.

1. As provided in this paragraph, the tax shall be 2.36 cents per gallon of solvents, 1 cent per gallon of motor oil or other lubricants, and 2 cents per barrel of petroleum products, pesticides, ammonia, and chlorine.

2. As provided in this paragraph, the tax shall be 5.9 cents per gallon of solvents, 2.5 cents per gallon of motor oil or other lubricants, 2 cents per barrel of ammonia, and 5 cents per barrel of petroleum products, pesticides, and chlorine.

Section 46. *The amendment made by this act to s. 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 47. In order to implement Specific Appropriation 1670 of the 2016-2017 General Appropriations Act, subsection (5) of section 403.709, Florida Statutes, is amended to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has or had a department permit to operate the facility;
 2. The permittee provided proof of financial assurance for closure in the form of an insurance certificate;
 3. The facility is deemed to be abandoned or was ordered to close by the department;
 4. Closure is accomplished in substantial accordance with a closure plan approved by the department; and
 5. The department has written documentation that the insurance company issuing the closure insurance policy will provide or reimburse the funds required to complete closing and long-term care of the facility.
- (b) The department shall deposit the funds received from the insurance company as reimbursement for the costs of closing or long-term care of the facility into the solid waste landfill closure account.
- (c) This subsection expires July 1, 2017 ~~2016~~.

Section 48. Effective upon becoming a law and in order to implement Specific Appropriation 1674 and section 49 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration of subsection (5) of section 403.7095, Florida Statutes, which occurred on July 1, 2015, that subsection is revived, reenacted, and amended to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the 2015-2016 and 2016-2017 ~~2014-2015~~ fiscal years ~~year~~ only, the Department of Environmental Protection shall award the sum of \$1,500,000 in grants in the 2015-2016 fiscal year and the sum of \$3,750,000 ~~\$3 million~~ in grants in the 2016-2017 fiscal year equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2017 ~~2015~~.

Section 49. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2016 ~~2015~~, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer

Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2017 ~~2016~~.

Section 50. (1) *In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, the Department of Environmental Protection shall transfer revenues in the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.*

(2) *After subtracting any required debt service payments, the proportionate share of revenues to be transferred to a land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission for the fiscal year. The department shall transfer a proportionate share of the revenues deposited into the Land Acquisition Trust Fund within the department on a monthly basis to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission and shall retain a proportionate share of the revenues in the Land Acquisition Trust Fund within the department. Total distributions to a land acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission may not exceed the total appropriations from such trust fund for the fiscal year.*

(3) *This section expires July 1, 2017.*

Section 51. In order to implement Specific Appropriation 1623B of the 2016-2017 General Appropriations Act, subsection (9) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(9) INVESTMENTS; INTEREST.—Moneys in the fund which are not needed currently to meet the obligations of the department in the exercise of its responsibilities under this section and s. 376.3073 shall be deposited with the Chief Financial Officer to the credit of the fund and may be invested in such manner as provided by law. The interest received on such investment shall be credited to the fund. Any provisions of law to the contrary notwithstanding, such interest may be freely transferred between the trust fund and the Water Quality Assurance Trust Fund in the discretion of the department or as authorized in the General Appropriations Act.

Section 52. *The amendment made by this act to s. 376.3071(9), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 53. In order to implement Specific Appropriation 2198 of the 2016-2017 General Appropriations Act, subsections (4), (5), and (9) of section 288.047, Florida Statutes, are amended to read:

288.047 Quick-response training for economic development.—

(4)(a)1. *CareerSource Florida, Inc., may approve applications and execute agreements with terms not to exceed 24 months under the Quick-Response Training Program as provided in this section. However, the*

total amount of contractual obligations at any given time may not exceed \$30 million.

2. The total amount of reimbursements approved for payment by CareerSource Florida, Inc., based on actual performance under the grant agreement, may not exceed the amount appropriated to CareerSource Florida, Inc., for such purposes in fiscal year 2016-2017. The department shall transfer funds to CareerSource Florida, Inc., as needed to make reimbursement payments. CareerSource Florida, Inc., may request an advance of the appropriation for the Quick-Response Training Program in an amount sufficient to reimburse estimated claims for the first quarter of fiscal year 2016-2017.

(b) For the first 6 months of each fiscal year, CareerSource Florida, Inc., shall set aside 30 percent of the amount appropriated by the Legislature for the Quick-Response Training Program to fund instructional programs for businesses located in a rural area of opportunity ~~an enterprise zone~~ or brownfield area. Any unencumbered funds remaining ~~undisbursed~~ from this set-aside at the end of the 6-month period may be used to provide funding for a program that qualifies for funding pursuant to this section.

(5) ~~Prior to the allocation of funds for a request made pursuant to this section,~~ CareerSource Florida, Inc., shall prepare a grant agreement ~~with between~~ the business or industry requesting funds, ~~the educational institution receiving funding through the program, and CareerSource Florida, Inc.~~ Such agreement may include an educational institution receiving funding through the program and must include, but is not limited to:

(a) An identification of the personnel necessary to conduct the instructional program, the qualifications of such personnel, and the respective responsibilities of the parties for paying costs associated with the employment of such personnel.

(b) An identification of the estimated length of the instructional program.

(c) An identification of all direct, training-related costs, including tuition and fees, curriculum development, books and classroom materials, and overhead or indirect costs, not to exceed 5 percent of the grant amount.

(d) An identification of special program requirements that are not addressed otherwise in the agreement.

(e) Permission to access information specific to the wages and performance of participants upon the completion of instruction for evaluation purposes. Information which, if released, would disclose the identity of the person to whom the information pertains or disclose the identity of the person's employer is confidential and exempt from ~~the provisions of~~ s. 119.07(1). The agreement must specify that any evaluations published subsequent to the instruction may not identify the employer or any individual participant.

(9) Notwithstanding any other provision of law, ~~eligible~~ matching contributions received ~~during the fiscal year from a business or an industry participating in~~ ~~under this section from~~ the Quick-Response Training Program may be counted toward the private sector support of Enterprise Florida, Inc., under s. 288.904.

Section 54. *The amendments made by this act to s. 288.047(4), (5), and (9), Florida Statutes, expire July 1, 2017, and the text of those subsections shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 55. In order to implement Specific Appropriation 1895 of the 2016-2017 General Appropriations Act, paragraph (i) of subsection (4) and paragraph (b) of subsection (5) of section 339.135, Florida Statutes, are amended, and notwithstanding the expiration of paragraph (j) of subsection (4) and paragraph (c) of subsection (5) of that section, which occurred on July 1, 2015, those paragraphs are revived, reenacted, and amended, to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(i) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Department of Transportation shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(j) Notwithstanding paragraph (a) and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for production-ready eligible projects. Preference shall be given to projects that support the state's economic regions, or that have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

(5) ADOPTION OF THE WORK PROGRAM.—

(b) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(c) Notwithstanding paragraph (a), and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use appropriated funds to pay the costs of strategic and regionally significant transportation projects as provided in paragraph (4)(j). Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2014~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2015~~.

Section 56. In order to implement Specific Appropriation 1890 of the 2016-2017 General Appropriations Act, subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(a) For the purposes of this section, the term "small county" means any county that has a population of 150,000 or less as determined by the most recent official estimate pursuant to s. 186.901.

(b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-2016~~ fiscal year, for purposes of this section, the term "small county" means any county that has a population of 170,000 ~~165,000~~ or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2017 ~~2016~~.

Section 57. In order to implement Specific Appropriation 1874 of the 2016-2017 General Appropriations Act, subsection (10) of section 341.302, Florida Statutes, is reenacted to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(10)(a) Administer rail operating and construction programs, which programs shall include the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, the installation of traffic control devices at public grade crossings, the approval and implementation of quiet zones, and administration of the programs by the department, including participation in the cost of the programs.

(b) Provide grant funding to assist with the implementation of quiet zones that have been approved by the department, which funding may not exceed 50 percent of the nonfederal and nonprivate share of the total costs of any quiet zone capital improvement project.

(c) Coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.

(d) Monitor crossing incidents at approved quiet zone locations and suspend the operation of a quiet zone at any time the department determines that a significant deterioration in safety is resulting from quiet zone implementation.

Section 58. *The amendment to s. 341.302(10), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 59. In order to implement Specific Appropriation 1889 of the 2016-2017 General Appropriations Act, subsection (3) of section 339.2816, Florida Statutes, is amended to read:

339.2816 Small County Road Assistance Program.—

(3) *In the 2016-2017 fiscal year ~~Beginning with fiscal year 1999-2000 until fiscal year 2009-2010, and beginning again with fiscal year 2012-2013,~~ up to \$50 ~~\$25~~ million annually from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.*

Section 60. *The amendment made by this act to s. 339.2816(3), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 61. In order to implement Specific Appropriation 2224 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

(a) The term “rent subsidies” means ongoing monthly rental assistance.

(b) Up to 25 percent of the funds made available in each county and each eligible municipality from the local housing distribution may be used for rental assistance and rent subsidies as provided in paragraph (c).

(c) A county or an eligible municipality may expend its portion of the local housing distribution to provide the following types of rental assistance and rent subsidies:

1. Security and utility deposit assistance.
2. Eviction prevention subsidies not to exceed 6 months’ rent.
3. Rent subsidies for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004 or a person who is homeless as defined in s. 420.621 when the person initially qualified for a rent subsidy. The period of rental subsidy may not exceed 12 months for any eligible household or person.

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 62. In order to implement Specific Appropriation 2223 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10)(a) Notwithstanding subsection (3), for the 2016-2017 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:

1. Not less than 10 percent of the funds available at that time for the following tenant groups:

- a. Families;
- b. Persons who are homeless;
- c. Persons with special needs; and
- d. Elderly persons.

2. Not less than 5 percent of the funds available at that time for the commercial fishing workers and farmworkers tenant group.

(b) *Notwithstanding the provisions of this section which require program funds be used for housing for very-low-income persons and the provisions of subparagraph (6)(c)4. which require that specified percentages of the units in a project be reserved for persons or families of specified income levels, for the 2016-2017 fiscal year, the corporation shall issue a notice of fund availability for \$20 million for loans for the construction of workforce housing to serve primarily low-income persons, as defined in s. 420.0004.*

(c) This subsection expires July 1, 2017 ~~2016~~.

Section 63. In order to implement Specific Appropriation 1856 of the 2016-2017 General Appropriations Act, subsection (30) is added to section 427.013, Florida Statutes, to read:

427.013 The Commission for the Transportation Disadvantaged; purpose and responsibilities.—The purpose of the commission is to accomplish the coordination of transportation services provided to the transportation disadvantaged. The goal of this coordination is to assure the cost-effective provision of transportation by qualified community transportation coordinators or transportation operators for the transportation disadvantaged without any bias or presumption in favor of multioperator systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In carrying out this purpose, the commission shall:

(30) *For the 2016-2017 fiscal year and notwithstanding any other provision of this section:*

(a) *Allocate, from funds provided in the General Appropriations Act, to community transportation coordinators who do not receive Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons so they may access health care, employment, education, and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.*

(b) *Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to address unique transportation challenges of persons with disabilities, older adults, and low-income persons seeking to obtain or maintain employment; to allow residents of inner-city, urban, or rural neighborhoods to access jobs; and to provide transportation services for persons who work late at night or on weekends when conventional transit services are reduced or unavailable.*

(c) Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to support transportation projects to:

1. Enhance access to health care, shopping, education, employment, public services, and recreation;
2. Assist in the development, improvement, and use of transportation systems in nonurbanized areas;
3. Promote the efficient coordination of services;
4. Support inner-city bus transportation; and
5. Encourage private transportation providers to participate.

(d) This subsection expires July 1, 2017.

Section 64. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is reenacted to read:

216.292 Appropriations nontransferable; exceptions.—

(2) The following transfers are authorized to be made by the head of each department or the Chief Justice of the Supreme Court whenever it is deemed necessary by reason of changed conditions:

(a) The transfer of appropriations funded from identical funding sources, except appropriations for fixed capital outlay, and the transfer of amounts included within the total original approved budget and plans of releases of appropriations as furnished pursuant to ss. 216.181 and 216.192, as follows:

1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
2. Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
3. Any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year shall not be authorized to make transfers pursuant to subparagraphs 1. and 2. in the subsequent fiscal year.
4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review.

Section 65. *The amendment to s. 216.292(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 66. *In order to implement the appropriation of funds in the contracted services and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:*

- (1) Require a change in law; or
- (2) Require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), Florida Statutes, unless the initiation of such competitive solicitation is specifically authorized in law, in the General Appropriations Act, or by the Legislative Budget Commission.

This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists. This section expires July 1, 2017.

Section 67. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2017.*

Section 68. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per State-wide Contract" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2017.*

Section 69. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2017 ~~2016~~.

Section 70. *In order to implement Specific Appropriations 2652 and 2653 of the 2016-2017 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2016-2017 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2017.*

Section 71. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose

authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private orga-

nizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 72. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 73. *In order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2017.*

Section 74. *In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees shall be limited during the 2016-2017 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2017.*

Section 75. *In order to implement Specific Appropriations 2892 through 2913 of the 2016-2017 General Appropriations Act, funded from the data processing appropriation category for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated for data processing in the 2016-2017 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2017.*

Section 76. *In order to implement the appropriation of funds in the appropriation category "Data Processing Services-State Data Center-Agency for State Technology (AST)" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided by the State Data Center. This section expires July 1, 2017.*

Section 77. *In order to implement appropriations authorized in the 2016-2017 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in sections 75 and 76 of this act, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2017.*

Section 78. *In order to implement Specific Appropriation 2826 of the 2016-2017 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2016-2017 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2017.*

Section 79. In order to implement section 8 of the 2016-2017 General Appropriations Act, section 110.12315, Florida Statutes, is re-enacted to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(1) The department shall allow prescriptions written by health care providers under the plan to be filled by any licensed pharmacy pursuant to contractual claims-processing provisions. Nothing in this section may be construed as prohibiting a mail order prescription drug program distinct from the service provided by retail pharmacies.

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(a) Retail pharmacies participating in the program must be reimbursed at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There shall be a 30-day supply limit for prescription card purchases, a 90-day supply limit for maintenance prescription drug purchases, and a 90-day supply limit for mail order or mail order prescription drug purchases.

(c) The pharmacy dispensing fee shall be negotiated by the department.

(3) Pharmacy reimbursement rates shall be as follows:

(a) For mail order and specialty pharmacies contracting with the department, reimbursement rates shall be as established in the contract.

(b) For retail pharmacies, the reimbursement rate shall be at the same rate as mail order pharmacies under contract with the department.

(4) The department shall maintain the preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

(5) The department shall maintain a list of maintenance drugs.

(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs filled up to three times as a 30-day supply through a retail pharmacy; thereafter, prescriptions for the same maintenance drug must be filled as a 90-day supply either through the department's contracted mail order pharmacy or through a retail pharmacy.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs filled as a 90-day supply either through a mail order pharmacy or through a retail pharmacy.

(6) Copayments made by health plan members for a 90-day supply through a retail pharmacy shall be the same as copayments made for a 90-day supply through the department's contracted mail order pharmacy.

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

(8) The department shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies dispensing prescription medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.

(9) The department shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term-maintenance medication in lieu of acute therapy medication.

(10) Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs to any person whose current eligibility for coverage has not been verified by the state's contracted administrator or by the department.

(11) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, 2013, for the State Group Health Insurance Standard Plan:

- 1. For generic drug with card \$7.
- 2. For preferred brand name drug with card \$30.
- 3. For nonpreferred brand name drug with card \$50.
- 4. For generic mail order drug \$14.
- 5. For preferred brand name mail order drug \$60.
- 6. For nonpreferred brand name mail order drug \$100.

(b) Effective January 1, 2006, for the State Group Health Insurance High Deductible Plan:

- 1. Retail coinsurance for generic drug with card 30%.
- 2. Retail coinsurance for preferred brand name drug with card 30%.
- 3. Retail coinsurance for nonpreferred brand name drug with card 50%.
- 4. Mail order coinsurance for generic drug 30%.
- 5. Mail order coinsurance for preferred brand name drug 30%.
- 6. Mail order coinsurance for nonpreferred brand name drug 50%.

(c) The department shall create a preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

Section 80. (1) *The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

(2) *The amendments to s. 110.12315(2)(c) and (3)-(6), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expire July 1, 2017, and the text of that paragraph and the text and numbering of those subsections shall revert to those in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

(3) *The amendment to s. 110.12315(7), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that subsection shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 81. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2016-2017 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2016-2017*

General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 82. *If any other act passed during the 2016 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 83. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 84. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 1011.62, F.S.; revising the method for allocating funds for exceptional student education programs; extending by 1 fiscal year the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; revising the computation of the district sparsity index for districts that meet certain criteria; deleting obsolete language; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; conforming cross-references; amending s. 1011.71, F.S.; conforming a cross-reference; providing for the future expiration and reversion of specified statutory text; amending s. 1004.935, F.S.; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; providing for the future expiration and reversion of specified statutory text; amending s. 1013.74, F.S.; authorizing a university board of trustees to expend certain reserve or carry forward balances from a prior year for specified capital outlay projects if certain conditions are met; amending s. 1001.92, F.S.; revising requirements for the performance-based metrics adopted by the Board of Governors of the State University System for purposes of the State University System Performance-Based Incentive; requiring the Board of Governors to establish eligibility thresholds to determine a state university's eligibility to receive performance funding; creating s. 1001.66, F.S.; requiring a Florida College System Performance-Based Incentive to be awarded to Florida College System institutions using certain performance-based metrics and benchmarks adopted by the State Board of Education; specifying allocation of the funds; requiring the State Board of Education to establish eligibility thresholds to determine an institution's eligibility to receive performance funding; requiring certain funds to be withheld from, and certain improvement plans to be submitted to the State Board of Education by, institutions based on specified performance; specifying monitoring and reporting requirements for improvement plans; requiring the Commissioner of Education to withhold disbursement of specified funds until certain conditions are met; specifying requirements regarding the distribution of funds; requiring the State Board of Education to report to the Governor and the Legislature regarding the performance funding allocation; amending s. 1012.75, F.S.; extending by 1 fiscal year provisions authorizing the Department of Education to administer an educator liability insurance program; creating s. 1001.67, F.S.; establishing the Distinguished Florida College System institution program; specifying the excellence standards for purposes of the program; prescribing minimum criteria for an institution to receive a distinguished college designation; specifying that designated institutions are eligible for

funding as provided in the General Appropriations Act; amending s. 1001.7065, F.S., and reenacting subsection (1), relating to the preeminent state research universities program; revising academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets certain criteria as an "emerging preeminent state research university"; revising provisions governing the award of funds to a designated preeminent state research university; requiring an emerging preeminent state research university to submit a benchmark plan to the board; specifying the method of determining funding amounts; deleting a provision establishing the Preeminent State Research University Enhancement Initiative; removing authority for a state research university to establish special course requirements; providing for the future expiration and reversion of specified statutory text; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding based upon a specified model, methodology, and framework; specifying requirements for such realignment; requiring the Agency for Persons with Disabilities to offer enrollment in the Medicaid home and community-based waiver to certain individuals; specifying criteria for enrollment prioritization; requiring an individual to be allowed to receive home and community-based services if his or her parent or legal guardian is an active-duty servicemember transferred to this state under certain circumstances; providing that individuals remaining on the wait list are not entitled to a hearing in accordance with federal law or an administrative proceeding under state law; specifying the requirements that apply to the iBudgets of clients on the home and community-based services waiver until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule; providing for application of the new allocation algorithm and methodology after adoption of the final rule; providing requirements for an increase in iBudget funding allocations; amending s. 296.37, F.S.; extending for 1 fiscal year the requirement that certain residents of a veterans' nursing home contribute to their maintenance and support; requiring the Agency for Health Care Administration to ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers have resided in a skilled nursing facility for a specified period; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a certain frailty-based screening; authorizing the Agency for Health Care Administration to adopt rules and enter into certain interagency agreements with respect to program enrollment; authorizing the delegation of certain responsibilities with respect to program enrollment; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to reflect certain enrollment changes within the Children's Medical Services Network; authorizing the agency to submit a request for nonoperating budget authority to transfer federal funds to the Department of Health under certain circumstances; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year; amending s. 893.055, F.S.; extending for 1 fiscal year the authority of the Department of Health to use certain funds to administer the prescription drug monitoring program; prohibiting the use of funds received from a settlement agreement to administer the program; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; extending for 1 fiscal year the authority for a municipality to expend funds from its special law enforcement trust fund to reimburse its general fund for certain moneys; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for trust fund loans to the state court system which are sufficient to meet the system's appropriation; prohibiting the Department of Corrections from transferring funds from a salaries and benefits category to another category unless approved by the Legislative Budget Commission; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to ensure that such deductions do not reduce distributions below amounts necessary for certain payments relating to bonds; requiring the Department of Revenue to notify the

Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending s. 27.5304, F.S.; revising certain limitations on compensation for private court-appointed counsel; providing for the future expiration and reversion of specified statutory text; amending s. 28.36, F.S.; prescribing procedures regarding the distribution of funds appropriated in the General Appropriations Act for the clerks of the court for the 2015-2016 and the 2016-2017 county fiscal years; specifying the manner in which funds must be released; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocur private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and the Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of specified statutory text; reenacting s. 282.709(2)(a), F.S., relating to the creation and membership of the Joint Task Force on State Agency Law Enforcement Communications; providing for the future expiration and reversion of specified statutory text; specifying the amount of the transaction fee to be collected for use of the online procurement system; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act for the 2016-2017 fiscal year; requiring that a minimum allocation of funds for the Florida Communities Trust be applied toward projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities; authorizing such funds to be used toward redevelopment and renewal projects if certain conditions are met; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used toward projects providing recreational enhancements and opportunities for individuals with unique abilities; requiring the Department of Environmental Protection to award grants by a specified date; revising the limitation on the number of grant applications a local government may submit; requiring the department to prioritize certain projects; amending s. 380.507, F.S.; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects; amending s. 206.9935, F.S.; exempting specified revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund; providing for the future expiration and reversion of specified statutory text; amending s. 403.709, F.S.; extending by 1 fiscal year provisions governing the establishment of a solid waste landfill closure account within the Solid Waste Management Trust Fund; reviving, reenacting, and amending s. 403.709(5), F.S.; requiring the Department of Environmental Protection to award a certain sum of grant funds for specified solid waste management programs to counties that meet certain criteria; amending s. 215.18, F.S.; extending by 1 fiscal year the authority for the Governor to transfer funds from other trust funds in the State Treasury as a temporary loan to certain land acquisition trust funds with a deficit; requiring the Department of Environmental Protection to transfer revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 376.3071, F.S.; specifying that earned interest may be transferred between the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund as authorized by the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 288.047, F.S.; specifying requirements and limitations with respect to the approval of applications, the execution of agreements, and reimbursement amounts under the Quick-Response Training Program; requiring the Department of Economic Opportunity to transfer funds to CareerSource Florida, Inc., if certain conditions exist; authorizing CareerSource Florida, Inc., to request an advance of the appropriation for the program; requiring CareerSource Florida, Inc., to set aside a specified percent of a certain appropriation to fund instructional programs for businesses located in a rural area of opportunity under certain cir-

cumstances; authorizing, rather than requiring, an educational institution receiving program funding to be included in the grant agreement prepared by CareerSource Florida, Inc.; authorizing certain matching contributions to be counted toward the private sector support of Enterprise Florida, Inc.; providing for the future expiration and reversion of specified statutory text; amending s. 339.135, F.S., and reviving, reenacting, and amending paragraphs (4)(j) and (5)(c); extending by 1 fiscal year provisions requiring the Department of Transportation to use appropriated funds for purposes related to the establishment of a multiuse trail system; authorizing the department to use up to a certain amount of appropriated funds for strategic and regionally significant transportation projects; amending s. 339.2818, F.S.; redefining the term "small county" for purposes of the Small County Outreach Program; reenacting s. 341.302(10), F.S., relating to the Department of Transportation's duties and responsibilities for the rail program; providing for the future expiration and reversion of specified statutory text; amending s. 339.2816, F.S.; specifying the amount of funding from the State Transportation Trust Fund that may be used for the Small County Road Assistance Program for the 2016-2017 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 420.9072, F.S.; extending by 1 fiscal year provisions authorizing each county and eligible municipality to use its portion of the local housing distribution for certain purposes; amending s. 420.5087, F.S.; extending by 1 fiscal year provisions specifying the reservation of funds for the tenant groups within each notice of fund availability with respect to the State Apartment Incentive Loan Program; requiring the Florida Housing Finance Corporation to issue a notice of fund availability for loans to be used for certain purposes; amending s. 427.013, F.S.; requiring the Commission for the Transportation Disadvantaged to allocate and award appropriated funds for specified purposes; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of specified statutory text; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for human resource management services; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of specified statutory text; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

On motion by Senator Lee, by two-thirds vote, **HB 5003**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Montford	Simpson
Hutson	Negron	Smith
Joyner	Richter	Sobel
Latvala	Ring	Soto
Lee	Sachs	Stargel
Margolis	Simmons	Thompson

Nays—None

Vote after roll call:

Yea—Legg

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2500/HB 5001**, **SB 2502/HB 5003**, and **SB 2508/HB 5101** which come before the Senate for a vote on February 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Lee, the Senate having refused to pass **HB 5003** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Lee, by two-thirds vote, **HB 5003** was ordered immediately certified to the House.

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

—was read the third time by title.

Pending further consideration of **SB 2504**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5007** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5007—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5007** was withdrawn from the Committee on Appropriations.

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

HB 5007—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—a companion measure, was substituted for **SB 2504**, and by two-thirds vote, read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (592002) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *All collective bargaining issues for which negotiations have reached an impasse for the 2016-2017 fiscal year between the state and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in the General Appropriations Act and the relevant provisions of any legislation enacted to implement the General Appropriations Act for the 2016-2017 fiscal year.*

Section 2. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

On motion by Senator Lee, by two-thirds vote, **HB 5007**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Benacquisto

MOTION

On motion by Senator Lee, the Senate having refused to pass **HB 5007** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Lee, by two-thirds vote, **HB 5007** was ordered immediately certified to the House.

SB 7042—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.4501, F.S.; correcting a reference to the trust fund to which certain employer assessments are transferred; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; amending s. 121.74, F.S.; revising the employer assessment rate for offsetting administrative and educational costs related to the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 7042**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 5005 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5005—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of certain membership classes and subclasses of the Florida Retirement System; amending s. 121.74, F.S.; revising employer assessment to offset the costs of administering the investment plan and providing educational services; providing a finding of important state interest; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5005** was withdrawn from the Committee on Appropriations.

On motion by Senator Ring, by two-thirds vote—

HB 5005—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of certain membership classes and subclasses of the Florida Retirement System; amending s. 121.74, F.S.; revising employer assessment to offset the costs of administering the investment plan and providing educational services; providing a finding of important state interest; providing an effective date.

—a companion measure, was substituted for **SB 7042**, and by two-thirds vote, read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (709216) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (5) of section 121.4501, Florida Statutes, is amended to read:

121.4501 Florida Retirement System Investment Plan.—

(5) CONTRIBUTIONS.—

(c) The state board, acting as plan fiduciary, must ensure that all plan assets are held in a trust, pursuant to s. 401 of the Internal Revenue Code. The fiduciary must ensure that such contributions are allocated as follows:

1. The employer and employee contribution portion earmarked for member accounts shall be used to purchase interests in the appropriate investment vehicles as specified by the member, or in accordance with paragraph (4)(d).

2. The employer contribution portion earmarked for administrative and educational expenses shall be transferred to the *state board's Administrative Florida Retirement System Investment Plan* Trust Fund.

3. The employer contribution portion earmarked for disability benefits shall be transferred to the Florida Retirement System Trust Fund.

Section 2. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2016 2015
Regular Class	2.97% 2.91%
Special Risk Class	11.35%
Special Risk Administrative Support Class	3.87% 3.71%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	6.63% 6.48%
Elected Officers' Class—Justices, Judges	11.68% 11.30%
Elected Officers' Class—County Elected Officers	8.55% 8.48%
Senior Management Class	4.38% 4.32%
DROP	4.17% 4.10%

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2016 2015
Regular Class	2.83% 2.65%
Special Risk Class	8.92% 8.99%
Special Risk Administrative Support Class	22.47% 27.54%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	33.75% 37.62%
Elected Officers' Class—Justices, Judges	23.30% 22.62%
Elected Officers' Class—County Elected Officers	32.20% 32.00%
Senior Management Service Class	15.67% 15.41%
DROP	7.10% 7.12%

Section 3. Section 121.74, Florida Statutes, is amended to read:

121.74 Administrative and educational expenses.—In addition to contributions required to fund member accounts under ss. 121.71 and 121.73, effective July 1, 2010, through June 30, 2014, employers participating in the Florida Retirement System shall contribute an employer assessment amount equal to 0.03 percent of the payroll reported for each class or subclass of Florida Retirement System membership. Effective July 1, 2014, the employer assessment is 0.04 percent of the payroll reported for each class or subclass of membership. *Effective July 1, 2016, the employer assessment is 0.06 percent of the payroll reported for each class or subclass of membership.* The amount assessed shall be transferred by the Division of Retirement from the Florida Retirement System Contributions Clearing Trust Fund to the State Board of Administration's Administrative Trust Fund to offset the costs of administering the investment plan and the costs of providing educational services to members of the Florida Retirement System. Approval of the trustees is required before the expenditure of these funds. Payments for

third-party administrative or educational expenses shall be made only pursuant to the terms of the approved contracts for such services.

Section 4. *The Legislature finds that a proper and legitimate state interest is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 5. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.4501, F.S.; correcting a reference to the trust fund to which certain employer assessments are transferred; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; amending s. 121.74, F.S.; revising the employer assessment rate for offsetting administrative and educational costs related to the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

On motion by Senator Ring, by two-thirds vote, **HB 5005**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTION

On motion by Senator Ring, the Senate having refused to pass **HB 5005** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Ring, by two-thirds vote, **HB 5005** was ordered immediately certified to the House.

SB 2508—A bill to be entitled An act relating to health care services; amending s. 322.143, F.S.; providing an exception to the prohibition against a private entity swiping an individual’s driver license or identification card for certain entities for certain purposes; amending s. 395.602, F.S.; including specified hospitals in the definition of “rural hospital”; amending s. 409.285, F.S.; requiring appeals related to Medicaid programs directly administered by the Agency for Health Care Administration to be directed to the agency; providing requirements for appeals directed to the agency; providing an exemption from the uniform rules of procedure and from a requirement that certain proceedings be heard before an administrative law judge for specified hearings; requiring the agency to seek federal approval of its authority to oversee appeals; providing that appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to

that agency’s hearing rights process; amending s. 409.811, F.S.; defining the term “lawfully residing child”; deleting the definition of the term “qualified alien”; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility for the Florida Kidcare program to conform to changes made by the act; clarifying that undocumented immigrants are excluded from eligibility; amending s. 409.904, F.S.; providing eligibility for optional payments for medical assistance and related services for certain lawfully residing children; clarifying that undocumented immigrants are excluded from eligibility for optional Medicaid payments or related services; amending s. 409.905, F.S.; deleting the limitation on the number of hospital emergency department visits that may be paid for by the Agency for Health Care Administration for certain recipients; amending s. 409.906, F.S.; directing the agency to seek federal approval to provide temporary housing assistance for certain persons; creating s. 409.9064, F.S.; directing the agency to seek federal approval to provide home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome; providing a method for determining financial eligibility for Medicaid benefits in certain circumstances; amending s. 409.907, F.S.; authorizing the agency to certify that a Medicaid provider is out of business; creating s. 409.9072, F.S.; directing the agency to pay private schools and charter schools that are Medicaid providers for specified school-based services under certain parameters; authorizing the agency to review a school that has applied to the program for capability requirements; providing a reimbursement schedule; providing for a waiver of agency and school confidentiality under certain circumstances; amending s. 409.908, F.S.; revising the list of provider types that are subject to certain statutory provisions relating to the establishment of rates; amending s. 409.909; adding psychiatry to a list of primary care specialties under the Statewide Medicaid Residency Program; amending s. 409.911, F.S.; updating the fiscal year for determining each hospital’s Medicaid days and charity care; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending ss. 409.9113, 409.9115, and 409.9119, F.S.; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending s. 409.9128, F.S.; conforming provisions to changes made by the act; amending s. 409.967, F.S.; defining the term “Medicaid rate” for the purpose of determining specified managed care plan payments for emergency services in compliance with federal law; requiring annual publication of fee schedules on the agency’s website; amending s. 409.968, F.S.; directing the agency to establish a payment methodology for managed care plans providing housing assistance to specified persons; amending s. 409.975, F.S.; providing for the determination of applicable Medicaid rates for emergency services; defining the term “essential provider”; deleting requirements relating to contracted rates between managed care plans and hospitals; conforming provisions to changes made by the act; amending s. 624.91, F.S.; conforming provisions to changes made by the act; amending s. 641.513, F.S.; specifying parameters for payments by a health maintenance organization to a noncontracted provider of emergency services under certain circumstances; conforming provisions to changes made by the act; authorizing a Program of All-Inclusive Care for the Elderly organization granted certain enrollee slots for frail elders residing in Broward County to also use the slots for enrollees residing in Miami-Dade County; authorizing the agency to contract with an organization in Escambia County to provide services under the federal Program of All-Inclusive Care for the Elderly in specified areas; exempting the organization from ch. 641, F.S., relating to health care service programs; authorizing enrollment slots for the program in such areas, subject to appropriation; providing effective dates.

—was read the third time by title.

Pending further consideration of **SB 2508**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 5101 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 5101—A bill to be entitled An act relating to Medicaid; amending s. 409.285, F.S.; providing procedures for appeals by applicants for public assistance based on the agency administering the Medicaid program; providing responsibilities of the Agency for Health Care Administration as the hearing authority for certain appeals; authorizing the agency to adopt rules; exempting the rules from certain time requirements under certain conditions; exempting certain agency hearings relating to the Medicaid program from uniform rules of procedure that require such hearings to be conducted by an administrative law judge; amending s. 409.905, F.S.; revising the methodology for establishing reimbursement rates for outpatient hospital services; amending s. 409.909, F.S.; revising the definition of the term "Medicaid payments" to include payments for certain outpatient services; amending chapter 2012-33, Laws of Florida; requiring a Program of All-Inclusive Care for the Elderly (PACE) organization in Broward County to serve frail elders in Miami-Dade County; repealing ss. 409.911, 409.9113, 409.9118, and 409.9119, F.S., relating to the disproportionate share program; amending ss. 409.908, 409.9115, 409.9116, 1009.66, and 1009.67, F.S.; conforming references and cross-references to changes made by the act; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5101** was withdrawn from the Committee on Appropriations.

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

HB 5101—A bill to be entitled An act relating to Medicaid; amending s. 409.285, F.S.; providing procedures for appeals by applicants for public assistance based on the agency administering the Medicaid program; providing responsibilities of the Agency for Health Care Administration as the hearing authority for certain appeals; authorizing the agency to adopt rules; exempting the rules from certain time requirements under certain conditions; exempting certain agency hearings relating to the Medicaid program from uniform rules of procedure that require such hearings to be conducted by an administrative law judge; amending s. 409.905, F.S.; revising the methodology for establishing reimbursement rates for outpatient hospital services; amending s. 409.909, F.S.; revising the definition of the term "Medicaid payments" to include payments for certain outpatient services; amending chapter 2012-33, Laws of Florida; requiring a Program of All-Inclusive Care for the Elderly (PACE) organization in Broward County to serve frail elders in Miami-Dade County; repealing ss. 409.911, 409.9113, 409.9118, and 409.9119, F.S., relating to the disproportionate share program; amending ss. 409.908, 409.9115, 409.9116, 1009.66, and 1009.67, F.S.; conforming references and cross-references to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 2508**, and by two-thirds vote, read the second time by title.

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (390464) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 322.143, Florida Statutes, is amended and subsection (10) is added to that section, to read:

322.143 Use of a driver license or identification card.—

(2) Except as provided in *subsections (6) and (10)* ~~subsection (6)~~, a private entity may not swipe an individual's driver license or identification card, except for the following purposes:

(a) To verify the authenticity of a driver license or identification card or to verify the identity of the individual if the individual pays for a good or service with a method other than cash, returns an item, or requests a refund.

(b) To verify the individual's age when providing an age-restricted good or service.

(c) To prevent fraud or other criminal activity if an individual returns an item or requests a refund and the private entity uses a fraud prevention service company or system.

(d) To transmit information to a check services company for the purpose of approving negotiable instruments, electronic funds transfers, or similar methods of payment.

(e) To comply with a legal requirement to record, retain, or transmit the driver license information.

(10) *To combat health care fraud, the Department of Highway Safety and Motor Vehicles shall provide photographic access, pursuant to a written agreement, with hospitals, insurance companies, or their software providers, for the purpose of verifying a patient's identity or Medicaid eligibility by swiping an individual's driver license or identification card.*

Section 2. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part, the term:

(e) "Rural hospital" means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of up to 100 persons per square mile;

2. An acute care hospital, in a county with a population density of up to 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of up to 100 persons per square mile;

4. *A hospital classified as a sole community hospital under 42 C.F.R. s. 412.92 which has up to 175 licensed beds.*

5.4. A hospital with a service area that has a population of up to 100 persons per square mile. As used in this subparagraph, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and Policy Analysis at the agency; or

6.5. A hospital designated as a critical access hospital, as defined in s. 408.07.

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency. A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room.

Section 3. Section 409.285, Florida Statutes, is amended to read:

409.285 Opportunity for hearing and appeal.—

(1) If an application for public assistance is not acted upon within a reasonable time after the filing of the application, or is denied in whole or in part, or if an assistance payment is modified or canceled, the applicant or recipient may appeal the decision to the Department of Children and Families in the manner and form prescribed by the department.

(a)(2) The hearing authority may be the Secretary of Children and Families, a panel of department officials, or a hearing officer appointed for that purpose. The hearing authority is responsible for a final administrative decision in the name of the department on all issues that have been the subject of a hearing. With regard to the department, the decision of the hearing authority is final and binding. The department is responsible for seeing that the decision is carried out promptly.

(b)(3) The department may adopt rules to administer this ~~subsection~~ ~~section~~. Rules for the Temporary Assistance for Needy Families block grant programs must be similar to the federal requirements for Medicaid programs.

(2) Appeals related to Medicaid programs directly administered by the Agency for Health Care Administration, including appeals related to Florida's Statewide Medicaid Managed Care program and associated federal waivers, must be directed to the Agency for Health Care Administration in the manner and form prescribed by the agency.

(a) The hearing authority for appeals heard by the Agency for Health Care Administration may be the secretary of the agency, a panel of agency officials, or a hearing officer appointed for that purpose. The hearing authority is responsible for a final administrative decision in the name of the agency on all issues that have been the subject of a hearing. A decision of the hearing authority is final and binding on the agency. The agency is responsible for seeing that the decision is promptly carried out.

(b) Notwithstanding ss. 120.569 and 120.57, hearings conducted by the Agency for Health Care Administration pursuant to this subsection are exempt from the uniform rules of procedure under s. 120.54(5) and do not need to be conducted by an administrative law judge assigned by the Division of Administrative Hearings.

(c) The Agency for Health Care Administration shall seek federal approval necessary to implement this subsection and may adopt rules necessary to administer this subsection.

(3) Appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to s. 393.125.

Section 4. Present subsections (17) through (22) of section 409.811, Florida Statutes, are redesignated as subsections (18) through (23), respectively, a new subsection (17) is added to that section, and present subsections (23) and (24) of that section are amended, to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.821, the term:

(17) "Lawfully residing child" means a child who is lawfully present in the United States, meets Medicaid or Children's Health Insurance Program (CHIP) residency requirements, and may be eligible for medical assistance with federal financial participation as provided under s. 214 of the Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, and related federal regulations.

~~(23) "Qualified alien" means an alien as defined in s. 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended, Pub. L. No. 104-193.~~

(24) "Resident" means a United States citizen, or lawfully residing child ~~qualified alien~~, who is domiciled in this state.

Section 5. Paragraph (c) of subsection (4) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. If an enrolled individual is determined to be ineligible for coverage, he or she must be immediately disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is an alien, but who does not meet the definition of a lawfully residing child ~~qualified alien~~, in the United States. This

paragraph does not extend eligibility for the Florida Kidcare program to an undocumented immigrant.

Section 6. Present subsections (8) and (9) of section 409.904, Florida Statutes, are redesignated as subsections (9) and (10), respectively, and a new subsection (8) is added to that section, to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(8) A child who has not attained 19 years of age and who, notwithstanding s. 414.095(3), would be eligible for Medicaid under s. 409.903, except that the child is a lawfully residing child as defined in s. 409.811. This subsection does not extend eligibility for optional Medicaid payments or related services to an undocumented immigrant.

Section 7. Subsection (5) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for all covered services provided for the medical care and treatment of a recipient who is admitted as an inpatient by a licensed physician or dentist to a hospital licensed under part I of chapter 395. However, the agency shall limit the payment for inpatient hospital services for a Medicaid recipient 21 years of age or older to 45 days or the number of days necessary to comply with the General Appropriations Act. ~~Effective August 1, 2012, the agency shall limit payment for hospital emergency department visits for a nonpregnant Medicaid recipient 21 years of age or older to six visits per fiscal year.~~

(a) The agency may implement reimbursement and utilization management reforms in order to comply with any limitations or directions in the General Appropriations Act, which may include, but are not limited to: prior authorization for inpatient psychiatric days; prior authorization for nonemergency hospital inpatient admissions for individuals 21 years of age and older; authorization of emergency and urgent-care admissions within 24 hours after admission; enhanced utilization and concurrent review programs for highly utilized services; reduction or elimination of covered days of service; adjusting reimbursement ceilings for variable costs; adjusting reimbursement ceilings for fixed and property costs; and implementing target rates of increase. The agency may limit prior authorization for hospital inpatient services to selected diagnosis-related groups, based on an analysis of the cost and potential for unnecessary hospitalizations represented by certain diagnoses. Admissions for normal delivery and newborns are exempt from requirements for prior authorization. In implementing the provisions of this section related to prior authorization, the agency shall ensure that the process for authorization is accessible 24 hours per day, 7 days per week and authorization is automatically granted when not denied within 4 hours after the request. Authorization procedures must include steps for review of denials. Upon implementing the prior authorization program for hospital inpatient services, the agency shall discontinue its hospital retrospective review program.

(b) A licensed hospital maintained primarily for the care and treatment of patients having mental disorders or mental diseases is not eligible to participate in the hospital inpatient portion of the Medicaid program except as provided in federal law. However, the department shall apply for a waiver, within 9 months after June 5, 1991, designed to

provide hospitalization services for mental health reasons to children and adults in the most cost-effective and lowest cost setting possible. Such waiver shall include a request for the opportunity to pay for care in hospitals known under federal law as “institutions for mental disease” or “IMD’s.” The waiver proposal shall propose no additional aggregate cost to the state or Federal Government, and shall be conducted in Hillsborough County, Highlands County, Hardee County, Manatee County, and Polk County. The waiver proposal may incorporate competitive bidding for hospital services, comprehensive brokering, prepaid capitated arrangements, or other mechanisms deemed by the department to show promise in reducing the cost of acute care and increasing the effectiveness of preventive care. When developing the waiver proposal, the department shall take into account price, quality, accessibility, linkages of the hospital to community services and family support programs, plans of the hospital to ensure the earliest discharge possible, and the comprehensiveness of the mental health and other health care services offered by participating providers.

(c) The agency shall implement a prospective payment methodology for establishing reimbursement rates for inpatient hospital services. Rates shall be calculated annually and take effect July 1 of each year. The methodology shall categorize each inpatient admission into a diagnosis-related group and assign a relative payment weight to the base rate according to the average relative amount of hospital resources used to treat a patient in a specific diagnosis-related group category. The agency may adopt the most recent relative weights calculated and made available by the Nationwide Inpatient Sample maintained by the Agency for Healthcare Research and Quality or may adopt alternative weights if the agency finds that Florida-specific weights deviate with statistical significance from national weights for high-volume diagnosis-related groups. The agency shall establish a single, uniform base rate for all hospitals unless specifically exempt pursuant to s. 409.908(1).

1. Adjustments may not be made to the rates after October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget contained in ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations discovered after October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital’s reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency’s hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

(d) The agency shall implement a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume participating hospitals, select counties, or statewide, and replace existing hospital inpatient utilization management programs for neonatal intensive care admissions. The program shall be designed to manage appropriate admissions and discharges for children being treated in neonatal intensive care units and must seek medically appropriate discharge to the child’s home or other less costly treatment setting. The agency may competitively bid a contract for the selection of a qualified organization to provide neonatal intensive care utilization management services. The agency may seek federal waivers to implement this initiative.

(e) The agency may develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in areas 9, 10, and 11.

Section 8. Paragraph (e) is added to subsection (13) of section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state’s systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as “Intermediate Care Facilities for the Developmentally Disabled.” Optional services may include:

(13) HOME AND COMMUNITY-BASED SERVICES.—

(e) *The agency shall seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payments may be made as enhanced capitation rates or incentive payments to managed care plans that meet the requirements of s. 409.968(4).*

Section 9. Section 409.9064, Florida Statutes, is created to read:

409.9064 *Medicaid Services for Individuals with Phelan-McDermid Syndrome.—The agency shall seek federal approval of a Section 1915(i) state plan option for home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome. Financial eligibility for Medicaid benefits under this plan option will be determined in the same manner as the home and community-based services waiver for persons with developmental disabilities.*

Section 10. Present subsection (12) of section 409.907, Florida Statutes, is redesignated as subsection (13), and a new subsection (12) is added to that subsection, to read:

409.907 Medicaid provider agreements.—The agency may make payments for medical assistance and related services rendered to Medicaid recipients only to an individual or entity who has a provider agreement in effect with the agency, who is performing services or supplying goods in accordance with federal, state, and local law, and who agrees that no person shall, on the grounds of handicap, race, color, or national origin, or for any other reason, be subjected to discrimination under any program or activity for which the provider receives payment from the agency.

(12) *In accordance with 42 C.F.R. s. 433.318(d)(2)(ii), the agency may certify that a provider is out of business and that any overpayments made to the provider cannot be collected under state law.*

Section 11. Section 409.9072, Florida Statutes, is created to read:

409.9072 *Medicaid provider agreements for charter schools and private schools.—*

(1) *Subject to a specific appropriation by the Legislature, the agency shall reimburse private schools as defined in s. 1002.01 and schools designated as charter schools under s. 1002.33 which are Medicaid providers for school-based services pursuant to the rehabilitative services option provided under 42 U.S.C. s. 1396d(a)(13) to children younger than 21 years of age with specified disabilities who are eligible for both Medicaid and part B or part H of the Individuals with Disabilities Education Act (IDEA) or the exceptional student education program, or who have an individualized educational plan.*

(2) *Schools that wish to enroll as Medicaid providers and receive Medicaid reimbursement under this section must apply to the agency for a provider agreement and must agree to:*

(a) *Verify Medicaid eligibility. The agency shall work cooperatively with a private school or a charter school that is a Medicaid provider to facilitate the school’s verification of Medicaid eligibility.*

(b) Develop and maintain the financial and individual education plan records needed to document the appropriate use of state and federal Medicaid funds.

(c) Comply with all state and federal Medicaid laws, rules, regulations, and policies, including, but not limited to, those related to the confidentiality of records and freedom of choice of providers.

(d) Be responsible for reimbursing the cost of any state or federal disallowance that results from failure to comply with state or federal Medicaid laws, rules, or regulations.

(3) The types of school-based services for which schools may be reimbursed under this section are those included in s. 1011.70(1). Private schools and charter schools may not be reimbursed by the agency for providing services that are excluded by that subsection.

(4) Within 90 days after a private school or a charter school applies to enroll as a Medicaid provider under this section, the agency may conduct a review to ensure that the school has the capability to comply with its responsibilities under subsection (2). A finding by the agency that the school has the capability to comply does not relieve the school of its responsibility to correct any deficiencies or to reimburse the cost of the state or federal disallowances identified pursuant to any subsequent state or federal audits.

(5) For reimbursements to private schools and charter schools under this section, the agency shall apply the reimbursement schedule developed under s. 409.9071(5). Health care practitioners engaged by a school to provide services under this section must be enrolled as Medicaid providers and meet the qualifications specified under 42 C.F.R. s. 440.110, as applicable. Each school's continued participation in providing Medicaid services under this section is contingent upon the school providing to the agency an annual accounting of how the Medicaid reimbursements are used.

(6) For Medicaid provider agreements issued under this section, the agency's and the school's confidentiality is waived in relation to the state's efforts to control Medicaid fraud. The agency and the school shall provide any information or documents relating to this section to the Medicaid Fraud Control Unit in the Department of Legal Affairs, upon request, pursuant to the Attorney General's authority under s. 409.920.

Section 12. Effective July 1, 2017, paragraph (c) of subsection (23) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(23)

(c) This subsection applies to the following provider types:

1. Inpatient hospitals.
2. Outpatient hospitals.

~~3. Nursing homes.~~

3.4. County health departments.

4.5. Prepaid health plans.

Section 13. Paragraph (a) of subsection (2) of section 409.909, Florida Statutes, is amended to read:

409.909 Statewide Medicaid Residency Program.—

(2) On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for distributing funds to participating hospitals. On or before the final business day of each quarter of a state fiscal year, the agency shall distribute to each participating hospital one-fourth of that hospital's annual allocation calculated under subsection (4). The allocation fraction for each participating hospital is based on the hospital's number of full-time equivalent residents and the amount of its Medicaid payments. As used in this section, the term:

(a) "Full-time equivalent," or "FTE," means a resident who is in his or her residency period, with the initial residency period defined as the minimum number of years of training required before the resident may become eligible for board certification by the American Osteopathic Association Bureau of Osteopathic Specialists or the American Board of Medical Specialties in the specialty in which he or she first began training, not to exceed 5 years. The residency specialty is defined as reported using the current residency type codes in the Intern and Resident Information System (IRIS), required by Medicare. A resident training beyond the initial residency period is counted as 0.5 FTE, unless his or her chosen specialty is in primary care, in which case the resident is counted as 1.0 FTE. For the purposes of this section, primary care specialties include:

1. Family medicine;
2. General internal medicine;
3. General pediatrics;
4. Preventive medicine;
5. Geriatric medicine;
6. Osteopathic general practice;
7. Obstetrics and gynecology;
8. Emergency medicine; ~~and~~
9. General surgery; *and*
10. Psychiatry.

Section 14. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the 2007, 2008, and 2009 audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2016-2017 ~~2015-2016~~ state fiscal year.

(10) Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 General Appropriations Act.

Section 15. Subsection (3) is added to section 409.9113, Florida Statutes, to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) *Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 General Appropriations Act.*

Section 16. Subsection (3) is added to section 409.9115, Florida Statutes, to read:

409.9115 Disproportionate share program for mental health hospitals.—The Agency for Health Care Administration shall design and implement a system of making mental health disproportionate share payments to hospitals that qualify for disproportionate share payments under s. 409.911. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for patients.

(3) *Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals that qualify under subsection (2), the agency shall distribute funds for the disproportionate share program for mental health hospitals in the same manner as in the 2015-2016 state fiscal year.*

Section 17. Subsection (4) is added to section 409.9119, Florida Statutes, to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are licensed by the state as specialty hospitals for children and were licensed on January 1, 2000, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) *Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 General Appropriations Act.*

Section 18. Subsection (5) of section 409.9128, Florida Statutes, is amended to read:

409.9128 Requirements for providing emergency services and care.—

(5) Reimbursement for services provided to an enrollee of a managed care plan under this section by a provider who does not have a contract with the managed care plan shall be the lesser of:

- (a) The provider's charges;
- (b) The usual and customary provider charges for similar services in the community where the services were provided;
- (c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or
- (d) The Medicaid rate, *as provided in s. 409.967(2)(b).*

Section 19. Paragraph (b) of subsection (2) of section 409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(b) Emergency services.—Managed care plans shall pay for services required by ss. 395.1041 and 401.45 and rendered by a noncontracted provider. The plans must comply with s. 641.3155. Reimbursement for services under this paragraph is the lesser of:

1. The provider's charges;
2. The usual and customary provider charges for similar services in the community where the services were provided;
3. The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or

4. *The Medicaid rate, which, for the purposes of this paragraph, means the amount the provider would collect from the agency on a fee-for-service basis, less any amounts for the indirect costs of medical education and the direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payment, as required under 42 U.S.C. s. 1396u-2(b)(2)(D). ~~The rate the agency would have paid on the most recent October 1st.~~*

For the purpose of establishing the amounts specified in subparagraph 4., the agency shall publish on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payments.

Section 20. Present subsection (4) of section 409.968, Florida Statutes, is redesignated as subsection (5) and a new subsection (4) is added to that section, to read:

409.968 Managed care plan payments.—

(4)(a) *Subject to a specific appropriation and federal approval under s. 409.906(13)(e), the agency shall establish a payment methodology to fund managed care plans for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. A managed care plan eligible for these payments must do all of the following:*

1. *Participate as a specialty plan for severe mental illness or substance abuse disorders or participate in counties designated by the General Appropriations Act;*
2. *Include providers of behavioral health services pursuant to chapters 394 and 397 in the managed care plan's provider network; and*
3. *Document a capability to provide housing assistance through agreements with housing providers, relationships with local housing coalitions, and other appropriate arrangements.*

(b) *After receiving payments authorized by this section for at least 1 year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.*

Section 21. Subsections (1) and (6) of section 409.975, Florida Statutes, are amended to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers participating in the managed medical assistance program shall comply with the requirements of this section.

(1) PROVIDER NETWORKS.—Managed care plans must develop and maintain provider networks that meet the medical needs of their enrollees in accordance with standards established pursuant to s. 409.967(2)(c). Except as provided in this section, managed care plans may limit the providers in their networks based on credentials, quality indicators, and price.

(a) Plans must include all providers in the region that are classified by the agency as essential Medicaid providers, unless the agency approves, in writing, an alternative arrangement for securing the types of services offered by the essential providers. Providers are essential for serving Medicaid enrollees if they offer services that are not available from any other provider within a reasonable access standard, or if they provided a substantial share of the total units of a particular service used by Medicaid patients within the region during the last 3 years and the combined capacity of other service providers in the region is insufficient to meet the total needs of the Medicaid patients. The agency may not classify physicians and other practitioners as essential providers. The agency, at a minimum, shall determine which providers in the following categories are essential Medicaid providers:

1. Federally qualified health centers.
2. Statutory teaching hospitals as defined in s. 408.07(45).
3. Hospitals that are trauma centers as defined in s. 395.4001(14).
4. Hospitals located at least 25 miles from any other hospital with similar services.

Managed care plans that have not contracted with all essential providers in the region as of the first date of recipient enrollment, or with whom an essential provider has terminated its contract, must negotiate in good faith with such essential providers for 1 year or until an agreement is reached, whichever is first. Payments for services rendered by a nonparticipating essential provider shall be made at the applicable Medicaid rate as of the first day of the contract between the agency and the plan. A rate schedule for all essential providers shall be attached to the contract between the agency and the plan. After 1 year, managed care plans that are unable to contract with essential providers shall notify the agency and propose an alternative arrangement for securing the essential services for Medicaid enrollees. The arrangement must rely on contracts with other participating providers, regardless of whether those providers are located within the same region as the nonparticipating essential service provider. If the alternative arrangement is approved by the agency, payments to nonparticipating essential providers after the date of the agency's approval shall equal 90 percent of the applicable Medicaid rate. *Except for payment for emergency services*, if the alternative arrangement is not approved by the agency, payment to nonparticipating essential providers shall equal 110 percent of the applicable Medicaid rate.

(b) Certain providers are statewide resources and essential providers for all managed care plans in all regions. All managed care plans must include these essential providers in their networks. Statewide essential providers include:

1. Faculty plans of Florida medical schools.
2. Regional perinatal intensive care centers as defined in s. 383.16(2).
3. Hospitals licensed as specialty children's hospitals as defined in s. 395.002(28).
4. Accredited and integrated systems serving medically complex children *which comprise that are comprised of* separately licensed, but commonly owned, health care providers delivering at least the following services: medical group home, in-home and outpatient nursing care and therapies, pharmacy services, durable medical equipment, and Prescribed Pediatric Extended Care.

Managed care plans that have not contracted with all statewide essential providers in all regions as of the first date of recipient enroll-

ment must continue to negotiate in good faith. Payments to physicians on the faculty of nonparticipating Florida medical schools shall be made at the applicable Medicaid rate. Payments for services rendered by regional perinatal intensive care centers shall be made at the applicable Medicaid rate as of the first day of the contract between the agency and the plan. *Except for payments for emergency services*, payments to nonparticipating specialty children's hospitals shall equal the highest rate established by contract between that provider and any other Medicaid managed care plan.

(c) After 12 months of active participation in a plan's network, the plan may exclude any essential provider from the network for failure to meet quality or performance criteria. If the plan excludes an essential provider from the plan, the plan must provide written notice to all recipients who have chosen that provider for care. The notice shall be provided at least 30 days before the effective date of the exclusion. *For the purposes of this paragraph, the term "essential provider" includes providers determined by the agency to be essential Medicaid providers under paragraph (a) and the statewide essential providers specified in paragraph (b).*

(d) *The applicable Medicaid rates for emergency services paid by a plan under this section to a provider with which the plan does not have an active contract, shall be determined under the requirements of s. 409.967(2)(b).*

(e) Each managed care plan must offer a network contract to each home medical equipment and supplies provider in the region which meets quality and fraud prevention and detection standards established by the plan and which agrees to accept the lowest price previously negotiated between the plan and another such provider.

(6) PROVIDER PAYMENT.—Managed care plans and hospitals shall negotiate mutually acceptable rates, methods, and terms of payment. ~~For rates, methods, and terms of payment negotiated after the contract between the agency and the plan is executed, plans shall pay hospitals, at a minimum, the rate the agency would have paid on the first day of the contract between the provider and the plan. Such payments to hospitals may not exceed 120 percent of the rate the agency would have paid on the first day of the contract between the provider and the plan, unless specifically approved by the agency.~~ Payment rates may be updated periodically.

Section 22. Paragraph (b) of subsection (3) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(3) ELIGIBILITY FOR STATE-FUNDED ASSISTANCE.—Only the following individuals are eligible for state-funded assistance in paying Florida Healthy Kids premiums:

(b) Notwithstanding s. 409.814, ~~a legal alien~~ ~~aliens~~ who ~~is~~ ~~are~~ enrolled in the Florida Healthy Kids program as of January 31, 2004, who ~~does~~ ~~do~~ not qualify for Title XXI federal funds because ~~he or she is~~ ~~they~~ ~~are~~ ~~not~~ ~~a~~ ~~lawfully~~ ~~residing~~ ~~child~~ ~~qualified~~ ~~aliens~~ as defined in s. 409.811.

Section 23. Subsection (6) of section 641.513, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

641.513 Requirements for providing emergency services and care.—

(6) Reimbursement for services under this section provided to subscribers who are Medicaid recipients by a provider for whom no contract exists between the provider and the health maintenance organization shall be *determined under chapter 409 the lesser of:*

- ~~(a) The provider's charges;~~
- ~~(b) The usual and customary provider charges for similar services in the community where the services were provided;~~
- ~~(c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or~~
- ~~(d) The Medicaid rate.~~

(7) Reimbursement for services under this section provided to subscribers who are enrolled in a health maintenance organization pursuant to s. 624.91 by a provider for whom no contract exists between the provider and the health maintenance organization shall be the lesser of:

- (a) The provider's charges;
- (b) The usual and customary provider charges for similar services in the community where the services were provided;
- (c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or
- (d) The Medicaid rate.

Section 24. Subject to federal approval and adoption of a contract amendment with the Agency for Health Care Administration, an organization that is currently authorized to provide Program of All-Inclusive Care for the Elderly (PACE) services in southeast Florida and that is granted authority under section 18 of chapter 2012-33, Laws of Florida, for up to 150 enrollee slots to serve frail elders residing in Broward County may also use those PACE slots for frail elders residing in Miami-Dade County.

Section 25. Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one private, not-for-profit hospice organization located in Escambia County that owns and manages health care organizations licensed in Hospice Service Areas 1, 2A, and 2B which provide comprehensive services, including, but not limited to, hospice and palliative care, to frail elders who reside in those Hospice Service Areas. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 100 initial enrollees in the Program of All-inclusive Care for the Elderly established by the organization to serve frail elders who reside in Hospice Service Areas 1, 2A, and 2B.

Section 26. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care services; amending s. 322.143, F.S.; providing an exception to the prohibition against a private entity swiping an individual's driver license or identification card for certain entities for certain purposes; amending s. 395.602, F.S.; including specified hospitals in the definition of "rural hospital"; amending s. 409.285, F.S.; requiring appeals related to Medicaid programs directly administered by the Agency for Health Care Administration to be directed to the agency; providing requirements for appeals directed to the agency; providing an exemption from the uniform rules of procedure and from a requirement that certain proceedings be heard before an administrative law judge for specified hearings; requiring the agency to seek federal approval of its authority to oversee appeals; providing that appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to that agency's hearing rights process; amending s. 409.811, F.S.; defining the term "lawfully residing child"; deleting the definition of the term "qualified alien"; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility for the Florida Kidcare program to conform to changes made by the act; clarifying that undocumented immigrants are excluded from eligibility; amending s. 409.904, F.S.; providing eligibility for optional payments for medical assistance and related services for certain lawfully residing children; clarifying that undocumented immigrants are excluded from eligibility for optional Medicaid payments or related services; amending s. 409.905, F.S.; deleting the limitation on the number of hospital emergency department visits that may be paid for by the Agency for Health Care Administration for certain recipients; amending s. 409.906, F.S.; directing the agency to seek federal approval to provide temporary housing assistance for certain persons; creating s. 409.9064, F.S.; directing the agency to seek federal approval to provide home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome; providing a method for determining financial eligibility for Medicaid benefits in certain circumstances; amending s. 409.907, F.S.; authorizing the agency to certify that a Medicaid provider is out of business; creating s. 409.9072, F.S.; directing the agency to pay private schools and charter schools that are

Medicaid providers for specified school-based services under certain parameters; authorizing the agency to review a school that has applied to the program for capability requirements; providing a reimbursement schedule; providing for a waiver of agency and school confidentiality under certain circumstances; amending s. 409.908, F.S.; revising the list of provider types that are subject to certain statutory provisions relating to the establishment of rates; amending s. 409.909; adding psychiatry to a list of primary care specialties under the Statewide Medicaid Residency Program; amending s. 409.911, F.S.; updating the fiscal year for determining each hospital's Medicaid days and charity care; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending ss. 409.9113, 409.9115, and 409.9119, F.S.; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending s. 409.9128, F.S.; conforming provisions to changes made by the act; amending s. 409.967, F.S.; defining the term "Medicaid rate" for the purpose of determining specified managed care plan payments for emergency services in compliance with federal law; requiring annual publication of fee schedules on the agency's website; amending s. 409.968, F.S.; directing the agency to establish a payment methodology for managed care plans providing housing assistance to specified persons; amending s. 409.975, F.S.; providing for the determination of applicable Medicaid rates for emergency services; defining the term "essential provider"; deleting requirements relating to contracted rates between managed care plans and hospitals; conforming provisions to changes made by the act; amending s. 624.91, F.S.; conforming provisions to changes made by the act; amending s. 641.513, F.S.; specifying parameters for payments by a health maintenance organization to a noncontracted provider of emergency services under certain circumstances; conforming provisions to changes made by the act; authorizing a Program of All-Inclusive Care for the Elderly organization granted certain enrollee slots for frail elders residing in Broward County to also use the slots for enrollees residing in Miami-Dade County; authorizing the agency to contract with an organization in Escambia County to provide services under the federal Program of All-inclusive Care for the Elderly in specified areas; exempting the organization from ch. 641, F.S., relating to health care service programs; authorizing enrollment slots for the program in such areas, subject to appropriation; providing effective dates.

On motion by Senator Garcia, by two-thirds vote, **HB 5101**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2500/HB 5001**, **SB 2502/HB 5003**, and **SB 2508/HB 5101** which come before the Senate for a vote on February 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Garcia, the Senate having refused to pass **HB 5101** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Garcia, by two-thirds vote, **HB 5101** was ordered immediately certified to the House.

SB 2510—A bill to be entitled An act relating to Alzheimer’s disease research; amending s. 381.82, F.S.; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 2510**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5103** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 5103—A bill to be entitled An act relating to Alzheimer’s disease research; amending s. 381.82, F.S.; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5103** was withdrawn from the Committee on Appropriations.

On motion by Senator Garcia, by two-thirds vote—

HB 5103—A bill to be entitled An act relating to Alzheimer’s disease research; amending s. 381.82, F.S.; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing an effective date.

—a companion measure, was substituted for **SB 2510**, and by two-thirds vote, read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **HB 5103** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTION

On motion by Senator Garcia, by two-thirds vote, **HB 5103** was ordered immediately certified to the House.

SB 7060—A bill to be entitled An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund in the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 7060**, pursuant to Rule 3.11(3), there being no objection, **HB 7091** was withdrawn from the Committee on Appropriations.

On motion by Senator Garcia, by two-thirds vote—

HB 7091—A bill to be entitled An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund within the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

—a companion measure, was substituted for **SB 7060**, and by two-thirds vote, read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **HB 7091** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 90—A bill to be entitled An act relating to a natural gas rebate program; amending s. 377.810, F.S.; authorizing the Department of Agriculture and Consumer Services to receive additional rebate ap-

lications from certain applicants; specifying preference for such applications; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for SB 90** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Altman

CS for SB 100—A bill to be entitled An act relating to the Petroleum Restoration Program; amending s. 376.305, F.S.; revising the eligibility requirements of the Abandoned Tank Restoration Program; deleting provisions prohibiting the relief of liability for persons who acquired title after a certain date; amending s. 376.3071, F.S.; revising legislative intent and purpose; deleting an expiration date; revising the criteria for determining what constitutes certain rehabilitation program tasks; revising the conditions for eligibility and methods for payment of costs for the low-scored site initiative; revising the eligibility requirements for receiving rehabilitation funding; specifying that the issuance of a site rehabilitation completion order does not alter eligibility for state-funded remediation under certain circumstances; clarifying that a change in ownership does not preclude a site from entering into the program; providing additional funding for remediation and monitoring under certain circumstances; amending s. 376.30713, F.S.; revising advanced cleanup application requirements; increasing the total amount for which the department may contract for advanced cleanup work in a fiscal year; authorizing property owners and responsible parties to enter into voluntary cost-share agreements under certain circumstances; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Simpson, **CS for SB 100**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 160—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; revising the military operations or deployments that qualify a servicemember deployed in support of such an operation or deployment in the previous calendar year for an additional ad valorem tax exemption; providing an extended deadline and specifying procedures for filing an application for such tax exemption for a qualifying deployment during the 2014 and 2015 calendar years; providing procedures to appeal a denial by a property appraiser of an application for such tax exemption; providing refund procedures for servicemembers who were on qualifying deployments for more than 365 days during the 2014 and 2015 calendar years; providing for retroactive applicability; providing an effective date.

—as amended February 10, was read the third time by title.

Pending further consideration of **CS for CS for SB 160**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 7023** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

On motion by Senator Gaetz, by two-thirds vote—

HB 7023—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; expanding the military operations that qualify certain servicemembers who receive a homestead exemption and were deployed during the previous calendar year to receive an additional ad valorem tax exemption on that homestead property; specifying the deadline for filing an application for the tax exemption for the 2016 tax year; providing procedures for filing an application for the tax exemption for a qualifying deployment during the 2014 and 2015 calendar years; providing procedures to appeal a denial by a property appraiser of an application for the tax exemption; providing refund procedures for servicemembers who were on qualifying deployments for more than 365 days during the 2014 and 2015 calendar years; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 160**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Gaetz, by two-thirds vote, **HB 7023** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 310—A bill to be entitled An act relating to the National Statuary Hall; providing for replacement of the statue of General Edmund Kirby Smith in the National Statuary Hall Collection at the United States Capitol; providing for selection of a prominent Florida citizen to be commemorated in the National Statuary Hall Collection; providing for selection of a sculptor to design the statue; requiring the Florida Council on Arts and Culture and the Department of State to estimate costs associated with the replacement of the statue; author-

izing the council to raise funds to support such costs; providing for the deposit of funds raised into the Grants and Donations Trust Fund of the department; requiring the department to submit a report to the Governor and the Legislature by a specified date; specifying required content of the report; providing for submission of the state’s request to the United States Joint Committee on the Library of Congress for approval to replace the statue; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Legg, **CS for SB 310**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hukill	Simpson
Braynon	Hutson	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Detert	Legg	Stargel
Diaz de la Portilla	Margolis	Thompson

Nays—7

Bean	Gaetz	Negron
Dean	Hays	
Evers	Lee	

CS for SB 350—A bill to be entitled An act relating to procurement procedures for educational institutions; amending s. 1010.04, F.S.; requiring each district school board and Florida College System institution board of trustees to review certain agreements and contracts before purchasing nonacademic commodities and contractual services under certain circumstances to determine whether the use of the agreements and contracts is economically advantageous; requiring that bid specifications include a specified statement; authorizing each district school board to also use specified cooperative state purchasing programs; providing an exception for certain services; authorizing specified educational institutions to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tool; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Montford, **CS for SB 350**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Grimsley

MOTION

On motion by Senator Simmons, by two-thirds vote, **CS for SB 350** was ordered immediately certified to the House.

CS for SB 416—A bill to be entitled An act relating to the location of utilities; amending s. 125.42, F.S.; revising the circumstances under which a board of county commissioners is authorized to grant to a person or private corporation a license for specified projects related to lines for the transmission of certain public utilities and communication services; conforming a cross-reference; amending s. 337.401, F.S.; authorizing the Department of Transportation and certain local governmental entities to prescribe and enforce rules or regulations regarding the placement and maintenance of specified structures and lines within the right-of-way limits of roads or publicly owned rail corridors under their respective jurisdictions; conforming cross-references; amending s. 337.403, F.S.; specifying that the owner of a utility located within certain right-of-way limits must initiate and bear the cost necessary to alleviate any interference to the use of certain public roads or rail corridors under certain circumstances; conforming a cross-reference; requiring the authority to bear the cost of the utility work necessary to eliminate an unreasonable interference if the utility is lawfully located within a certain utility easement, subject to certain deductions; providing findings of an important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for SB 416** was passed and certified to the House. The vote on passage was:

Yeas—34

Abruzzo	Flores	Legg
Altman	Gaetz	Margolis
Bean	Galvano	Montford
Bradley	Garcia	Negron
Brandes	Gibson	Ring
Braynon	Grimsley	Simmons
Bullard	Hays	Simpson
Clemens	Hukill	Soto
Dean	Hutson	Stargel
Detert	Joyner	Thompson
Diaz de la Portilla	Latvala	
Evers	Lee	

Nays—4

Benacquisto	Richter	Smith
Sobel		

Vote after roll call:

Yea—Mr. President

Nay to Yea—Smith

CS for CS for SB 546—A bill to be entitled An act relating to the sale or exchange of lands; amending s. 373.089, F.S.; extending the time-frame within which a certified appraisal may be obtained for parcels of land to be sold as surplus; revising the procedures a water management district must follow for publishing a notice of intention to sell surplus lands; providing an exception from such notice requirements if a parcel of land is valued below a certain threshold; authorizing such parcels to be sold directly to the highest bidder; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for SB 546** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Smith
Flores	Lee	Sobel
Gaetz	Legg	Soto
Galvano	Margolis	Stargel
Garcia	Montford	Thompson
Gibson	Negron	
Grimsley	Richter	

Nays—None

CS for CS for SB 578—A bill to be entitled An act relating to public records; amending s. 548.062, F.S.; providing an exemption from public records requirements with respect to certain proprietary confidential business information obtained by the Florida State Boxing Commission; extending the period for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 578**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 381** was withdrawn from the Committees on Regulated Industries; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hutson, by two-thirds vote—

CS for HB 381—A bill to be entitled An act relating to public records; amending s. 548.062, F.S.; revising an exemption from public records requirements with respect to certain proprietary confidential business information obtained by the Florida State Boxing Commission; extending the period for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 578** and read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **CS for HB 381** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Dean	Hutson	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	

Nays—5

Clemens	Sachs	Thompson
Joyner	Sobel	

CS for SB 592—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the personal identifying and location information of certain nonsworn investigative personnel of the Department of Financial Services and the names and personal identifying and location information of the spouses and children of such personnel; providing an exemption from public records requirements for certain identifying and location information of current or former emergency medical technicians or paramedics certified under ch. 401, F.S., and the spouses and

children of such emergency medical technicians or paramedics, under specified circumstances; providing for future review and repeal of the exemptions; providing statements of public necessity; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Hutson, **CS for SB 592**, as amended, was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—1

Joyner

CS for SB 7008—A bill to be entitled An act relating to housing discrimination; amending s. 760.07, F.S.; removing housing discrimination as a cause of action for certain relief and damages stemming from violations of the Florida Civil Rights Act of 1992; amending s. 760.34, F.S.; making technical changes; revising the conditions under which an aggrieved person may commence a civil action in any appropriate court against a specified respondent to enforce specified rights; providing that the aggrieved person does not need to take specified actions before bringing a civil action; amending s. 760.35, F.S.; authorizing, rather than requiring, a civil action to commence within 2 years after an alleged discriminatory housing practice; authorizing an aggrieved person to commence a civil action regardless of whether a specified complaint has been filed and regardless of the status of any such complaint; prohibiting an aggrieved person from filing a specified action in certain circumstances; providing an exception; prohibiting an aggrieved person from commencing a specified civil action if an administrative law judge has commenced a hearing on the record on the allegation; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for SB 7008** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

CS for SB 92—A bill to be entitled An act relating to contaminated sites; amending s. 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; amending s. 376.301, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.30701, F.S.; exempting nonprogram petroleum-contaminated sites from the application of risk-based corrective action principles under certain circumstances; requiring the Department of Environmental Protection to include protocols for the use of long-term natural attenuation where site conditions warrant; requiring specified interactive effects of contaminants to be considered as cleanup criteria; revising how cleanup target levels are applied where surface waters are exposed to contaminated groundwater; authorizing the use of relevant data and information when assessing cleanup target levels; providing that institutional controls are not required under certain circumstances if alternative cleanup target levels are used; amending s. 376.79, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.81, F.S.; providing additional contamination cleanup criteria for brownfield sites and brownfield areas; amending ss. 196.1995, 287.0595, and 288.1175, F.S.; conforming cross-references; providing an effective date.

—as amended February 10, was read the third time by title.

Pending further consideration of **CS for SB 92**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 351** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Evers, by two-thirds vote—

CS for HB 351—A bill to be entitled An act relating to contaminated sites; amending s. 376.301, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.30701, F.S.; exempting nonprogram petroleum-contaminated sites from the application of risk-based corrective action principles under certain circumstances; requiring the Department of Environmental Protection to include protocols for the use of long-term natural attenuation where site conditions warrant; requiring specified interactive effects of contaminants to be considered as cleanup criteria; revising how cleanup target levels are applied where surface waters are exposed to contaminated groundwater; authorizing the use of relevant data and information when assessing cleanup target levels; providing that institutional controls are not required under certain circumstances if alternative cleanup target levels are used; amending s. 376.79, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.81, F.S.; providing additional contamination cleanup criteria for brownfield sites and brownfield areas; amending ss. 196.1995, 287.0595, and 288.1175, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 92**, as amended, and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment which was adopted:

Amendment 1 (548124) (with title amendment)—Before line 30 insert:

Section 1. Subsection (2) of section 288.8013, Florida Statutes, is amended to read:

288.8013 Triumph Gulf Coast, Inc.; Recovery Fund; creation; investment.—

(2) Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all funds received by the state pursuant to the settlement agreement between the gulf states and the BP entities with respect to economic claims arising from the Deepwater Horizon incident recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs,

and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155. *Moneys that account for the principal of the Recovery Fund shall be transferred to the Recovery Fund no later than 30 days after they are received.*

And the title is amended as follows:

Between lines 2 and 3 insert: 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; amending s.

On motion by Senator Evers, by two-thirds vote, **CS for HB 351**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

REPORTS OF COMMITTEES

The Special Master on Claim Bills recommends the following pass: SB 32; SB 64 with 1 amendment

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1118

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

The Committee on Judiciary recommends a committee substitute for the following: SB 1692

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1274

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1168; SB 1192

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1250

The Committee on Health Policy recommends committee substitutes for the following: SB 1240; SB 1518

The Committee on Judiciary recommends committee substitutes for the following: SB 30; SB 48

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 14

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 794

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 686

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 862

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1318

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 730; CS for SB 1220

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

The Committee on Judiciary recommends a committee substitute for the following: SB 1436

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 970; SB 1104

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

The Committee on Fiscal Policy recommends committee substitutes for the following: CS for SB 114; CS for SB 826; SB 1066

The Committee on Rules recommends a committee substitute for the following: CS for SB 752

The bills with committee substitute attached were placed on the Calendar.

The Committee on Judiciary recommends the following not pass: SB 120

The bill was laid on the table.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 122; SB 314; CS for SB 636; CS for SB 1584

The Appropriations Subcommittee on Education recommends the following pass: SB 834; CS for SB 894; CS for SB 1360

The Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 212; CS for SB 998; SB 1336; CS for SB 1686

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 784; CS for SB 954

The Appropriations Subcommittee on Education recommends the following pass: SB 268

The Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 204; CS for SB 818

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 532; CS for SB 1544

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

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 1110

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

*For Term
Ending*

Executive Director, Department of Economic Opportunity

Appointee: Proctor, Theresa "Cissy"

Pleasure of
Governor

The appointment was referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Criminal Justice—

SB 7006—A bill to be entitled An act relating to corrections; amending s. 216.136, F.S.; requiring the Criminal Justice Estimating Conference to develop projections of prison admissions and populations for elderly felony offenders; amending s. 921.0021, F.S.; revising the definition of "victim injury" by removing a prohibition on assessing certain victim injury sentence points for sexual misconduct by an employee of the Department of Corrections or a private correctional facility with an inmate or an offender supervised by the department; conforming a provision to changes made by the act; amending s. 944.275, F.S.; prohibiting an inmate from receiving incentive gain-time for completing the requirements for and receiving a high school equiv-

agency diploma or vocational certificate if the inmate is convicted of a specified offense on or after a specified date; amending s. 944.35, F.S.; expanding applicability of a current felony offense to include employees of private providers and private correctional facilities; creating criminal penalties for employees who knowingly and with the intent to cause specified harm withhold food, water, or essential services from an inmate; amending s. 945.6031, F.S.; increasing the frequency of required surveys of health care systems at correctional institutions; amending s. 951.221, F.S.; conforming a cross-reference; reenacting s. 944.023(1)(a), F.S., relating to the definition of the term “Criminal Justice Estimating Conference”, to incorporate the amendment made to s. 216.136, F.S., in a reference thereto; reenacting ss. 435.04(2)(uu) and 921.0022(3)(f), F.S., relating to level 2 screening standards and level 6 of the offense severity ranking chart, respectively, to incorporate the amendment made to s. 944.35, F.S., in references thereto; providing an effective date.

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

Senate Bills 7008-7024—Previously introduced.

SB 7026—Not used.

Senate Bills 7028-7056—Previously introduced.

By the Committee on Education Pre-K - 12—

SB 7058—A bill to be entitled An act relating to the Child Care and Development Block Grant Program; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; amending s. 402.3057, F.S.; clarifying individuals who are exempt from certain re-fingerprinting or rescreening requirements; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the Department of Children and Families or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 409.1757, F.S.; clarifying individuals who are exempt from certain re-fingerprinting or rescreening requirements; amending s. 435.07, F.S.; prohibiting removal or exemption from disqualification from employment for any school readiness provider personnel if registered as a sex offender or convicted of specified crimes; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for the programs; amending s. 1002.87, F.S.; revising the prioritization of participation in school readiness programs; revising school readiness program eligibility requirements for parents; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; providing an effective date.

—was referred to the Committee on Appropriations.

SB 7060—Previously introduced.

By the Committee on Transportation—

SB 7062—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; establishing annual use fees for certain specialty license plates; amending s. 320.08058, F.S.; adding certain North American Soccer League teams for the Florida Professional Sports Team license plate; redefining the term “major sports events”; revising requirements relating to the distribution and use of annual use fees collected from the sale of certain specialty license plates; directing the Department of Highway Safety and Motor Vehicles to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of the plates; providing a contingent effective date.

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

By the Committee on Finance and Tax—

SB 7064—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; revising the term “Internal Revenue Code”; revising the applicable version of the Internal Revenue Code and federal income tax code statutes; amending s. 220.13, F.S.; revising the term “adjusted federal income” as it relates to adjustments related to federal acts; providing for retroactive application of amendments to ss. 220.03 and 220.13, F.S.; amending s. 220.222, F.S.; amending due dates for partnership information returns and corporate tax returns; providing applicability; amending s. 220.241, F.S.; amending due dates to file a declaration of estimated corporate income tax; amending s. 220.33, F.S.; amending the due date of estimated payments of corporate income tax; amending s. 220.34, F.S.; amending the dates used to calculate interest and penalties on underpayments of estimated corporate income tax; providing applicability for amendments to ss. 220.241, 220.33, and 220.34, F.S.; authorizing the Department of Revenue to adopt emergency rules; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Criminal Justice—

SB 7066—A bill to be entitled An act relating to criminal justice; amending s. 775.082, F.S.; requiring a defendant who is sentenced for a primary offense of possession of a controlled substance committed on or after a specified date to be sentenced to a nonstate prison sanction under certain circumstances unless the court makes specified written findings; defining the term “possession of a controlled substance”; authorizing a defendant to move the sentencing court to depart from a mandatory minimum term of imprisonment or a mandatory fine, if the offense is committed on or after a specified date; authorizing the state attorney to file an objection to the motion; authorizing the sentencing court to grant the motion if the court finds that the defendant has demonstrated by a preponderance of the evidence that specified criteria are met; defining the term “coercion”; providing applicability; amending s. 921.002, F.S.; revising a principle of the Criminal Punishment Code relating to a prisoner’s required minimum term of imprisonment; amending s. 944.275, F.S.; revising the incentive gain-time that the Department of Corrections may grant a prisoner for offenses committed on or after a specified date; providing exceptions; providing an effective date.

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

By the Committee on Criminal Justice—

SB 7068—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine

the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring unanimity to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made to s. 921.142, F.S., in references thereto; providing applicability; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

SB 7070—A bill to be entitled An act relating to advisory councils of the Department of Veterans' Affairs; amending s. 265.003, F.S.; defining the term “veteran” and “military veteran” for purposes of determining persons the Florida Veterans' Hall of Fame Council may consider as nominees for the Florida Veterans' Hall of Fame; providing an effective date.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Altman—

CS for SB 14—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as a result of the negligence of the Department of Transportation; requiring the Executive Office of the Governor to establish spending authority from unappropriated trust fund balances of the department for compensation to the Estate of Dr. Sherrill Lynn Aversa; providing attorney fees and costs and a limitation on such fees and costs; providing an effective date.

By the Committee on Judiciary; and Senator Garcia—

CS for SB 30—A bill to be entitled An act for the relief of C.M.H.; providing an appropriation to compensate C.M.H. for injuries and damages sustained as a result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Judiciary; and Senator Flores—

CS for SB 48—A bill to be entitled An act for the relief of “Survivor” and the Estate of “Victim”; providing an appropriation to compensate Survivor and the Estate of Victim for injuries and damages sustained as result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

By the Committees on Fiscal Policy; and Transportation; and Senator Montford—

CS for CS for SB 114—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Ethics and Elections; and Senator Gaetz—

CS for CS for SB 686—A bill to be entitled An act relating to government accountability; amending s. 11.40, F.S.; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the Commissioner of Education may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; amending s. 11.45, F.S.; defining the terms “abuse,” “fraud,” and “waste”; revising the definition of the term “local governmental entity”; excluding water management districts from certain audit requirements; removing a cross-reference; authorizing the Auditor General to conduct audits of tourist development councils and county tourism promotion agencies; revising reporting requirements applicable to the Auditor General; creating s. 20.602, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to officers and board members of corporate entities associated with the Department of Economic Opportunity; prohibiting such officers and board members from representing a person or an entity for compensation before certain bodies for a specified timeframe; providing for construction; amending s. 28.35, F.S.; revising reporting requirements applicable to the Florida Clerks of Court Operations Corporation; amending s. 43.16, F.S.; revising the responsibilities of the Justice Administrative Commission, each state attorney, each public defender, a criminal conflict and civil regional counsel, a capital collateral regional counsel, and the Guardian Ad Litem Program, to include the establishment and maintenance of certain internal controls; creating s. 112.3126, F.S.; defining the term “private entity”; prohibiting a member of the Legislature or a candidate for legislative office from accepting employment with a private entity that directly receives funding through state revenues under certain circumstances; authorizing employment with a private entity if certain conditions are met; amending s. 112.313, F.S.; specifying that prohibitions on conflicting employment or contractual relationships for public officers or employees of an agency apply to contractual relationships held by certain business entities; amending s. 112.3144, F.S.; requiring elected municipal officers to file a full and public disclosure of financial interests, rather than a statement of financial interests; providing for applicability; amending s. 112.31455, F.S.; revising provisions governing collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests to include school districts; amending s. 112.3261, F.S.; revising terms to conform to changes made by the act; expanding the types of governmental entities that are subject to lobbyist registration requirements; requiring a governmental entity to create a lobbyist registration form; amending ss. 129.03, 129.06, 166.241, and 189.016, F.S.; requiring counties, municipalities, and special districts to maintain certain budget documents on the entities' websites for a specified period; amending s. 215.425, F.S.; defining the term “public funds”; revising exceptions to the prohibition on extra compensation claims; revising minimum requirements for any policy, ordinance, rule, or resolution designed to implement a bonus scheme; requiring certain contracts into which a unit of government or state university enters to contain certain provisions regarding severance pay; requiring a unit of government to investigate and take reasonable action to recover prohibited compensation; specifying methods of recovery for unintentional and willful violations; specifying applicability of procedures regarding suspension and removal of an officer who commits a willful violation; specifying circumstances under which an employee has a cause of action under the Whistle-blower's Act; providing for applicability; amending s. 215.86, F.S.; revising the purposes for which

management systems and internal controls must be established and maintained by each state agency and the judicial branch; amending s. 215.97, F.S.; revising the definition of the term “audit threshold”; amending s. 215.985, F.S.; revising the requirements for a monthly financial statement provided by a water management district; amending s. 218.32, F.S.; revising the requirements of the annual financial audit report of a local governmental entity; authorizing the Department of Financial Services to request additional information from a local governmental entity; requiring a local governmental entity to respond to such requests within a specified timeframe; requiring the department to notify the Legislative Auditing Committee of noncompliance; amending s. 218.33, F.S.; requiring local governmental entities to establish and maintain internal controls to achieve specified purposes; amending s. 218.39, F.S.; requiring an audited entity to respond to audit recommendations under specified circumstances; amending s. 218.391, F.S.; revising the composition of an audit committee; prohibiting an audit committee member from being an employee, a chief executive officer, or a chief financial officer of the respective governmental entity; requiring the chair of an audit committee to sign and execute an affidavit affirming compliance with auditor selection procedures; prescribing procedures in the event of noncompliance with auditor selection procedures; amending s. 286.0114, F.S.; prohibiting a board or commission from requiring an advance copy of testimony or comments from a member of the public as a precondition to being given the opportunity to be heard at a public meeting; amending s. 288.92, F.S.; prohibiting specified officers and board members of Enterprise Florida, Inc., from representing a person or entity for compensation before Enterprise Florida, Inc., and associated entities thereof, for a specified timeframe; amending s. 288.9604, F.S.; prohibiting a director of the Florida Development Finance Corporation from representing a person or an entity for compensation before the corporation for a specified timeframe; amending s. 373.536, F.S.; deleting obsolete language; requiring water management districts to maintain certain budget documents on the districts’ websites for a specified period; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term “bribery”; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; amending s. 1001.42, F.S.; authorizing additional internal audits as directed by the district school board; specifying duties of the district school board regarding visitation of schools; amending s. 1002.33, F.S.; revising the responsibilities of the governing board of a charter school to include the establishment and maintenance of internal controls; amending s. 1002.37, F.S.; requiring completion of an annual financial audit of the Florida Virtual School; specifying audit requirements; requiring an audit report to be submitted to the board of trustees of the Florida Virtual School and the Auditor General; removing obsolete provisions; amending s. 1010.01, F.S.; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls; amending s. 1010.30, F.S.; requiring a district school board, Florida College System institution board of trustees, or university board of trustees to respond to audit recommendations under certain circumstances; amending ss. 99.061, 218.503, and 1002.455, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, and s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath of notaries public, to incorporate the amendment made by the act to s. 838.022, F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(d) and (g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, 838.022, and 838.22, F.S., in references thereto; providing for applicability; declaring that the act fulfills an important state interest; providing an effective date.

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senator Margolis—

CS for CS for SB 730—A bill to be entitled An act relating to professional guardians; creating s. 744.1087, F.S.; limiting a specified professional guardian’s appointments to no more than 50 wards for which the professional guardian receives compensation; prohibiting a professional guardian that has more than 50 wards for which the professional guardian receives compensation from being appointed another ward after a certain date until the professional guardian has fewer than 50 wards; providing an effective date.

By the Committees on Rules; and Governmental Oversight and Accountability; and Senator Abruzzo—

CS for CS for SB 752—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying and location information of current or former personnel employed in an agency’s office of inspector general or internal audit department whose duties include auditing or investigating certain activities that could lead to criminal prosecution or administrative discipline, and the spouses and children thereof; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SB 794—A bill to be entitled An act relating to dissolution of marriage parenting plans; amending s. 61.13, F.S.; requiring that parenting plans provide that either parent may consent to mental health treatment for the child if the court orders shared parental responsibility; providing that the consenting parent shall be financially responsible for certain costs of such treatment; providing an effective date.

By the Committees on Fiscal Policy; and Community Affairs; and Senator Latvala—

CS for CS for SB 826—A bill to be entitled An act relating to mobile homes; amending s. 723.006, F.S.; revising certain notice requirements for written complaints; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules to implement board member training requirements; providing notice and requirements of such rules; amending s. 723.031, F.S.; authorizing a mobile home park owner to pass on non-ad valorem assessments to a tenant under certain circumstances; providing that a mobile home park owner is deemed to have disclosed the passing on of certain taxes and assessments under certain circumstances; requiring the non-ad valorem assessments to be a part of the lot rental amount; requiring that a renewed rental agreement remain under the same terms unless certain notice is provided; amending s. 723.059, F.S.; authorizing a mobile home purchaser to cancel or rescind the contract to purchase under certain circumstances; amending s. 723.075, F.S.; revising the rights that mobile home owners exercise if they form an association; authorizing mobile home owners to become members upon incorporation of the association; defining the terms “member” and “shareholder”; deleting provisions relating to memberships of successors to home owners; amending s. 723.078, F.S.; specifying voting requirements for homeowners’ associations; specifying the requirements for a majority of votes; authorizing members to vote by secret ballot and absentee ballot; prohibiting the tape recording or videotaping of meetings between the board of directors or its committees and the park owner; amending s. 723.0781, F.S.; providing a date on which certain provisions are effective; providing that board members may not be considered in violation of such provisions until after a specified date; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Criminal Justice; and Senator Legg—

CS for CS for SB 862—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotropic medications for clients receiving such medication in the jail before admission to those facilities under certain circumstances; requiring a jail physician to provide a current psychotropic medication order under certain circumstances; amending s. 916.13, F.S.; requiring that a competency hearing be held within a specified time; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; requiring that a commitment hearing be held within a specified time; reenacting s. 916.106(9), F.S., relating to the definition of the terms “forensic client” or “client,” to incorporate the amendments made to ss. 916.13 and 916.15, F.S., in references thereto; reenacting s. 394.467(7)(a), F.S., relating to involuntary inpatient placement, to incorporate the amendments made to s. 916.15, F.S., in a reference thereto; providing an effective date.

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

CS for SB 970—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; creating s. 717.1235, F.S.; requiring unclaimed funds reported in the name of specified campaigns for public office to be deposited with the Chief Financial Officer to the credit of the State School Trust Fund; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring certain persons claiming entitlement to unclaimed property to file certified copies of specified pleadings with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising applicability; deleting a provision that allows specified wording on a certain power of attorney; providing requirements for a certain authorization or agreement to recover unclaimed property; requiring the department to deny a claim under certain circumstances; amending s. 717.1351, F.S.; revising requirements and conditions for contracts to acquire ownership of or entitlement to property; deleting a provision that allows specified wording on a purchase agreement; providing requirements for a certain authorization or agreement to purchase unclaimed property; requiring the department to deny a claim under certain circumstances; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing legislative intent; amending s. 717.1400, F.S.; removing authorization for certain private investigators, public accountants, and attorneys to obtain social security numbers; providing an effective date.

By the Committee on Fiscal Policy; and Senator Margolis—

CS for SB 1066—A bill to be entitled An act relating to anatomical gifts; amending s. 765.521, F.S.; requiring the Department of Highway Safety and Motor Vehicles to maintain an integrated website link to the organ donation registry; providing an effective date.

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

CS for SB 1104—A bill to be entitled An act relating to service of process on financial institutions; creating s. 48.092, F.S.; requiring service on financial institutions to be made in accordance with s. 655.0201, F.S.; amending s. 655.0201, F.S.; revising applicability of provisions of law governing service of process on financial institutions; authorizing certain financial institutions to designate with the Department of State a place or registered agent within the state as the sole location or agent for service of process, notice, levy, or demand; providing that service of process, notice, levy, or demand may be made at specified time periods; providing exceptions if the financial institution has no registered agent, service cannot be made at the sole location, or

for service made by the Office of Financial Regulation; providing an effective date.

By the Committees on Judiciary; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 1118—A bill to be entitled An act relating to transportation network company insurance; amending s. 316.066, F.S.; requiring a statement in certain crash reports as to whether any driver at the time of the accident was providing a prearranged ride or logged into a digital network of a transportation network company; providing a criminal penalty for a driver who provides a false statement to a law enforcement officer in connection with certain information; creating s. 627.748, F.S.; providing legislative intent; defining terms; requiring a transportation network company driver, or the transportation network company on the driver’s behalf, to maintain certain primary automobile insurance under certain circumstances; providing coverage requirements under specified circumstances; requiring a transportation network company to maintain certain insurance and obligate the insurer to defend a certain claim if specified insurance by the driver lapses or does not provide the required coverage; providing that certain coverage may not be contingent on a claim denial; specifying requirements for insurers who provide certain automobile insurance; requiring a transportation network company driver to carry proof of certain insurance coverage at all times during his or her use of a personal vehicle and to disclose specified information in the event of an accident; requiring a transportation network company to make certain disclosures to transportation network company drivers; authorizing insurers to exclude certain coverages during specified periods for policies issued to transportation network company drivers for personal vehicles; requiring a transportation network company and certain insurers to cooperate during a claims investigation to facilitate the exchange of specified information; requiring a transportation network company to cause its insurer to issue payments for claims directly to specified entities under certain circumstances; providing that unless agreed to in a written contract, a transportation network company is not deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network; requiring a transportation network company to provide a specified notice to transportation network company drivers; authorizing the Financial Services Commission to adopt rules; providing for preemption of local laws and regulations pertaining to transportation network company insurance; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Negron, Benacquisto, Soto, Flores, Simpson, and Altman—

CS for SB 1168—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce harmful discharges to the St. Lucie Estuary and the Caloosahatchee Estuary; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for spring restoration, protection, and management projects; deleting an obsolete provision; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Hays—

CS for SB 1192—A bill to be entitled An act relating to waste management; creating s. 403.70491, F.S.; prohibiting a local government from preventing a private company from listing separately on an invoice for solid waste collection, disposal, or recycling any governmental taxes and fees; amending s. 403.70605, F.S.; revising provisions relating to solid waste collection services to include disposal and recycling services; providing that certain private companies may bring an action against a state agency for specified violations; revising definitions; creating s. 812.0141, F.S.; defining a term; establishing the crime of theft of recyclable property; providing penalties; providing for a civil remedy;

providing for attorney fees and costs under certain conditions; providing an effective date.

By the Committees on Judiciary; and Governmental Oversight and Accountability; and Senator Garcia—

CS for CS for SB 1220—A bill to be entitled An act relating to public records; amending s. 119.12, F.S.; requiring a complainant to provide specified written notice to an agency's custodian of public records in order to be awarded the reasonable costs of enforcement in a civil action for enforcement of ch. 119, F.S.; specifying circumstances under which a court may not assess and award the reasonable costs of enforcement against a responsible agency; providing an exception to the requirement that a complainant provide written notice before filing a civil action; providing an effective date.

By the Committee on Health Policy; and Senator Sobel—

CS for SB 1240—A bill to be entitled An act relating to Children's Medical Services eligibility and enrollment; amending s. 391.021, F.S.; revising the definition of the term "children with special health care needs"; defining the term "clinical eligibility"; amending s. 391.029, F.S.; revising eligibility requirements for the Children's Medical Services program; requiring the Department of Health to determine clinical eligibility for the Children's Medical Services program by the use of an assessment instrument or through the review of documentation provided by a health care practitioner; requiring the department to adopt rules; providing for the continued applicability of an existing rule until new rules are adopted; amending s. 391.081, F.S.; requiring the department to provide notice to a parent or guardian of a child who has been determined clinically ineligible for the Children's Medical Services program of the parent's or guardian's option to request another clinical eligibility determination and appeal rights under ch. 120, F.S.; amending s. 409.974, F.S.; providing an exemption from regional specialty plan enrollment limits for the Children's Medical Services Network; providing an effective date.

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

CS for SB 1250—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of

the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and non-admissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

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

CS for SB 1274—A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing applicability; providing a limitation of coverage; authorizing a specified limitation of coverage subject to a certain condition; authorizing certain policy terms; requiring an insurance agent to obtain a specified signed acknowledgement from an applicant before issuing a policy; authorizing insurer forms and exempting forms from approval; authorizing an in-

surer to establish and use rates in accordance with specified rate standards; requiring an insurer to provide a specified notice of changes to rates within a specified time frame to the Office of Insurance Regulation; requiring an insurer to maintain certain actuarial data for a specified time frame; authorizing the office to require an insurer to incur the costs associated with examining such data; providing factors for the office in determining whether a rate is excessive, inadequate, or unfairly discriminatory; authorizing a surplus lines agent to export a contract or endorsement for sinkhole coverage to a surplus lines insurer without meeting certain requirements; requiring the insurer to notify the office before writing sinkhole insurance and to file a plan of operation with the office; prohibiting assignments of post-loss claims; providing an exception; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Agriculture; and Senator Dean—

CS for CS for SB 1318—A bill to be entitled An act relating to shellfish harvesting; amending s. 597.010, F.S.; revising provisions directing the Department of Agriculture and Consumer Services, in cooperation with the Fish and Wildlife Conservation Commission and the Department of Environmental Protection, to protect specified shellfish beds, grounds, and reefs; defining the terms “dredge or mechanical harvesting devices” and “shellfish”; providing for the harvesting of shellfish from sovereign submerged land leases; providing for the Board of Trustees of the Internal Improvement Trust Fund to authorize the use of dredges or mechanical harvesting devices as special lease conditions of sovereign submerged land leases under certain circumstances; limiting the number of such dredges or mechanical harvesting devices per lease; prohibiting certain use and possession of such dredges or mechanical harvesting devices; providing penalties; removing provisions relating to shellfish harvesting seasons and removal of oysters, clams, or mussels from natural reefs; authorizing the department, rather than requiring, to designate areas for the taking of oysters and clams to be planted on public lands; deleting a provision allowing such takings to be planted on leases and grants; specifying that the commission, rather than the department, shall establish the amount of oysters, clams, and mussels that may be relayed or transplanted; removing provisions relating to dredging of dead shells and oyster culture; making technical changes; providing an effective date.

By the Committee on Judiciary; and Senator Braynon—

CS for SB 1436—A bill to be entitled An act relating to public records; amending s. 28.2221, F.S.; making technical changes; providing an exemption from public records requirements for certain official records relating to matters or cases governed by the Florida Family Law Rules of Procedure; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; amending s. 119.0714, F.S.; providing an exemption from public records requirements for a petition for an injunction that is dismissed and the petition’s contents; providing for removal of petitions that were dismissed before the effective date of the act from publicly accessible records; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 1518—A bill to be entitled An act relating to cardiovascular services; creating s. 391.224, F.S.; providing legislative findings and intent; creating the Pediatric Cardiac Advisory Council; determining the chair of the advisory council; establishing the membership of the advisory council; identifying the duties of the advisory council; setting the minimum qualifications for the designation of a facility as a Pediatric and Congenital Cardiovascular Center of Excellence; requiring a report to the Governor, the Legislature, and the State Surgeon General; requiring the Department of Health to develop rules relating to pediatric cardiac services and facilities in the Children’s Medical Services Network; authorizing the department to adopt rules relating to the council and the designation of facilities as Pediatric and Congenital Cardiovascular Centers of Excellence; authorizing and preserving until amended specified rules relating to pediatric cardiac services and facilities; amending s. 408.0361, F.S.; expanding rule-making criteria for the Agency for Health Care Administration for li-

censure of hospitals performing percutaneous cardiac intervention procedures; providing an effective date.

By the Committee on Judiciary; and Senator Altman—

CS for SB 1692—A bill to be entitled An act relating to reimbursement of assessments; creating s. 295.24, F.S.; prohibiting an agent or attorney representing a claimant from directly or indirectly requesting, receiving, or obtaining reimbursement from the claimant for assessments charged to the agent or attorney by the United States Department of Veterans Affairs; providing penalties; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

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

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Trumbull, Santiago—

HB 7023—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; expanding the military operations that qualify certain servicemembers who receive a homestead exemption and were deployed during the previous calendar year to receive an additional ad valorem tax exemption on that homestead property; specifying the deadline for filing an application for the tax exemption for the 2016 tax year; providing procedures for filing an application for the tax exemption for a qualifying deployment during the 2014 and 2015 calendar years; providing procedures to appeal a denial by a property appraiser of an application for the tax exemption; providing refund procedures for servicemembers who were on qualifying deployments for more than 365 days during the 2014 and 2015 calendar years; providing applicability; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7091 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 7091—A bill to be entitled An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund within the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

CORRECTION AND APPROVAL OF JOURNAL

ADJOURNMENT

The Journal of February 10 was corrected and approved.

On motion by Senator Simmons, the Senate adjourned at 3:01 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, February 18 or upon call of the President.

CO-INTRODUCERS

Senator Diaz de la Portilla—CS for SB 380



Journal of the Senate

Number 13—Regular Session

Thursday, February 18, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 9:30 a.m. A quorum present—33:

Mr. President	Evers	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Clemens	Hukill	Sobel
Dean	Hutson	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Excused: Senators Joyner, Ring, and Smith; Senator Lee periodically for the purpose of working on Appropriations.

PRAYER

The following prayer was offered by Father Matthew Busch, Parochial Vicar, Blessed Sacrament Parish, Tallahassee:

Lord God, our creator and our sustainer, you are the alpha and the omega, the source of all that is. We thank you for the gift of life, for our families, for our great State of Florida, for this blessed country, for the people you place in our care, and for the opportunity to serve them in this place. Help us to use our gifts for the good of our brothers and sisters with whom we share a common home and grant us your protection during times of trouble.

You have made us out of nothing, and so we know that you have the power to fix anything that is broken, to restore anything that is lost, and to heal anyone who is wounded. Grant us the grace to see you in the face of every person we encounter this day so that we may more eagerly tend to their needs. Strengthen the trust we have in you so that your children may live in joy and in peace.

May almighty God bless you all, now and forever. Amen.

PLEDGE

Senate Pages, Lily Fenton of Parkland; Emma Towler of Jacksonville; Aidan Murtha of Tallahassee; Jack Qualls of Atlantis; and Michael Qualls of Atlantis, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Bean—

By Senator Bean—

SR 1388—A resolution congratulating Coach Charles “Corky” Rogers on his induction into the National High School Hall of Fame.

WHEREAS, The Bolles School is an independent college preparatory school in Jacksonville, and

WHEREAS, Charles “Corky” Rogers has coached The Bolles School Bulldogs football team for 26 years, and

WHEREAS, Charles “Corky” Rogers has led the Bulldogs to a state record of 10 state championships, has a total of 11 state championships over the course of his career, and has the most wins of any high school football coach in Florida history, and

WHEREAS, Charles “Corky” Rogers ranks fifth in the nation in career wins among active coaches, with 444 wins, and sixth among all coaches in the history of high school football in the United States, and

WHEREAS, the stellar achievement of Charles “Corky” Rogers has been recognized with his induction into the Florida Athletic Coaches Association Hall of Fame, the Florida High School Athletic Hall of Fame, the Gator Bowl Hall of Fame, the Robert E. Lee High School Hall of Fame, and the Florida Sports Hall of Fame, and

WHEREAS, on July 2, 2015, Charles “Corky” Rogers was inducted into the National High School Hall of Fame in a ceremony in New Orleans, Louisiana, NOW, THEREFORE,

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

That we recognize the stellar accomplishment of Coach Charles “Corky” Rogers on the football field and congratulate him on his induction into the National High School Hall of Fame.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Coach Charles “Corky” Rogers as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Bean, **SR 1388** was read the second time by title and adopted.

On motion by Senator Richter—

By Senator Richter—

SR 312—A resolution recognizing May 2016 as “Bladder Cancer Awareness Month” in Florida.

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

WHEREAS, among all states, Florida has the third largest population, ranked second in the number of new bladder cancer cases expected in 2015, and was second in the total number of bladder cancer deaths expected during that year, and

WHEREAS, bladder cancer is the fourth most common cancer in men and the eleventh most common cancer in women, and

WHEREAS, men have a 1 in 26 chance and women have a 1 in 90 chance of being diagnosed with bladder cancer during their lifetimes, according to the American Cancer Society, and

WHEREAS, this year in the United States, an estimated 74,000 new cases of bladder cancer will be diagnosed, and nearly 16,000 people will die from the disease, and

WHEREAS, bladder cancer consistently occurs in more women each year than does cervical cancer, and

WHEREAS, women often have a delayed diagnosis of bladder cancer, their early signs of cancer mistaken for symptoms of common gynecological problems, and

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

WHEREAS, even though bladder cancer is the sixth most common cancer in the United States, it ranked 21st in National Cancer Institute research money received in 2013, and

WHEREAS, due to a recurrence rate of 50 to 80 percent, bladder cancer is one of the most expensive cancers to treat, NOW, THEREFORE,

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

That May 2016 is recognized as “Bladder Cancer Awareness Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Richter, **SR 312** was read the second time by title and adopted.

At the request of Senator Detert—

By Senator Detert—

SR 1556—A resolution recognizing the University of South Florida Sarasota-Manatee.

WHEREAS, in 1975, the University of South Florida began offering upper-division undergraduate and graduate classes in Sarasota County, and

WHEREAS, the University of South Florida Sarasota-Manatee was established as a regional campus by the Legislature in 2001, and

WHEREAS, in 2006, the University of South Florida Sarasota-Manatee opened a new campus center near the Powel Crosley Estate in Manatee County, and

WHEREAS, the University of South Florida Sarasota-Manatee was granted separate academic accreditation by the Southern Association of Colleges and Schools Commission on Colleges in 2011, and

WHEREAS, in 2013, the University of South Florida Sarasota-Manatee welcomed its inaugural freshman class, and

WHEREAS, in 2015, the Board of Governors of the State University System gave approval to the University of South Florida Sarasota-Manatee to offer a full range of general education and lower-level courses to students, NOW, THEREFORE,

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

That the University of South Florida Sarasota-Manatee is recognized on its 40th anniversary for its service to the citizens of Sarasota and Manatee Counties and the greater Tampa Bay area.

BE IT FURTHER RESOLVED that copies of this resolution be presented to the University of South Florida Board of Trustees and the University of South Florida Sarasota-Manatee Campus Board as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Benacquisto—

By Senator Benacquisto—

SR 1720—A resolution recognizing Dress for Success for helping women worldwide succeed in the workplace and in life since 1997.

WHEREAS, Dress for Success is a global not-for-profit organization that promotes the economic independence of disadvantaged women by providing professional attire, a network of support, and career development tools that help women thrive in the workplace and in life, and

WHEREAS, in 1997, a second-year law student, Nancy Lublin, received a \$5,000 inheritance from her great-grandfather and, seeking a way to make this gift have an enduring effect, founded Dress for Success in the basement of a church in Manhattan, and

WHEREAS, from that original basement boutique, the mission of Dress for Success spread across all of North America and then worldwide, demonstrating that achieving economic independence is a challenge that all women face regardless of their location, language, customs, or culture, and

WHEREAS, since 1997, Dress for Success has expanded to more than 140 cities in 20 countries and has helped more than 850,000 women work toward self-sufficiency, and

WHEREAS, the organization thrives on the dedication of volunteers in the community, and, each year, more than 10,000 women and men around the globe generously donate their time and talents to help women find employment, and

WHEREAS, Dress for Success affiliates receive client referrals from more than 5,000 diverse nonprofit and governmental agencies, which include homeless shelters, immigration services, job training programs, educational institutions, and domestic violence shelters, and

WHEREAS, there are currently six stand-alone Dress for Success boutiques in this state, which, collectively, have helped more than 24,000 women achieve economic stability since 2005, and

WHEREAS, Dress for Success and its affiliates are committed to helping all women, regardless of race, ethnicity, or background, make a fresh start and achieve their professional and personal goals, NOW, THEREFORE,

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

That Dress for Success is recognized for helping women worldwide succeed in the workplace and in life since 1997.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dress for Success and each of the six Florida affiliate chapters as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

SPECIAL GUESTS

Senator Clemens introduced his sons, Jack and Michael Qualls, who were present in the chamber and serving as Senate Pages.

MOMENT OF SILENCE

At the request of Senator Gaetz, the Senate observed a moment of silence for United States Supreme Court Justice Antonin Scalia, who passed away on February 13, 2016.

*For Term
Ending*

Office and Appointment

Big Cypress Basin Board of the South Florida Water Management District

Appointee: Weston, David E.

03/01/2018

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

*For Term
Ending*

Office and Appointment

Board of Directors, Enterprise Florida, Inc.

Appointee: Biter, Jesse M.

09/30/2018

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

*For Term
Ending*

Office and Appointment

Environmental Regulation Commission

Appointees: Gelber, Adam R.

07/01/2019

Walton, Sarah St. John

07/01/2017

Governing Board of the Northwest Florida Water Management District

Appointees: Alter, John W.

03/01/2019

Andrews, Angus "Gus" G., Jr.

03/01/2019

Dunbar, Marc W.

03/01/2018

Everett, Ted

03/01/2017

Patronis, Nicholas "Nick" J.

03/01/2019

Executive Director of Northwest Florida Water Management District

Appointee: Cyphers, Brett J.

Pleasure of
the Board

Governing Board of the St. Johns River Water Management District

Appointees: Drake, Charles W.

03/01/2019

Howse, Ronald S.

03/01/2019

Roberts, Frederick N., Jr.

03/01/2019

Executive Director of St. Johns River Water Management District

Appointee: Shortelle, Ann B.

Pleasure of
the Board

Governing Board of the South Florida Water Management District

Appointees: Accursio, Sam, Jr.

03/01/2019

Barber, Frederick T., III

03/01/2019

Harlow, Clarke

03/01/2018

Moran, James J.

03/01/2019

Peterson, Melanie

03/01/2018

Executive Director of South Florida Water Management District

Appointee: Antonacci, Peter

Pleasure of
the Board

Governing Board of the Southwest Florida Water Management District

Appointees: Adams, Jeffrey M.

03/01/2018

Armstrong, Elijah D., III

03/01/2018

Henslick, John R.

03/01/2017

Maggard, Randall "Randy"

03/01/2019

Moran, Michael A.

03/01/2019

Rice, Kelly S.

03/01/2019

Senft, H. Paul, Jr.

03/01/2019

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

February 18, 2016

Dear President Gardiner:

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

Office and Appointment

*For Term
Ending*

Jacksonville Aviation Authority

Appointees: Davlantes, Teresa H.

09/30/2019

Mackesy, Francis "Frank" J.

09/30/2019

Florida Building Commission

Appointees: Browdy, Richard S.

10/13/2019

Brown, Donald D.

11/21/2019

Flanagan, Kevin M.

01/30/2019

Gerwig, Jeremy Shane

01/15/2019

Gross, Jeffery

11/21/2019

Phillips, Darrell D.

11/21/2019

Schiffer, Brad

08/11/2019

Stone, Jeffrey B.

07/27/2019

Florida Commission on Community Service

Appointees: Croteau, James M.

09/14/2018

Karlinsky, Autumn

09/14/2018

O'Connell, Cynthia F.

09/14/2017

Rovira-Forino, Maritza

09/14/2017

Schultz, Kerry Anne

09/14/2018

Wheelock, Sherry

09/14/2017

Commission on Ethics

Appointees: Brady, Daniel T.

06/30/2017

Norris, Guy W.

06/30/2017

Rezanka, Kimberly Bonder

06/30/2017

Weston, Stanley M.

06/30/2017

Citrus County Hospital Board

Appointee: Harper, Richard Lee

07/03/2019

Florida Commission on Human Relations

Appointee: Turner, Sandra

09/30/2017

Florida Inland Navigation District

Appointee: O'Steen, Michael

01/09/2019

National Conference of Commissioners on Uniform State Laws

Appointee: Braccialarghe, Randolph

06/05/2019

Public Employees Relations Commission

Appointee: Kiser, S. Curtis

01/01/2018

Chair, Public Employees Relations Commission

Appointee: Poole, Donna Maggert

01/01/2020

South Florida Regional Planning Council, Region 11

Appointee: Asseff, Patricia T.

10/01/2016

Jacksonville Port Authority

Appointee: Falconetti, John

09/30/2019

<i>Office and Appointment</i>		<i>For Term Ending</i>	Yeas—35		
Executive Director of Southwest Florida Water Management District	Appointee: Beltran, Roberto R., Jr.	Pleasure of the Board	Mr. President	Evers	Margolis
			Abruzzo	Flores	Montford
			Altman	Gaetz	Negron
			Bean	Galvano	Richter
			Benacquisto	Garcia	Sachs
Governing Board of the Suwannee River Water Management District	Appointees: Brown, Kevin W.	03/01/2019	Bradley	Gibson	Simmons
	Schwab, Richard	03/01/2019	Brandes	Grimsley	Simpson
	Williams, Bradley	03/01/2019	Braynon	Hays	Sobel
			Clemens	Hukill	Soto
			Dean	Hutson	Stargel
			Detert	Latvala	Thompson
Executive Director of Suwannee River Water Management District	Appointee: Valenstein, Noah	Pleasure of the Board	Diaz de la Portilla	Legg	
			Nays—None		

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

<i>Office and Appointment</i>		<i>For Term Ending</i>
Investment Advisory Council	Appointees: Cobb, Charles E.	12/12/2019
	Daniels, Leslie B.	12/12/2018
	Jones, J. Robert, Jr.	02/01/2019
	Olmstead, Vinny	02/01/2019
	Price, Michael F.	12/12/2018
	Wendt, Gary C.	12/12/2019

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

<i>Office and Appointment</i>		<i>For Term Ending</i>
Tampa-Hillsborough County Expressway Authority	Appointee: Smith, Rebecca J.	07/01/2019
Florida Transportation Commission	Appointees: Browning, John P., Jr.	09/30/2019
	Kigel, Beth R.	09/30/2019
	Sebesta, James A.	09/30/2019

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100
February 18, 2016

Dear President Gardiner:

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

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Athletic Training	Appointee: Pappas, Nicholas A.	10/31/2019
Board of Massage Therapy	Appointee: Wasylyna, Jennifer A.	10/31/2019
Board of Nursing Home Administrators	Appointee: Hankerson, Christine	10/31/2018
Board of Pilot Commissioners	Appointees: Assal, Sherif	10/31/2017
	Sola, Louis	10/31/2019
	Wilkins, David	10/31/2018
Board of Psychology	Appointee: Drew, Catherine Hardee	10/31/2019

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and
- (3) there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:

Yeas—35

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Sobel
Clemens	Hukill	Soto
Dean	Hutson	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

The Honorable Andy Gardiner
 President, The Florida Senate
 Suite 409, The Capitol
 404 South Monroe Street
 Tallahassee, FL 32399-1100

February 18, 2016

Dear President Gardiner:

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Trustees of Broward College Appointees: Gupta, Rajendra P. Rump, Edward Michael	05/31/2019 05/31/2019
Board of Trustees of Chipola College Appointees: Lassmann, Thomas S. Paul, Joel F., Jr.	05/31/2019 05/31/2019
Board of Trustees of Florida Keys Community College Appointee: Puto, Michael H.	05/31/2019
Board of Trustees of Gulf Coast State College Appointee: Lewis, Thomas L.	05/31/2019
Board of Trustees of Hillsborough Community College Appointee: Viamontes, Beatriz "Betty" D.	05/31/2019
Board of Trustees of Lake-Sumter State College Appointee: Wahl, Peter F.	05/31/2019
Board of Trustees of State College of Florida, Manatee-Sarasota Appointee: Moran, Lori A.	05/31/2019
Board of Trustees of Miami-Dade College Appointee: Leon, Benjamin, III	05/31/2018
Board of Trustees of North Florida Community College Appointees: Coker, Jon Travis Williams, Alton K., Jr.	05/31/2019 05/31/2018
Board of Trustees of St. Johns River State College Appointees: Bramlitt, Denise M. Duren, Joseph M., Sr.	05/31/2018 05/31/2018
Board of Trustees of Seminole State College Appointees: Howat, Scott D. Setzer, J. Alex	05/31/2019 05/31/2019
Board of Trustees for the Florida School for the Deaf and the Blind Appointee: Zampogna, Carlo F.	11/14/2018

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Trustees, Florida A & M University Appointees: Carter, Matthew M., II Washington, T. Nicole	01/06/2018 01/06/2020
Board of Trustees, University of Central Florida Appointees: Conte, Joseph D. Yeargin, William E.	01/06/2020 01/06/2020
Board of Trustees, Florida International University Appointees: Boord, Leonard Lowell, Natasha	01/06/2020 01/06/2020
Board of Trustees, University of North Florida Appointee: Burnett, Douglas	01/06/2020
Board of Trustees, University of West Florida Appointee: O'Sullivan, John Mortimer, III	01/06/2020

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:

Yeas—35

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Sobel
Clemens	Hukill	Soto
Dean	Hutson	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—1

Bullard

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

February 18, 2016

*For Term
Ending*

Office and Appointment

Secretary of Health Care Administration
Appointee: Dudek, Elizabeth

Pleasure of
Governor

Dear President Gardiner:

The following executive appointment was referred to the Senate Appropriations Subcommittee on Criminal and Civil Justice and the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

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

Office and Appointment

*For Term
Ending*

Secretary of Business and Professional Regulation
Appointee: Lawson, Kenneth E.

Pleasure of
Governor

Office and Appointment

*For Term
Ending*

Secretary of Corrections
Appointee: Jones, Julie

Pleasure of
Governor

The following executive appointments were referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and

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

Respectfully submitted,
Garrett Richter, Chair

Office and Appointment

*For Term
Ending*

Secretary of Children and Families
Appointee: Carroll, Mike

Pleasure of
Governor

Director, Agency for Persons with Disabilities
Appointee: Palmer, Barbara Jo

Pleasure of
Governor

Secretary of Elderly Affairs
Appointee: Verghese, Samuel P.

Pleasure of
Governor

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

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

The vote was:

Yeas—35

Mr. President	Diaz de la Portilla	Legg
Abruzzo	Evers	Margolis
Altman	Flores	Negron
Bean	Gaetz	Richter
Benacquisto	Galvano	Sachs
Bradley	Garcia	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Sobel
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Dean	Hutson	Thompson
Detert	Latvala	

Nays—None

Office and Appointment

*For Term
Ending*

Secretary of Juvenile Justice
Appointee: Daly, Christina K.

Pleasure of
Governor

Executive Director of Department of Law Enforcement
Appointee: Swearingen, Richard L.

Pleasure of
Governor
and Cabinet

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

*For Term
Ending*

Secretary of Management Services
Appointee: Poppell, Patterson Chad

Pleasure of
Governor

Secretary of State
Appointee: Detzner, Kenneth W.

Pleasure of
Governor

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

SPECIAL PERFORMANCE

Senator Thompson was recognized for a presentation portraying the life of author and anthropologist Zora Neale Hurston.

SPECIAL ORDER CALENDAR

CS for CS for SB 114—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the

Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

—was read the second time by title.

Senator Montford moved the following amendment which was adopted:

Amendment 1 (239106)—Delete lines 37-38 and insert:
Boulevard in Broward County is designated as “The Hope and Healing Highway.”

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Thompson moved the following amendment which was adopted:

Amendment 2 (743496)—Between lines 113 and 114 insert:

(32) That portion of S.R. 519/Fiske Boulevard located within the corporate limits of the City of Rockledge in Brevard County is designated as “Dr. Martin Luther King, Jr., Memorial Highway.”

By direction of the President, further consideration of **CS for CS for SB 114**, as amended, was deferred.

CS for CS for SB 744—A bill to be entitled An act relating to addresses of legal residence; amending s. 97.021, F.S.; defining the term “address of legal residence”; amending s. 97.053, F.S.; requiring a complete voter registration application to include the applicant’s address of legal residence; specifying that an applicant’s failure to include additional distinguishing information on an application does not affect his or her qualifications to register or vote; amending s. 97.057, F.S.; conforming a provision; amending s. 98.015, F.S.; providing that a list of valid addresses maintained by a supervisor of elections include certain additional distinguishing information; requiring the supervisor to make reasonable efforts to obtain residence information omitted on voter registration applications; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 744**, pursuant to Rule 3.11(3), there being no objection, **HB 541** was withdrawn from the Committees on Ethics and Elections; Community Affairs; and Rules.

On motion by Senator Bean—

HB 541—A bill to be entitled An act relating to addresses of legal residence; amending s. 97.021, F.S.; defining the term “address of legal residence”; amending ss. 97.053 and 97.057, F.S.; requiring a voter registration application to include the applicant’s address of legal residence and certain additional distinguishing information; specifying that an applicant’s failure to include such distinguishing information on a voter registration application does not affect his or her qualifications to register or vote or cast a ballot; conforming a provision; amending s. 98.015, F.S.; providing that a list of valid addresses maintained by a supervisor of elections include certain additional distinguishing information; providing duties of the supervisor relating to voter registration applications; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 744** and read the second time by title.

Pursuant to Rule 4.19, **HB 541** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

CS for CS for SB 828—A bill to be entitled An act relating to insurance guaranty association assessments; amending s. 631.914, F.S.; requiring the Office of Insurance Regulation to levy assessments for certain purposes; revising and providing requirements for the levy of

assessments; requiring insurers and self-insurance funds to report certain premiums; requiring insurers to collect policy surcharges and pay assessments to the association; revising requirements for reporting premium for assessment calculations; revising and providing requirements and limitations for remittance of assessments to the association; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 828** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 772** was deferred.

On motion by Senator Stargel—

SB 586—A bill to be entitled An act relating to responsibilities of health care providers; repealing s. 383.336, F.S., relating to practice parameters for physicians performing caesarean section deliveries in provider hospitals; creating s. 395.0192, F.S.; requiring a hospital to notify certain obstetrical physicians within a specified timeframe before the hospital closes its obstetrical department or ceases to provide obstetrical services; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (519778) (with title amendment)—Between lines 14 and 15 insert:

Section 2. Present subsections (1) through (10) of section 395.0191, Florida Statutes, are redesignated as subsections (2) through (11), respectively, present subsection (6) of that section is amended, and a new subsection (1) and subsection (12) are added to that section, to read:

395.0191 Staff membership and clinical privileges.—

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

(a) *“Certified surgical assistant” means a surgical assistant who maintains a valid and active certification under one of the following designations: certified surgical first assistant, from the National Board of Surgical Technology and Surgical Assisting; certified surgical assistant, from the National Surgical Assistant Association; or surgical assistant-certified, from the American Board of Surgical Assistants.*

(b) *“Certified surgical technologist” means a surgical technologist who maintains a valid and active certification as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting.*

(c) *“Surgeon” means a health care practitioner as defined in s. 456.001 whose scope of practice includes performing surgery and who is listed as the primary surgeon in the operative record.*

(d) *“Surgical assistant” means a person who provides aid in exposure, hemostasis, closures, and other intraoperative technical functions and who assists the surgeon in performing a safe operation with optimal results for the patient.*

(e) *“Surgical technologist” means a person whose duties include, but are not limited to, maintaining sterility during a surgical procedure, handling and ensuring the availability of necessary equipment and supplies, and maintaining visibility of the operative site to ensure that the operating room environment is safe, that proper equipment is available, and that the operative procedure is conducted efficiently.*

(7)(6) Upon the written request of the applicant, any licensed facility that has denied staff membership or clinical privileges to any applicant specified in ~~subsection (1) or~~ subsection (2) or subsection (3) shall, within 30 days of such request, provide the applicant with the reasons for such denial in writing. A denial of staff membership or clinical pri-

vileges to any applicant shall be submitted, in writing, to the applicant's respective licensing board.

(12) *At least 50 percent of the surgical assistants and 50 percent of the surgical technologists that a facility employs or with whom it contracts must be certified surgical assistants and certified surgical technologists, respectively. The requirements of this subsection do not apply to the following:*

(a) *A person who has completed an appropriate training program for surgical technology in any branch or reserve component of the United States Armed Forces.*

(b) *A person who was employed or contracted to perform the duties of a surgical technologist or surgical assistant at any time before July 1, 2016.*

(c) *A health care practitioner as defined in s. 456.001 or a student if the duties performed by the practitioner or the student are within the scope of the practitioner's or the student's training and practice.*

(d) *A person enrolled in a surgical technology or surgical assisting training program accredited by the Commission on Accreditation of Allied Health Education Programs, the Accrediting Bureau of Health Education Schools, or another accrediting body recognized by the United States Department of Education on July 1, 2016. A person may practice as a surgical technologist or a surgical assistant for 2 years after completion of such a training program before he or she is required to obtain a certification under this subsection.*

And the title is amended as follows:

Between lines 5 and 6 insert: amending s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants or surgical technologists employed by or contracting with a facility to be certified; providing exceptions to such certification requirements;

Pursuant to Rule 4.19, **SB 586**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 698** was deferred.

CS for CS for SB 304—A bill to be entitled An act relating to agritourism; amending s. 570.85, F.S.; providing additional legislative intent; prohibiting a local government from enforcing a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on lands classified as agricultural; specifying that certain local authority may not be limited under certain circumstances; amending s. 570.86, F.S.; revising the definition of the term "agritourism activity" to include civic and ceremonial activities; amending s. 570.87, F.S.; specifying that the conduct of agritourism activity on a bona fide farm or on agricultural lands may not limit, restrict, or divest the land of that classification, provided that such lands remain used primarily for bona fide agricultural purposes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 304**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 59** was withdrawn from the Committees on Agriculture; Community Affairs; and Fiscal Policy.

On motion by Senator Stargel—

CS for CS for HB 59—A bill to be entitled An act relating to agritourism; amending s. 570.85, F.S.; providing legislative intent; prohibiting a local government from enforcing a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land; specifying that the prohibition does not apply to local regulation of substantial offsite impacts relating to such activities; amending s. 570.86, F.S.; revising the definition of the term "agritourism activity" to include civic and ceremonial activities; amending s. 570.87, F.S.; providing conditions under which agritourism activities on farms or on lands classified as agricultural lands do not limit, restrict, or divest the land of such classification; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 304** and read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (153362) (with title amendment)—Delete lines 44-48 and insert:

activity consistent with a bona fide farm, *livestock operation*, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, *civic, ceremonial, training and exhibition*, or harvest-your-own activities and

And the title is amended as follows:

Delete lines 11-12 and insert: the term "agritourism activity"; amending s.

Pursuant to Rule 4.19, **CS for CS for HB 59**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 826—A bill to be entitled An act relating to mobile homes; amending s. 723.006, F.S.; revising certain notice requirements for written complaints; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules to implement board member training requirements; providing notice and requirements of such rules; amending s. 723.031, F.S.; authorizing a mobile home park owner to pass on non-ad valorem assessments to a tenant under certain circumstances; providing that a mobile home park owner is deemed to have disclosed the passing on of certain taxes and assessments under certain circumstances; requiring the non-ad valorem assessments to be a part of the lot rental amount; requiring that a renewed rental agreement remain under the same terms unless certain notice is provided; amending s. 723.059, F.S.; authorizing a mobile home purchaser to cancel or rescind the contract to purchase under certain circumstances; amending s. 723.075, F.S.; revising the rights that mobile home owners exercise if they form an association; authorizing mobile home owners to become members upon incorporation of the association; defining the terms "member" and "shareholder"; deleting provisions relating to memberships of successors to home owners; amending s. 723.078, F.S.; specifying voting requirements for homeowners' associations; specifying the requirements for a majority of votes; authorizing members to vote by secret ballot and absentee ballot; prohibiting the tape recording or videotaping of meetings between the board of directors or its committees and the park owner; amending s. 723.0781, F.S.; providing a date on which certain provisions are effective; providing that board members may not be considered in violation of such provisions until after a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 826** was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis—

CS for SB 1066—A bill to be entitled An act relating to anatomical gifts; amending s. 765.521, F.S.; requiring the Department of Highway Safety and Motor Vehicles to maintain an integrated website link to the organ donation registry; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1066** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

CS for SB 250—A bill to be entitled An act relating to parenting and time-sharing; amending s. 61.13, F.S.; creating a presumption that approximately equal time-sharing by both parents is in the best interest of the child; revising a finite list of factors that a court must evaluate when determining whether the presumption of approximately equal time-sharing is overcome; requiring a court order to be supported by

written findings of fact under certain circumstances; prohibiting the modification of a determination of parental responsibility, a parenting plan, or a time-sharing schedule unless certain determinations are made; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Senator Lee moved the following amendment which was adopted:

Amendment 1 (447250)—

In title, delete line 2 and insert: An act relating to family law;

Pursuant to Rule 4.19, **CS for SB 250**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By direction of the President, the Senate resumed consideration of—

CS for CS for SB 114—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

—which was previously considered and amended this day.

Senator Brandes moved the following amendment which was adopted:

Amendment 3 (429928)—Delete line 52 and insert:

(11) *That portion of S.R. 60 between the Hillsborough*

Pursuant to Rule 4.19, **CS for CS for SB 114**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

Senator Brandes recognized United States Representative David Jolly who was present in the chamber.

SB 956—A bill to be entitled An act relating to special districts; amending s. 11.40, F.S.; conforming cross-references; amending s. 189.011, F.S.; revising legislative intent with respect to the Uniform Special District Accountability Act to include dependent special districts; amending s. 189.016, F.S.; specifying the period of time for which certain budget information must remain on the special district's website; deleting provisions requiring a special district to transmit certain budgets to the local government under specific circumstances; reenacting s. 165.0615(16), F.S., relating to municipal conversion of independent special districts upon an elector-initiated and approved referendum, to incorporate the amendment to s. 189.016, F.S., in references thereto; amending s. 189.02, F.S.; specifying the Legislature's authority to create dependent special districts by special act; creating s. 189.022, F.S.; providing for the identification of a dependent special district as dependent in its charter; amending s. 189.031, F.S.; providing for the identification of an independent special district as independent in its charter; transferring, renumbering, and amending ss. 189.034 and 189.035, F.S.; authorizing the Legislative Auditing Committee, for districts created by special act, or local general-purpose governments, for districts created by local ordinance or enacted by local resolution, to convene public hearings for special districts that fail to file specified required reports or requested information; deleting related provisions requiring the committee to provide certain notice to the Legislature or local general-purpose government, as appropriate, when a special district fails to file certain required reports or requested information, to conform; amending s. 189.061, F.S.; requiring the Department of Economic Opportunity to exclude inactive special districts

from the official list of special districts; revising procedures for maintaining the official list of special districts; specifying that the official list or determination of status of a special district does not constitute final agency action; providing procedures for use in resolving inconsistencies in status determinations of special districts as identified in the official lists; requiring the Auditor General to notify the department of entities that attempt to report as special districts in certain reports; amending s. 189.062, F.S.; revising the criteria that must be documented before a special district may be declared inactive; authorizing the repeal of certain special acts of inactive special districts by general law; providing criteria for initiating such general law; revising the circumstances under which a declaration of inactive status may be invalidated; requiring the department to remove special districts declared inactive from the official list of special districts; requiring the department to keep a separate list of inactive districts; amending s. 189.064, F.S.; revising the required content of the special district handbook; creating s. 189.0653, F.S.; requiring special districts created by special act or local ordinance to provide specified information to the committee or local general-purpose government, as appropriate; amending s. 189.067, F.S.; conforming cross-references; amending s. 189.068, F.S.; conforming cross-references; specifying that certain dependent special districts may be reviewed by specified local general-purpose governments; amending s. 189.069, F.S.; revising the list of items required to be included on the websites of special districts; amending ss. 189.071 and 189.072, F.S.; conforming provisions to changes made by the act; reenacting s. 189.074(2)(e) and (3)(g), F.S., relating to the voluntary merger of independent special districts, to incorporate the amendment to s. 189.016, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 956**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 479** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Fiscal Policy.

On motion by Senator Stargel—

CS for HB 479—A bill to be entitled An act relating to special districts; amending s. 11.40, F.S.; conforming cross-references; amending s. 189.011, F.S.; revising legislative intent with respect to the Uniform Special District Accountability Act to include dependent special districts; amending s. 189.016, F.S.; deleting a provision requiring a special district to transmit certain budgets to the local government under specific circumstances; specifying the period for which certain budget information must be posted on the special district's website; amending s. 189.02, F.S.; specifying the Legislature's authority to create dependent special districts by special act; creating s. 189.022, F.S.; providing for the identification of a dependent special district as dependent in its charter; amending s. 189.031, F.S.; providing for the identification of an independent special district as independent in its charter; transferring, renumbering, and amending ss. 189.034 and 189.035, F.S.; authorizing the Legislative Auditing Committee, for districts created by special act, or local general purpose governments, for districts created by local ordinance or resolution, to convene public hearings for special districts that fail to file specified required reports; deleting related provisions requiring the committee to provide certain notice to the Legislature or local general-purpose government, as appropriate, when a special district fails to file certain required reports or requested information, to conform; amending s. 189.061, F.S.; requiring the Department of Economic Opportunity to exclude inactive special districts from the official list of special districts; revising procedures for maintaining the official list of special districts; specifying that the official list or determination of status of a special district does not constitute final agency action; providing procedures for use in resolving inconsistencies in status determinations of special districts as identified in the official lists; amending s. 189.062, F.S.; revising the criteria that must be documented before a special district may be declared inactive; authorizing the repeal of certain special acts of inactive special districts by general law; requiring the department to remove special districts declared inactive from the official list of special districts; requiring the department to keep a separate list of inactive districts; amending s. 189.064, F.S.; revising the required content of the special district handbook; creating s. 189.0653, F.S.; requiring special districts created by special act or local ordinance to provide specified information to the committee or local general-purpose government, as appropriate; amending s. 189.067, F.S.; conforming cross-references; amending s. 189.068, F.S.; conform-

ing cross-references; specifying that certain dependent special districts may be reviewed by specified local general purpose governments; amending s. 189.069, F.S.; revising the list of items required to be included on the websites of special districts; amending ss. 189.071 and 189.072, F.S.; conforming provisions to changes made by the act; amending s. 298.301, F.S.; revising notice requirements for certain assessments proposed to be levied by water management districts; reenacting ss. 165.0615(16) and 189.074(2)(e) and (3)(g), F.S., relating to municipal conversion of independent special districts upon elector-initiated and approved referendum and the voluntary merger of independent special districts, respectively; providing an effective date.

—a companion measure, was substituted for **SB 956** and read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (791158) (with title amendment)—Delete lines 750-766.

And the title is amended as follows:

Delete lines 62-65 and insert: provisions to changes made by the act; reenacting ss. 165.0615(16) and

Pursuant to Rule 4.19, **CS for HB 479**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 1004—A bill to be entitled An act relating to security system plans; amending s. 119.071, F.S.; revising exceptions to a public records exemption; amending s. 281.301, F.S.; providing exceptions to a public records exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1004** was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz de la Portilla—

CS for SB 1174—A bill to be entitled An act relating to residential facilities; amending s. 419.001, F.S.; specifying applicability of siting requirements for community residential homes; providing applicability with respect to local land use and zoning; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1174** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hutson—

CS for SB 1046—A bill to be entitled An act relating to farm vehicles; amending s. 316.003, F.S.; defining the term “covered farm vehicle” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.302, F.S.; providing exemptions for covered farm vehicles and the operators of such vehicles from specified federal regulations relating to controlled substances and alcohol use and testing, commercial driver licenses, physical qualifications and examinations, hours of service of drivers, and inspection, repair, and maintenance when operating under certain conditions, notwithstanding specified statutory provisions; providing applicability; conforming a cross-reference; amending s. 322.53, F.S.; exempting the driver of a covered farm vehicle from commercial driver license requirements; amending ss. 316.3025 and 316.3026, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1046** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1278** was deferred.

On motion by Senator Abruzzo—

SB 1202—A bill to be entitled An act relating to discounts on public park entrance fees and transportation fares; creating s. 125.029, F.S.; requiring counties to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouse and parents of certain deceased military members, law enforcement officers, firefighters, emergency medical technicians, and paramedics; requiring that individuals seeking the discount present information satisfactory to the county department which evidences eligibility; defining the term “park entrance fee”; providing certain exclusions; creating s. 163.58, F.S.; requiring certain regional transportation authorities to provide a partial or a full discount on fares for certain disabled veterans; creating s. 166.0447, F.S.; requiring municipalities to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouse and parents of certain deceased military members, law enforcement officers, firefighters, emergency medical technicians, and paramedics; requiring that individuals seeking the discount present information satisfactory to the municipal department which evidences eligibility; defining the term “park entrance fee”; providing certain exclusions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1202** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 7040—A bill to be entitled An act relating to the federal Workforce Innovation and Opportunity Act; amending ss. 20.60, 212.08, 220.183, 250.10, 288.047, 290.0056, 322.34, 341.052, 414.045, 414.065, 414.085, 414.095, 414.105, 414.106, 414.295, 420.623, 420.624, 427.013, 427.0155, 427.0157, 443.091, and 443.1116, F.S.; conforming provisions to changes made by the act; amending s. 445.003, F.S.; providing implementation of the federal Workforce Innovation and Opportunity Act through a 4-year plan; revising the requirements of the plan; deleting a provision authorizing an optional federal partner to fulfill certain state planning and reporting requirements; deleting a provision requiring all optional federal program partners to participate in the second year of the plan; providing for program administration; deleting certain eligibility requirements for businesses; deleting the authority of CareerSource Florida, Inc., to negotiate and settle certain issues with the United States Department of Labor; requiring CareerSource Florida, Inc., to enter into a memorandum with the Florida Department of Education to ensure compliance with the state plan for workforce development; conforming provisions to changes made by the act; amending s. 445.004, F.S.; specifying membership requirements for the CareerSource Florida, Inc., board of directors; revising the entities required to collaborate with CareerSource Florida, Inc., to establish certain performance accountability measures; revising requirements for the performance accountability measures; deleting references to outcome tiers for such measures; deleting a provision requiring certain job placement reporting; conforming provisions to changes made by the act; amending s. 445.006, F.S.; providing for the development of a state plan to include strategic and operational elements; deleting a requirement that the strategic plan be updated or modified each year; revising requirements for the strategic and operational plans; conforming provisions to changes made by the act; amending s. 445.007, F.S.; revising local workforce development board membership requirements; requiring CareerSource Florida, Inc., to establish regional planning areas subject to certain requirements by a certain date; requiring local workforce development boards and selected officials to prepare a regional workforce development plan; conforming provisions to changes made by the act; amending s. 445.0071, F.S.; conforming provisions to changes made by the act; amending s. 445.009, F.S.; requiring the local workforce development board to enter into a memorandum of understanding with each mandatory or optional partner detailing certain contributions; providing that costs will be allocated pursuant to a policy established by the Governor under certain circumstances; specifying the systems that may be accessed with the one-stop delivery system; conforming provisions to changes made by the act; amending s. 445.07, F.S.; requiring the Department of Education to consult with the Department of Economic Opportunity in preparing, or contracting with an entity to prepare, certain economic security reports; amending ss. 445.014, 445.016, 445.017, 445.021, 445.022, 445.024, 445.025, 445.026, 445.030, 445.031, 445.048, 445.051, 985.622, 1002.83, 1003.491,

1003.492, 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and 1009.25, F.S.; conforming provisions to changes made by this act; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendments which were adopted:

Amendment 1 (572960) (with title amendment)—Delete lines 103-412 and insert:

Section 2. Section 115.01, Florida Statutes, is amended to read:

115.01 Leave of absence for military service.—Any county or state official of the state, subject to the provisions and conditions hereinafter set forth, may be granted leave of absence from his or her office, to serve in the volunteer forces of the United States, or in the National Guard of any the state, or in the regular Army or Navy of the United States, when the same shall be called into active service of the United States during war between the United States and a foreign government.

Section 3. Paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) Community contribution tax credit for donations.—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than \$200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Department of Economic Opportunity.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph, s. 220.183, and s. 624.5105 is \$18.4 million in the 2015-2016 fiscal year, \$21.4 million in the 2016-2017 fiscal year, and \$21.4 million in the 2017-2018 fiscal year for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households and \$3.5 million annually for all other projects. As used in this paragraph, the term "person with special needs" has the same meaning as in s. 420.0004 and the terms "low-income person," "low-income household," "very-low-income person," and "very-low-income household" have the same meanings as in s. 420.9071.

f. A person who is eligible to receive the credit provided in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under one section of the person's choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property;

(III) Goods or inventory; or

(IV) Other physical resources identified by the Department of Economic Opportunity.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term "project" means activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income households or very-low-income households; designed to provide housing opportunities for persons with special needs; designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to a project approved between January 1, 1996, and December 31, 1999, and located in an area which was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income households or very-low-income households on scattered sites or housing opportunities for persons with special needs. With respect to housing, contributions may be used to pay the following eligible special needs, low-income, and very-low-income housing-related activities:

(I) Project development impact and management fees for special needs, low-income, or very-low-income housing projects;

(II) Down payment and closing costs for persons with special needs, low-income persons, and very-low-income persons;

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments if satisfaction of the lien is a necessary precedent to the transfer of the property to a low-income person or very-low-income person for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an "eligible sponsor," which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs, low-income households, or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s. 163.356;

(VI) A historic preservation district agency or organization;

(VII) A ~~local regional~~ workforce development board;

(VIII) A direct-support organization as provided in s. 1009.983;

(IX) An enterprise zone development agency created under s. 290.0056;

(X) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s. 501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XI) Units of local government;

(XII) Units of state government; or

(XIII) Any other agency that the Department of Economic Opportunity designates by rule.

A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed \$200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed \$200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. An eligible sponsor seeking to participate in this program must submit a proposal to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting in-

formation as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. A person seeking to participate in this program must submit an application for tax credit to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the type, value, and purpose of the contribution. The sponsor shall verify, in writing, the terms of the application and indicate its receipt of the contribution, and such verification must accompany the application for tax credit. The person must submit a separate tax credit application to the Department of Economic Opportunity for each individual contribution that it makes to each individual project.

c. A person who has received notification from the Department of Economic Opportunity that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within a 12-month period.

4. Administration.—

a. The Department of Economic Opportunity may adopt rules necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the Department of Economic Opportunity must be in writing, and, if approved, the notification shall state the maximum credit allowable to the person. Upon approval, the Department of Economic Opportunity shall transmit a copy of the decision to the department.

c. The Department of Economic Opportunity shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The Department of Economic Opportunity shall, in consultation with the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

5. Expiration.—This paragraph expires June 30, 2018; however, any accrued credit carryover that is unused on that date may be used until the expiration of the 3-year carryover period for such credit.

Section 4. Paragraph (c) of subsection (2) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(2) ELIGIBILITY REQUIREMENTS.—

(c) The project must be undertaken by an “eligible sponsor,” defined here as:

1. A community action program;

2. A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs or low-income or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

3. A neighborhood housing services corporation;

4. A local housing authority, created pursuant to chapter 421;

5. A community redevelopment agency, created pursuant to s. 163.356;

6. A historic preservation district agency or organization;

7. A ~~local~~ regional workforce development board;

8. A direct-support organization as provided in s. 1009.983;

9. An enterprise zone development agency created pursuant to s. 290.0056;

10. A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s. 501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

11. Units of local government;

12. Units of state government; or

13. Such other agency as the Department of Economic Opportunity may, from time to time, designate by rule.

In no event shall a contributing business firm have a financial interest in the eligible sponsor.

Section 5. Paragraph (1) of subsection (2) of section 250.10, Florida Statutes, is amended to read:

250.10 Appointment and duties of the Adjutant General.—

(2) The Adjutant General shall:

(1) Subject to annual appropriations, administer youth About Face programs and adult Forward March programs at sites to be selected by the Adjutant General. Both programs must provide schoolwork assistance, focusing on the skills needed to master basic high school competencies and functional life skills, including teaching students to work effectively in groups; providing basic instruction in computer skills; teaching basic problem-solving, decisionmaking, and reasoning skills; teaching how the business world and free enterprise work through computer simulations; and teaching home finance and budgeting and other daily living skills.

1. About Face is a summer and year-round after-school life-preparation program for economically disadvantaged and at-risk youths from 13 through 17 years of age. The program must provide training in academic study skills, and the basic skills that businesses require for employment consideration.

2. Forward March is a job-readiness program for economically disadvantaged participants who are directed to Forward March by the local ~~regional~~ workforce development boards. The Forward March program shall provide training on topics that directly relate to the skills required for real-world success. The program shall emphasize functional life skills, computer literacy, interpersonal relationships, critical-thinking skills, business skills, preemployment and work maturity skills, job-search skills, exploring careers activities, how to be a successful and effective employee, and some job-specific skills. The program also shall provide extensive opportunities for participants to practice generic job skills in a supervised work setting. Upon completion of the program, Forward March shall return participants to the local ~~regional~~ workforce development boards for placement in a job placement pool.

Section 6. Subsection (1) of section 250.482, Florida Statutes, is amended to read:

250.482 Troops ordered into state active service; not to be penalized by employers and postsecondary institutions.—

(1) If a member of the National Guard is ordered into state active duty pursuant to this chapter *or into active duty as defined by the law of any other state*, a private or public employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political subdivisions, career centers, community colleges, or universities, may not discharge, reprimand, or in any other way penalize such member because of his or her absence by reason of state active duty.

Section 7. Section 250.81, Florida Statutes, is amended to read:

250.81 Legislative intent.—It is the intent of the Legislature that men and women who serve in the *National Guard of any state* ~~Florida National Guard~~, the United States Armed Forces, and Armed Forces Reserves understand their rights under applicable state and federal laws. Further, it is the intent of the Legislature that Florida residents and businesses understand the rights afforded to the men and women

who volunteer their time and sacrifice their lives to protect the freedoms granted by the Constitutions of the United States and the State of Florida.

And the title is amended as follows:

Delete lines 2-8 and insert: An act relating to workforce development; amending s. 20.60, F.S.; conforming provisions to changes made by the act; amending s. 115.01, F.S.; authorizing a county or state official to be granted leave of absence from his or her office to serve in the National Guard of any state; amending ss. 212.08, 220.183, and 250.10, F.S.; conforming provisions to changes made by the act; amending s. 250.482, F.S.; revising applicability of provisions with respect to immunity from penalization by employers for National Guard members ordered into state active duty; amending s. 250.81, F.S.; revising legislative intent; amending ss. 288.047, 290.0056, 322.34, 341.052, 414.045, 414.065, 414.085, 414.095, 414.105, 414.106, 414.295, 420.623, 420.624, 427.013, 427.0155, 427.0157, 433.091, and 443.1116, F.S.; conforming provisions to changes made by the act; amending s.

Amendment 2 (715372) (with title amendment)—Delete lines 1512-1516 and insert:

~~members above the limit set by this subsection. If a public education or training provider is represented on the board, a representative of a private education nonprofit provider and a representative of a private for-profit provider must also be appointed to the board. CareerSource Florida, Inc., may waive this requirement if requested by a local workforce development board if it is demonstrated that such representatives do not exist in the region. The board shall include one nonvoting~~

And the title is amended as follows:

Delete line 43 and insert: requirements; authorizing CareerSource Florida, Inc., to waive a certain board representative requirement under certain circumstances; requiring CareerSource Florida, Inc., to

Pursuant to Rule 4.19, **CS for SB 7040**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

CS for SB 846—A bill to be entitled An act relating to divers-down warning devices; amending s. 327.331, F.S.; revising the definitions of the terms “divers-down buoy,” “divers-down flag,” and “divers-down symbol”; defining the term “divers-down warning device”; expanding the types of indicators or devices allowed to be used to signal the presence of submerged divers; specifying requirements for divers-down warning devices; amending ss. 327.395 and 327.73, F.S.; conforming provisions to changes made by the act; reenacting s. 327.33(1), F.S., relating to reckless or careless operation of a vessel, to incorporate the amendment made to s. 327.331, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 846** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

SB 914—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for medical and personal identifying information of an applicant for or a recipient of the property tax exemption for totally and permanently disabled persons; providing for retroactive application; authorizing disclosure of such information under certain conditions; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 914** was placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

SB 7048—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.55, F.S., which provides an exemption from public records requirements for information relating to client records and donor information collected by regional autism centers; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7048** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for CS for SB 540—A bill to be entitled An act relating to estates; creating s. 731.1055, F.S.; providing that the validity and the effect of a specified disposition of real property be determined by Florida law; amending s. 731.106, F.S.; conforming provisions to changes made by the act; amending s. 736.0802, F.S.; defining the term “pleading”; authorizing a trustee to pay attorney fees and costs from the assets of the trust without specified approval or court authorization in certain circumstances; requiring the trustee to serve a written notice of intent upon each qualified beneficiary of the trust before the payment is made; requiring the notice of intent to contain specified information and to be served in a specified manner; providing that specified qualified beneficiaries may be entitled to an order compelling the refund of a specified payment to the trust; requiring the court to award specified attorney fees and costs in certain circumstances; authorizing the court to prohibit a trustee from using trust assets to make a specified payment; authorizing the court to enter an order compelling the return of specified attorney fees and costs to the trust with interest at the statutory rate; requiring the court to deny a specified motion unless the court finds a reasonable basis to conclude that there has been a breach of the trust; authorizing a court to deny the motion if it finds good cause to do so; authorizing the movant to show that a reasonable basis exists, and a trustee to rebut the showing, through specified means; authorizing the court to impose such remedies or sanctions as it deems appropriate; providing that a trustee is authorized to use trust assets in a specified manner if a claim or defense of breach of trust is withdrawn, dismissed, or judicially resolved in a trial court without a determination that the trustee has committed a breach of trust; providing that specified proceedings, remedies, and rights are not limited; amending ss. 736.0816 and 736.1007, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 540** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 468** was deferred.

On motion by Senator Abruzzo—

CS for CS for SB 752—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying and location information of current or former personnel employed in an agency’s office of inspector general or internal audit department whose duties include auditing or investigating certain activities that could lead to criminal prosecution or administrative discipline, and the spouses and children thereof; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 752** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

CS for SB 762—A bill to be entitled An act relating to public records; amending s. 397.6815, F.S.; providing an exemption from public records requirements for a petition for involuntary assessment and stabilization of a substance abuse impaired person, court orders, and related records, and personal identifying information on certain court dockets; providing exceptions; providing for release of a petition to a guardian advocate; providing retroactive application; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 762** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

THE PRESIDENT PRESIDING

On motion by Senator Hutson, by two-thirds vote, **SB 1660** was withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, February 18, 2016: CS for CS for SB 114, CS for CS for SB 744, CS for CS for SB 828, CS for CS for SB 772, SB 586, CS for CS for SB 698, CS for CS for SB 304, CS for CS for SB 826, CS for SB 1066, CS for SB 250, SB 956, CS for SB 1004, CS for SB 1174, CS for SB 1046, CS for CS for SB 1278, SB 1202, CS for SB 7040, CS for SB 846, SB 914, SB 7048, CS for CS for CS for SB 540, CS for CS for SB 468, CS for CS for SB 752, CS for SB 762.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Community Affairs recommends the following pass: CS for CS for SB 686

The Committee on Judiciary recommends the following pass: SB 572; CS for SB 670; CS for SB 970

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

The Committee on Criminal Justice recommends the following pass: SB 1352; SB 1580; SB 1632; SB 1662

The bills were referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Commerce and Tourism recommends the following pass: SB 556

The Committee on Judiciary recommends the following pass: SB 32

The Committee on Transportation recommends the following pass: SB 1690

The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Community Affairs recommends the following pass: SB 20; CS for SB 46; SB 418

The Committee on Criminal Justice recommends the following pass: CS for SB 332

The Committee on Finance and Tax recommends the following pass: SB 1664

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 1490

The Committee on Health Policy recommends the following pass: CS for SB 706

The Committee on Judiciary recommends the following pass: SB 1294

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

The Committee on Criminal Justice recommends the following pass: SB 1072; SB 1382; SB 1500

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Commerce and Tourism recommends the following pass: SM 600; SB 612; CS for SB 1156

The Committee on Governmental Oversight and Accountability recommends the following pass: SJR 1424; SB 7022

The Committee on Judiciary recommends the following pass: CS for SB 1104

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

The Committee on Fiscal Policy recommends the following pass: SB 532; SB 550; CS for SB 784; CS for SB 818; SB 1300; CS for CS for SB 1318

The Committee on Rules recommends the following pass: SB 110; SB 206; CS for SB 754; SB 878; SB 1110; CS for SB 1120; CS for SB 1288; CS for CS for SB 1416; SM 1642

The bills were placed on the Calendar.

The Committee on Banking and Insurance recommends committee substitutes for the following: CS for SB 336; CS for SB 1442

The Committee on Community Affairs recommends a committee substitute for the following: SB 1508

The Committee on Ethics and Elections recommends a committee substitute for the following: CS for SB 1630

The Committee on Finance and Tax recommends committee substitutes for the following: SB 766; SB 868; CS for SB 1222; CS for SB 1236; CS for SB 1262

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 456

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 360; SB 1182

The bills with committee substitute attached were referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1248

The Committee on Community Affairs recommends a committee substitute for the following: SB 1152

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1150

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 750

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1216

The Committee on Community Affairs recommends a committee substitute for the following: SB 1520

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1260

The Committee on Finance and Tax recommends a committee substitute for the following: SB 696

The Committee on Judiciary recommends a committee substitute for the following: SB 64

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 408

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: SB 264; SB 1100

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 938

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

The Committee on Ethics and Elections recommends committee substitutes for the following: SB 702; SB 1636

The Committee on Health Policy recommends a committee substitute for the following: SB 1306

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 794

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 1036

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 776

The Committee on Judiciary recommends a committee substitute for the following: SB 1034

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

The Committee on Fiscal Policy recommends committee substitutes for the following: SB 22; CS for SB 44; CS for SB 132; SB 700; CS for CS for SB 1602

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 974

The bills with committee substitute attached were placed on the Calendar.

The Committee on Governmental Oversight and Accountability recommends the following not pass: SB 712

The Committee on Rules recommends the following not pass: CS for SB 1364

The bills were laid on the table.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: SB 356; SB 850; CS for SB 1256; SB 7044; SB 7046

The Appropriations Subcommittee on Education recommends the following pass: CS for SB 432; SB 442; SB 944; CS for SB 1196; CS for SB 1670

The Appropriations Subcommittee on General Government recommends the following pass: SB 864; CS for SB 966; CS for SB 986; CS for SB 1176; CS for SB 1200; SB 1206; SB 1270; CS for SB 1310; SB 1312; SB 1428; SB 1488; CS for SB 1538; SB 7052

The Appropriations Subcommittee on Health and Human Services recommends the following pass: SB 26; CS for SB 30; SB 38; CS for SB 48; CS for SB 946; SB 1082; CS for SB 1370; CS for SB 1518

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 1454

The Appropriations Subcommittee on Education recommends the following pass: CS for SB 1126

The Appropriations Subcommittee on General Government recommends the following pass: CS for SB 704; CS for SB 912; CS for SB 1160; SB 1226; SB 1228; SB 1300; SB 1498

The Appropriations Subcommittee on Health and Human Services recommends the following pass: SB 858

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends committee substitutes for the following: CS for SB 436; SB 1322; CS for SB 1528

The Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 800; SB 836; CS for SB 1026; SB 1638

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for SB 326; SB 922; CS for SB 992; CS for SB 1052; SB 1282; CS for SB 1422; CS for SB 1604; SB 7050

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for SB 1170; SB 7054; SB 7056

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends committee substitutes for the following: CS for SB 708; SB 1534; CS for SB 1646

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends committee substitutes for the following: SB 700; CS for SB 1044

The Appropriations Subcommittee on Health and Human Services recommends a committee substitute for the following: SB 1116

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: CS for SB 1688

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

The Appropriations Subcommittee on Health and Human Services recommends the following not pass: SB 1144

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Commerce and Tourism recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Executive Director, Department of Economic Opportunity	
Appointee: Proctor, Theresa "Cissy"	Pleasure of Governor

The Committee on Health Policy recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Surgeon General	
Appointee: Armstrong, John H.	Pleasure of Governor

The Committee on Transportation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

Florida Transportation Commission

Appointees: Sarnoff, Teresa
Trumbull, Jay N.*For Term
Ending*09/30/2019
09/30/2019

The appointments were referred to the Committee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES**FIRST READING**

By the Committee on Fiscal Policy; and Senator Montford—

CS for SB 22—A bill to be entitled An act for the relief of Angela Sanford by Leon County; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of an employee of Leon County; providing that certain payments and the appropriation satisfy all present and future claims related to the negligent act; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

By the Committees on Fiscal Policy; and Community Affairs; and Senator Garcia—

CS for CS for SB 44—A bill to be entitled An act for the relief of Susana Castillo, as personal representative of the Estate of Andrea Castillo; providing for an appropriation to compensate the Estate of Andrea Castillo for her death as a result of the negligence of the City of Hialeah; providing a limitation on the payment of fees and costs; providing that the amounts awarded are intended to provide the sole compensation for all present and future claims related to the wrongful death of Andrea Castillo; providing an effective date.

By the Committee on Judiciary; and Senator Negron—

CS for SB 64—A bill to be entitled An act for the relief of the Estate of Danielle Maudsley; providing for an appropriation to compensate the Estate of Danielle Maudsley for Ms. Maudsley's death, sustained as a result of the alleged negligence of Trooper Daniel Cole and the Florida Highway Patrol, a division of the Department of Highway Safety and Motor Vehicles; providing that certain payments and the appropriation satisfy all present and future claims related to the alleged acts; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

By the Committees on Fiscal Policy; and Health Policy; and Senators Grimsley and Gaetz—

CS for CS for SB 132—A bill to be entitled An act relating to direct primary care; creating s. 624.27, F.S.; defining terms; specifying that a direct primary care agreement does not constitute insurance and is not subject to ch. 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations, or any other chapter of the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to ch. 636, F.S., or any other chapter of the code; providing that certain certificates of authority and licenses are not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing an effective date.

By the Committee on Community Affairs; and Senator Smith—

CS for SB 264—A bill to be entitled An act relating to a special assessment for law enforcement services; creating s. 166.225, F.S.; authorizing a municipality to levy a special assessment to fund the costs of providing law enforcement services; requiring a municipality to adopt an ordinance and reduce its ad valorem millage to levy the special as-

essment; providing a methodology for the apportionment of the special assessment and the reduction of the ad valorem millage; requiring the property appraiser to list the special assessment on the notice of proposed property taxes; specifying exceptions to the reduction of the ad valorem millage by more than a certain percentage; authorizing the Department of Revenue to adopt rules and forms; providing for construction; providing an effective date.

By the Committees on Banking and Insurance; and Regulated Industries; and Senator Richter—

CS for CS for SB 336—A bill to be entitled An act relating to property insurance appraisers and property insurance appraisal umpires; amending s. 624.04, F.S.; revising the definition of the term "person"; amending s. 624.303, F.S.; exempting certificates issued to property insurance appraisal umpires from the requirement to bear a seal of the Department of Financial Services; amending s. 624.311, F.S.; providing a schedule for destruction of property insurance appraisal umpire licensing files and records; amending s. 624.317, F.S.; authorizing the department to investigate property insurance appraisal umpires for violations of the insurance code; amending s. 624.501, F.S.; authorizing specified licensing fees for property insurance appraisal umpires; amending s. 624.523, F.S.; requiring fees associated with property insurance appraisal umpires' appointments to be deposited into the Insurance Regulatory Trust Fund; amending s. 626.015, F.S.; providing a definition; amending s. 626.016, F.S.; revising the scope of the Chief Financial Officer's powers and duties and the department's enforcement jurisdiction to include umpires; amending s. 626.022, F.S.; including property insurance appraisal umpire licensing in the scope of part I of ch. 626, F.S., relating to licensing procedures; amending s. 626.112, F.S.; requiring umpires to be licensed and appointed; providing that certain retired judges are not required to be licensed to be umpires; requiring licensure as an adjuster when serving as an appraiser under certain conditions; providing that only a self-appointed insurance adjuster may serve as an appraiser; prohibiting persons convicted of a certain felony or crime or certain disqualified persons from engaging in certain activities; defining the term "convicted"; amending s. 626.171, F.S.; requiring applicants for licensure as an umpire to submit fingerprints to the department; amending s. 626.207, F.S.; excluding applicants for licensure as umpires from application of s. 112.011, F.S., relating to disqualification from license or public employment; amending s. 626.2815, F.S.; requiring specified continuing education for licensure as an umpire; amending s. 626.451, F.S.; providing requirements relating to the appointment of an umpire; amending s. 626.461, F.S.; providing that an umpire appointment continues in effect, subject to renewal or earlier written notice of termination, until the person's license is revoked or otherwise terminated; amending s. 626.521, F.S.; authorizing the department to obtain a credit and character report for certain umpire applicants; amending s. 626.541, F.S.; requiring an umpire to provide certain information to the department when doing business under a different business name or when information in the licensure application changes; amending s. 626.601, F.S.; authorizing the department or office to investigate improper conduct of any licensed umpire; amending s. 626.611, F.S.; requiring the department to refuse, suspend, or revoke an umpire's license under certain circumstances; amending s. 626.621, F.S.; authorizing the department to refuse, suspend, or revoke an umpire's license under certain circumstances; amending s. 626.641, F.S.; prohibiting an umpire from owning, controlling, or being employed by other licensees during the period the umpire's license is suspended or revoked; amending ss. 626.7845, 626.8305, and 626.8411, F.S.; conforming provisions to changes made by the act; amending s. 626.8443, F.S.; prohibiting a title insurance agent from owning, controlling, or being employed by an umpire during the period the agent's license is suspended or revoked; amending s. 626.854, F.S.; providing limitations on fees charged by a public adjuster during an appraisal; creating s. 626.8791, F.S.; establishing required notice in a contract for appraisal services; amending s. 626.9957, F.S.; conforming a cross-reference; creating part XIV of ch. 626, F.S., relating to property insurance appraisal umpires; creating s. 626.9961, F.S.; providing a short title; creating s. 626.9962, F.S.; providing legislative purpose; creating s. 626.9963, F.S.; providing that the part supplements part I of ch. 626, F.S., the "Licensing Procedure Law"; creating s. 626.9964, F.S.; providing definitions; creating s. 626.9965, F.S.; providing qualifications for license as an umpire; creating s. 626.9966, F.S.; authorizing the department to refuse, suspend, or revoke an umpire's license under certain circumstances; creating s. 626.9967, F.S.; pro-

viding ethical standards for property insurance appraisal umpires; creating s. 626.9968, F.S.; providing for disqualification of an umpire under certain circumstances; repealing s. 627.70151, F.S., relating to appraisal conflicts of interest; providing an appropriation and authorizing positions; providing applicability; providing an effective date.

By the Committee on Criminal Justice; and Senator Clemens—

CS for SB 360—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; requiring a law enforcement agency to provide specified instructions to a victim; requiring a law enforcement agency to promptly make reasonable efforts to provide the victim with specified information under certain circumstances; providing an effective date.

By the Committee on Criminal Justice; and Senators Altman, Negron, Joyner, Clemens, Flores, Sachs, Sobel, and Soto—

CS for SB 408—A bill to be entitled An act relating to juvenile civil citation and similar diversion programs; amending s. 985.12, F.S.; requiring the establishment of civil citation or similar diversion programs for juveniles; providing definitions; specifying program eligibility, participation, and implementation requirements; providing exceptions; providing applicability; amending ss. 943.051 and 985.11, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Latvala, Soto, Grimsley, Garcia, Flores, and Bullard—

CS for SB 456—A bill to be entitled An act relating to firefighters; creating s. 112.1816, F.S.; defining the term “firefighter”; establishing a presumption as to a firefighter’s condition or impairment of health caused by certain types of cancer while in the line of duty; specifying criteria a firefighter must meet to be entitled to the presumption; requiring an employing agency to provide a physical examination for a firefighter; specifying circumstances under which the presumption does not apply; providing for applicability; requiring the Legislature to review specified cancer research programs by a certain date; providing for an employer contribution rate increase to fund changes made by the act; providing a directive to the Division of Law Revision and Information; providing a declaration of important state interest; providing an effective date.

By the Committee on Finance and Tax; and Senator Altman—

CS for SB 696—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting all aircraft sales or leases, rather than the sales or leases of certain aircraft, from the sales and use tax; defining the term “aircraft”; deleting the definition of the term “common carrier” to conform to changes made by the act; providing an effective date.

By the Committee on Fiscal Policy; and Senator Soto—

CS for SB 700—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing a custodian to not post on the custodian’s website certain arrest or booking photographs of a child; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by

the act; providing a statement of public necessity; providing an effective date.

By the Committee on Ethics and Elections; and Senators Altman and Dean—

CS for SB 702—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S., and reenacting subsection (3), relating to a public records exemption for information regarding voters and voter registration; providing an exemption from public records requirements for information concerning minor preregistered voter registration applicants; providing for future legislative review and repeal; providing for retroactive application; providing a statement of public necessity; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Hutson and Bean—

CS for SB 750—A bill to be entitled An act relating to the temporary cash assistance program; amending s. 414.095, F.S.; revising the consideration of income from illegal noncitizen or ineligible noncitizen family members in determining eligibility for temporary cash assistance; reenacting s. 414.045(1)(b), F.S., relating to the cash assistance program, to incorporate the amendment made to s. 414.095, F.S., in a reference thereto; providing an effective date.

By the Committee on Finance and Tax; and Senator Flores—

CS for SB 766—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.0105, F.S.; conforming a provision to changes made by the act; amending s. 193.122, F.S.; specifying deadlines for value adjustment boards to hear petitions and issue the second tax roll certification; providing applicability; amending s. 193.1554, F.S.; requiring a property appraiser to provide a specified notice to non-homestead residential property owners who were determined to not be entitled for a certain property assessment limitation; providing a specified timeframe for such property owners to pay taxes, penalties, and interest; prohibiting the assessment of a penalty or interest for property assessment limitations granted as a result of a clerical mistake or an omission by the property appraiser; amending s. 193.1555, F.S.; requiring a property appraiser to provide a specified notice to certain residential and nonresidential property owners who were determined to not be entitled for a certain property assessment limitation; providing a specified timeframe for such property owners to pay taxes, penalties, and interest; prohibiting the assessment of a penalty or interest for property assessment limitations granted as a result of a clerical mistake or an omission by the property appraiser; amending s. 194.011, F.S.; specifying procedures for filing petitions to the value adjustment board; amending s. 194.014, F.S.; revising the entities authorized to determine under certain circumstances that a petitioner owes ad valorem taxes or is owed a refund of overpaid taxes; revising the rate at which interest accrues on unpaid and overpaid ad valorem taxes; defining the term “bank prime loan rate”; amending s. 194.015, F.S.; authorizing the school board and county commission to audit certain expenses of the value adjustment board; amending s. 194.032, F.S.; requiring a property appraiser to notify a petitioner when a property record card is available online; authorizing a property appraiser to reschedule a hearing relating to an assessment; requiring a petitioner or a property appraiser to show good cause to reschedule such hearing; defining the term “good cause”; requiring the clerk to provide notice to a petitioner of a rescheduled hearing within a certain time; amending s. 194.034, F.S.; revising the entities that may represent a taxpayer before the value adjustment board; amending s. 197.3632, F.S.; extending the dates for certain counties to hold public hearings and certify non-ad valorem assessment rolls; reenacting and amending s. 1011.62, F.S.; revising the time period for requirements and calculations applicable to the levy and adjustment of the Prior Period Funding Adjustment Millage before and after certification of the district’s final taxable value; providing effective dates.

By the Committees on Governmental Oversight and Accountability; and Communications, Energy, and Public Utilities; and Senator Bradley—

CS for CS for SB 776—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term “utility”; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Judiciary; and Senator Ring—

CS for CS for SB 794—A bill to be entitled An act relating to dissolution of marriage parenting plans; amending s. 61.13, F.S.; requiring that parenting plans provide that either parent may consent to mental health treatment for the child if the court orders shared parental responsibility; providing that the responsibility for the health care costs for the mental health treatment of the child shall be governed by the marital settlement agreement or court order; providing an effective date.

By the Committee on Finance and Tax; and Senator Smith—

CS for SB 868—A bill to be entitled An act relating to community contribution tax credits; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

By the Committees on Commerce and Tourism; and Health Policy; and Senator Benacquisto—

CS for CS for SB 938—A bill to be entitled An act relating to the retail sale of dextromethorphan; providing definitions; prohibiting a manufacturer, distributor, or retailer, or its employees and representatives, from knowingly or willfully selling a finished drug product containing dextromethorphan to a person younger than 18 years of age; prohibiting a person younger than 18 years of age from purchasing a finished drug product containing dextromethorphan; requiring an employee or representative of a retailer making a retail sale of a finished drug product containing any quantity of dextromethorphan to obtain certain proof of age from the purchaser; providing an exception; providing penalties; providing requirements for imposing or disputing civil citations; specifying information to be provided in such citations; providing applicability; preempting local government regulation of dextromethorphan; providing an effective date.

By the Committees on Health Policy; and Fiscal Policy; and Senators Sobel and Garcia—

CS for CS for SB 974—A bill to be entitled An act relating to hair restoration or transplant; creating ss. 458.352 and 459.027, F.S.; defining the term “hair restoration or transplant”; prohibiting a person who is not licensed or is not certified under ch. 458, F.S., ch. 459, F.S., or s. 464.012, F.S., from performing a hair restoration or transplant or making incisions for the purpose of performing a hair restoration or transplant; providing an effective date.

By the Committee on Judiciary; and Senator Simmons—

CS for SB 1034—A bill to be entitled An act relating to health care providers; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care

provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient’s representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a health care provider; providing an effective date.

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senator Brandes—

CS for CS for SB 1036—A bill to be entitled An act relating to automobile insurance; amending s. 627.0651, F.S.; providing an exception to a provision that deems use of a single zip code as a rating territory for insurance rates to be unfairly discriminatory; requiring the Office of Insurance Regulation to ensure that rates or rate changes contained in certain rate filings are not excessive, inadequate, or unfairly discriminatory; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for non-payment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing an additional form of payment for certain motor vehicle insurance contract premiums; authorizing an insurer to impose a specified insufficient funds fee under certain circumstances; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; adding a specified entity to a list of entities that are not required to be licensed as a clinic to receive reimbursement under the Florida Motor Vehicle No-Fault Law; providing an effective date.

By the Committee on Community Affairs; and Senator Brandes—

CS for SB 1100—A bill to be entitled An act relating to local tax referenda; amending s. 212.055, F.S.; specifying the times when local government discretionary sales surtax referenda may be held; requiring the approval of a specified percentage of electors voting in a referendum election to adopt or amend a local government discretionary sales surtax; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Bean—

CS for SB 1150—A bill to be entitled An act relating to review of administrative rulemaking authority; requiring the Administrative Procedures Committee to submit recommendations regarding the periodic review of administrative rulemaking authority to the Legislature by a certain date; specifying minimum requirements for such recommendations; providing an effective date.

By the Committee on Community Affairs; and Senator Diaz de la Portilla—

CS for SB 1152—A bill to be entitled An act relating to classified advertisement websites; creating s. 501.180, F.S.; defining the term “safe-haven facility”; authorizing local governmental bodies to designate a specified number of safe-haven facilities in each county based upon population size; authorizing a local governmental body to approve the use of local government buildings to serve as safe-haven facilities; limiting the liability of any local governmental entity that provides a safe-haven facility; limiting actions against the state or local government related to transactions taking place at a safe-haven facility; providing an effective date.

By the Committee on Criminal Justice; and Senator Latvala—

CS for SB 1182—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; scheduling Mitragynine and 7-Hydroxymitragynine, constituents of Kratom, in a schedule of controlled substances; scheduling isomers, esters, ethers, salts, and salts of isomers, esters, and ethers of Mitragynine and 7-Hydroxymitragynine in a schedule of controlled substances; providing an exception from scheduling for any drug product approved by the United States Food and Drug Administration which contains Mitragynine or 7-Hydroxymitragynine; amending s. 893.13, F.S.; providing a criminal penalty; reenacting s. 39.01(30)(a) and (g), F.S., relating to definitions used in chapter 39, F.S., s. 316.193(5), F.S., relating to driving under the influence, s. 322.2616(2)(c), F.S., relating to suspension of driver licenses, s. 327.35(5), F.S., relating to boating under the influence, s. 440.102(11)(b), F.S., relating to drug-free workplace programs, ss. 458.3265(1)(e) and 459.0137(1)(e), F.S., relating to pain-management clinics, s. 782.04(1)(a) and (4), F.S., relating to murder, s. 787.06(2)(a), F.S., relating to human trafficking, s. 817.563, F.S., relating to sale of substance in lieu of a controlled substance, s. 831.31(1)(a) and (2), F.S., relating to counterfeit controlled substance, s. 856.015(1)(c), F.S., relating to open house parties, s. 893.02(4), F.S., relating to definitions, ss. 893.035(2), (7)(a), and (8)(a), and 893.0356(2)(a) and (5), F.S., relating to control of new substances, s. 893.05(1), F.S., relating to practitioners and persons administering controlled substances in their absence, s. 893.12(2)(b), (c), and (d), F.S., relating to contraband, seizure, forfeiture, and sale, s. 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), (5)(b), and (7)(a), F.S., relating to prohibited acts and penalties, and 921.0022(3)(b), (c), and (e), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment made by the act to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Stargel—

CS for SB 1216—A bill to be entitled An act relating to reemployment assistance fraud; providing a short title; amending s. 322.142, F.S.; adding the Department of Economic Opportunity as an entity that may be issued reproductions from certain files or digital records for specified reasons; amending s. 443.101, F.S.; revising provisions relating to disqualification from reemployment assistance benefits; amending s. 895.02, F.S.; expanding the definition of the term “racketeering activity” to include knowingly making false statements or representations or knowingly failing to disclose a material fact to obtain or increase benefits or other payments under ch. 443, F.S., and other specified laws; providing an effective date.

By the Committees on Finance and Tax; and Community Affairs; and Senator Flores—

CS for CS for SB 1222—A bill to be entitled An act relating to millage rates; amending s. 200.065, F.S.; revising the maximum millage rate that a county, a municipality, a special district dependent to a county or municipality, a municipal special taxing unit, or an independent special district may levy; revising the conditions under which a higher rate may be adopted; providing an effective date.

By the Committees on Finance and Tax; and Commerce and Tourism; and Senator Garcia—

CS for CS for SB 1236—A bill to be entitled An act relating to the Small Business Saturday sales tax holiday; defining the term “small business”; providing that the tax levied under ch. 212, F.S., is not required to be collected on the sale of items or articles of certain tangible personal property by certain small businesses during a specified period; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

By the Committee on Banking and Insurance; and Senator Diaz de la Portilla—

CS for SB 1248—A bill to be entitled An act relating to prohibited insurance practices; amending s. 626.854, F.S.; adding entities and persons that may not adjust a claim on behalf of an insured unless licensed and compliant as a public adjuster; revising an exception to

include a subcontractor; creating s. 627.716, F.S.; prohibiting a person or entity from certain actions relating to the referral of certain business related to certain repair, mitigation, and restoration services; specifying requirements for an entity or person that provides certain emergency remediation or restoration services; authorizing the Department of Financial Services to seek a cease and desist order and administrative fines for certain violations; authorizing the department to enforce such penalties in a specified circuit court; authorizing the department to recommend disciplinary action to other licensing agencies or boards; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Simpson—

CS for SB 1260—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring or mooring of vessels in specified anchoring limitation areas; providing exceptions; providing for the removal and impoundment of vessels under certain circumstances; providing penalties; amending s. 327.70, F.S.; providing for violations to be enforced by the issuance of a uniform boating citation; amending s. 327.73, F.S.; providing penalties; providing an effective date.

By the Committees on Finance and Tax; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Simpson—

CS for CS for SB 1262—A bill to be entitled An act relating to emergency management; amending s. 213.055, F.S.; defining terms; providing that out-of-state businesses and employees who enter the state in response to a disaster or an emergency are excluded from certain registration and licensing requirements and taxes; specifying the obligations of an out-of-state business or employee after the disaster-response period; amending s. 288.8013, F.S.; revising the source of the principal for the Recovery Fund administered by Triumph Gulf Coast, Inc.; providing that moneys accounting for the principal of the fund must be transferred to the Recovery Fund within a specified timeframe; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 1306—A bill to be entitled An act relating to public records and meetings; creating s. 464.0096, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health or the Board of Nursing pursuant to the Nurse Licensure Compact; authorizing disclosure of the information under certain circumstances; providing an exemption from public meeting requirements for certain meetings of the Interstate Commission of Nurse Licensure Compact Administrators; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portion of such a meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

By the Committees on Banking and Insurance; and Health Policy; and Senator Garcia—

CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for

reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

By the Committee on Community Affairs; and Senator Simpson—

CS for SB 1508—A bill to be entitled An act relating to airport zoning; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation's aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department's requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of airspace obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment provided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12,

F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; providing an effective date.

By the Committee on Community Affairs; and Senator Gaetz—

CS for SB 1520—A bill to be entitled An act relating to tourist development taxes; amending s. 125.0104, F.S.; specifying additional uses for revenues received from tourist development taxes for certain coastal counties; conforming a cross-reference; providing an effective date.

By the Committees on Fiscal Policy; Community Affairs; and Regulated Industries; and Senator Galvano—

CS for CS for CS for SB 1602—A bill to be entitled An act relating to elevators; creating s. 399.031, F.S.; providing a short title; providing clearance requirements for elevators installed in private residences; requiring certain doors and gates to withstand a specified amount of force; requiring certain doors to reject a sphere of a specified size under certain circumstances; requiring all such elevators to be equipped with a certain device; providing requirements for the device; providing applicability; directing the Florida Building Commission to adopt the provisions of the act into the Florida Building Code by a certain date; providing an effective date.

By the Committees on Ethics and Elections; and Banking and Insurance; and Senator Flores—

CS for CS for SB 1630—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss-projection models in establishing certain rates; revising a provision to permit specified information from certain underwriting and claims files to be made available to certain entities; providing limitations for the use of such information by the entities; requiring the take-out program to be revised for specified purposes by a specified date; requiring the corporation to schedule up to a certain number of cycles annually during which insurers may identify and submit policy take-out requests; specifying information required to be included in such requests; providing conditions that must be agreed to by insurers submitting a request; requiring the corporation to maintain and make available specified lists of insurers to its agents of record; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding their policy renewal options; amending s. 627.3518, F.S.; revising criteria for when an applicant for coverage from the corporation shall be considered a renewal; providing an effective date.

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

CS for SB 1636—A bill to be entitled An act relating to duties of the Legislative Auditing Committee; amending s. 11.45, F.S.; removing a requirement that the Auditor General notify the committee regarding certain financial or operational audit reports of state universities or Florida College System institutions; removing duties of the committee relating to state universities or Florida College System institutions that have failed to take corrective action based on such reports; amending s. 215.985, F.S.; repealing provisions requiring the committee's input related to the website of the Executive Office of the Governor; providing an effective date.

**REFERENCE CHANGES
PURSUANT TO RULE 4.7(2)**

By the Committee on Governmental Oversight and Accountability; and Senator Bean—

CS for SB 1150—A bill to be entitled An act relating to review of administrative rulemaking authority; requiring the Administrative Procedures Committee to submit recommendations regarding the periodic review of administrative rulemaking authority to the Legislature by a certain date; specifying minimum requirements for such recommendations; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Fiscal Policy.

**MESSAGES FROM THE GOVERNOR AND
OTHER EXECUTIVE COMMUNICATIONS**

**EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION
BY THE SENATE:**

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of North Florida Community College Appointee: Benoit, Ann Sharon, Greenville	05/31/2019
Construction Industry Licensing Board Appointees: Strickland, Michael W., Sr., Lakeland Wood, Rachelle, Jupiter	10/31/2016 10/31/2019
Florida Elections Commission Appointee: Poitier, Joni A., Confidential pursuant to s. 119.071(4), F.S.	12/31/2019
Board of Massage Therapy Appointees: Brooks, Christopher L., Ormond Beach Drago, Victoria M., Tampa	10/31/2019 10/31/2016
Florida Prepaid College Board Appointee: Rasmussen, James W., Tallahassee	06/30/2018
Northeast Florida Regional Planning Council, Region 4 Appointees: Harvey, Lawrence "Larry" P., Interlachen Timonere, Ronald A., Jacksonville	10/01/2018 10/01/2018
Central Florida Regional Planning Council, Region 7 Appointee: Sellers, Hazel H., Bartow	10/01/2018
Treasure Coast Regional Planning Council, Region 10 Appointee: Llano, Mark, Lake Worth	10/01/2018

Referred to the Committee on Ethics and Elections.

**MESSAGES FROM THE HOUSE OF
REPRESENTATIVES**

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HJR 275 by the required Constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Avila, Artiles, Campbell, Rodríguez, J., Sprowls—

CS for HJR 275—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to revise the homestead tax exemption that may be granted by counties or municipalities, if authorized by general law, for the assessed value of property with a just value less than \$250,000 and owned by persons age 65 or older who meet certain residence and income requirements to specify that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption and to provide retroactive applicability and an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 277 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Avila, Artiles, Campbell, Nuñez, Rodríguez, J.—

CS for HB 277—A bill to be entitled An act relating to a county and municipality homestead tax exemption; amending s. 196.075, F.S.; revising the homestead tax exemption that may be adopted by a county or municipality by ordinance for the assessed value of property with a just value less than \$250,000 which is owned by persons age 65 or older who meet certain residence and income requirements; specifying that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption; providing for a refund of overpaid taxes in prior years; providing retroactive applicability; providing a contingent effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HJR 1009, as amended, by the required Constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local & Federal Affairs Committee and Representative(s) Metz, Baxley, Mayfield, Nuñez—

CS for HJR 1009—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to authorize a first responder, who is totally and permanently disabled as a result of an injury sustained in the line of duty, to receive relief from ad valorem taxes assessed on homestead property, if authorized by general law, and to provide an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HJR 7015 by the required Constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Rodrigues, R.—

HJR 7015—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution to allow the Legislature to limit growth in the assessed value of homestead and specified nonhomestead property to the growth

rate in just value, to prohibit increases in the assessed value of homestead and specified nonhomestead property if the just value of the property decreases, and to provide an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7053, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Education Committee and Representative(s) O'Toole, Cortes, B.—

CS for HB 7053—A bill to be entitled An act relating to the Child Care and Development Block Grant Program; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 402.302, F.S.; revising the definition of the term "screening" for purposes of child care licensing requirements; amending s. 402.3025, F.S.; conforming a cross-reference; repealing s. 402.3057, F.S., relating to persons not required to be reprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7099, as amended, by the required Constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Gaetz, Avila, Nuñez—

HB 7099—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; revising uses of certain tourist development taxes; requiring the performance of a return-on-investment or cost-benefit analysis in specified circumstances; authorizing certain entities to file administrative challenges against counties for using tourist development taxes for unauthorized purposes; prohibiting use of those revenues for purposes which are the subject of a challenge; authorizing reasonable attorney fees and costs under specified circumstances; amending s. 159.621, F.S.; exempting from the documentary stamp tax certain notes

or mortgages with respect to certain loans by or on behalf of a housing finance authority; providing criteria for such exemption; amending s. 163.387, F.S.; specifying uses of community redevelopment agency redevelopment trust fund moneys for certain community redevelopment agencies that support youth centers; amending s. 195.022, F.S.; revising the county population thresholds for purposes of identifying the governmental entity responsible for payment of aerial photographs and ownership maps; amending s. 196.011, F.S.; exempting certain veterans and surviving spouses from certain annual homestead filing requirements; amending s. 196.012, F.S.; revising definitions related to certain businesses; amending s. 196.081, F.S.; expanding an exemption from ad valorem taxation for certain permanently and totally disabled veterans under specified circumstances; removing the requirement that a deceased veteran have resided in this state on a specified date before the ad valorem tax exemption for homestead property may apply to the veteran's surviving spouse; exempting the unmarried surviving spouse of certain deceased veterans from payment of ad valorem taxes for certain homestead property in this state, irrespective of the state in which the veteran's homestead was located at the time of death, if certain conditions are met; amending 196.1978, F.S.; providing a property tax discount for certain properties used to provide affordable housing to specified low-income persons and families; amending s. 196.1995, F.S.; revising an economic development ad valorem tax exemption for certain enterprise zone businesses; amending s. 201.15, F.S.; revising a date relating to the payment of debt service for certain bonds; amending s. 206.9825, F.S.; revising eligibility criteria for wholesalers and terminal suppliers to receive aviation fuel tax refunds or credits of previously paid excise taxes; providing for future repeal of such refunds or credits; revising the rate of the excise tax on certain aviation fuels on a specified date; amending s. 210.13, F.S.; providing procedures to be used when a person, other than a dealer, is required but fails to remit certain taxes; amending s. 210.25, F.S.; revising definitions related to tobacco; amending s. 212.031, F.S.; reducing the tax levied on the renting, leasing, letting, or granting of a license for the use of real property; providing applicability; amending s. 212.04, F.S.; authorizing a refund or credit of tax for certain resales of admissions upon the demonstration of specified documentation; amending s. 212.05, F.S.; clarifying the requirements for the exemption from tax on certain sales of aircraft that will be registered in a foreign jurisdiction; amending s. 212.08, F.S.; creating an exemption for certain sales of data center equipment, certain sales of electricity, and certain sales of building materials; providing definitions; exempting the sales of food or drinks by certain qualified veterans' organizations; revising definitions regarding certain industrial machinery and equipment; removing the expiration date on the exemption for purchases of certain machinery and equipment; revising the definition of the term "eligible manufacturing business" for purposes of qualification for the sales and use tax exemption; providing definitions for certain postharvest machinery and equipment, postharvest activities, and eligible postharvest activity businesses; providing an exemption for the purchase of such machinery and equipment; amending s. 220.03, F.S.; adopting the 2016 version of the Internal Revenue Code; providing retroactive applicability; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; revising the treatment by this state of certain depreciation of assets allowed for federal income tax purposes; providing retroactive applicability; authorizing the Department of Revenue to adopt emergency rules; amending s. 220.1845, F.S.; specifying a monetary cap on the grant of contaminated site rehabilitation tax credits available for the year; amending s. 220.192, F.S.; extending by 1 year the renewable energy technology corporate income tax credit; amending s. 220.193, F.S.; authorizing certain nonpublic waste-to-energy facilities to be eligible for the renewable energy production corporate income tax credit; removing the repeal of the tax credit; extending by 1 year a specified amount of available tax credit for eligible taxpayers; amending s. 220.196, F.S.; specifying the amount of research and development tax credits that may be granted to business enterprises in a future year; amending s. 220.222, F.S.; revising due dates for partnership information returns and corporate tax returns; amending s. 220.241, F.S.; revising due dates to file a declaration of estimated corporate income tax; amending s. 220.33, F.S.; revising the due date of estimated payments of corporate income tax; amending 220.34, F.S.; revising the dates for purposes of calculating interest and penalties on underpayments of estimated corporate income tax; amending s. 376.30781, F.S.; revising the total amount of tax credits available for the rehabilitation of dry-cleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas for a specified period; amending s. 561.121, F.S.; re-

quiring that certain taxes related to alcoholic beverages and tobacco products sold on cruise ships be deposited into specified funds; amending s. 564.06, F.S.; specifying the excise tax that is applicable to cider made from pears; amending s. 565.02, F.S.; creating an alternative method of taxation for alcoholic beverages and tobacco products sold on certain cruise ships; requiring the reporting of certain information by each permittee for purposes of determining the base rate applicable to the taxpayers; amending s. 951.22, F.S.; conforming a cross reference; providing an exemption from the sales and use tax for the retail sale of certain clothes, school supplies, and personal computers and related accessories during a specified period; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax for the retail sale of certain items and articles of tangible personal property by certain small businesses during a specified period; providing an exemption from the sales and use tax on the retail sale of certain firearms, ammunition for firearms, camping tents, and fishing supplies during a specified period; providing exceptions; authorizing the department to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax for certain personal computers and related accessories during a specified period; providing exceptions; authorizing the department to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax on the sale of certain books and other reading materials at book fairs; authorizing the department to adopt emergency rules; amending chapter 2015-221, Laws of Florida; extending the exemption from the sales and use tax on the retail sale of certain textbooks for 1 year; providing an appropriation to the department to implement certain tax exemptions on rental or license fees; providing an appropriation to the department to assist certain counties in furnishing aerial photographs and maps; specifying that specified amendments related to certain businesses located in areas that were designated as enterprise zones are remedial in nature; creating s. 196.1955, F.S.; consolidating provisions relating to obtaining an ad valorem exemption for property owned by exempt organizations; requiring the owner of an exempt organization to take affirmative steps to demonstrate the property's exempt use; authorizing the property appraiser to serve a notice of tax lien on exempt property that is not in actual exempt use after a specified time; providing that the lien attaches to any property owned by the organization identified in the notice of lien; prohibiting a property appraiser from serving a notice of tax lien on certain property being prepared for use as a house of public worship; defining the terms "charitable use," "affirmative steps," and "public worship"; amending s. 196.196, F.S.; deleting provisions relating to the exemption as it applies to public worship and affordable housing and provisions that have been moved to s. 196.1955, F.S.; amending s. 196.198, F.S.; deleting provisions that have been moved to s. 196.1955,

F.S., relating to property owned by an educational institution and used for an educational purpose; providing a finding of important state interest; providing effective dates.

—was referred to the Committee on Appropriations.

ENROLLING REPORTS

CS for CS for SB 130, CS for SB 158, CS for SB 180, CS for CS for SB 182, CS for SB 228, SB 1030, CS for SB 1032, CS for SB 1038 and SB 1040 have been enrolled, signed by the required constitutional officers, and presented to the Governor on February 18, 2016.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 11 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—SB 456; Clemens—SB 1056; Flores—SB 456, SB 634, CS for SB 636; Garcia—SB 1640; Joyner—CS for SB 636, SB 1230, CS for SB 1584, SB 7046; Sachs—SB 128; Sobel—SB 1056, CS for SB 1174; Soto—SB 290; Thompson—SB 418

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 11:38 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, February 23 or upon call of the President.

SENATE PAGES

February 15-19, 2016

Desmond "Desi" Auber, Tallahassee; Gabriel "Gabe" Cenedella, Tallahassee; Alexander "Alex" Diggs, Pembroke Pines; Lily Fenton, Parkland; Aidan Murtha, Tallahassee; Jack Qualls, Atlantis; Michael Qualls, Atlantis; Jonathan Richardson, Ocoee; Emma Towler, Jacksonville



Journal of the Senate

Number 14—Regular Session

Monday, February 22, 2016

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REPORTS OF COMMITTEES

The Committee on Appropriations recommends the following pass: CS for SB 122; SB 394; SB 422; SB 444; CS for SB 580; SB 806; SB 834; CS for SB 966; SB 994; CS for CS for SB 1118; CS for SB 1176; CS for SB 1426; CS for SB 1584

The bills were placed on the Calendar.

The Committee on Judiciary recommends committee substitutes for the following: SB 668; SB 1298

The bills with committee substitute attached were referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 1570

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 1094

The Committee on Judiciary recommends a committee substitute for the following: SB 1432

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

The Committee on Appropriations recommends committee substitutes for the following: SB 12; CS for SB 548; CS for SB 636; CS for CS for SB 676; CS for SB 684; CS for SB 708; CS for SB 800; SB 922; CS for SB 1026; SB 7058

The Committee on Fiscal Policy recommends committee substitutes for the following: CS for SB 204; SB 620; CS for SB 912; CS for SB 948; CS for SB 954; CS for CS for SB 1220

The Committee on Rules recommends committee substitutes for the following: CS for SB 574; CS for SB 1386

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 1190

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends committee substitutes for the following: CS for SB 936; SB 1212

The Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 1076; SB 1418; CS for SB 1714

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: SB 770; CS for SB 1050

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for SB 604; SB 1316

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: CS for SB 1392

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

The Appropriations Subcommittee on Health and Human Services recommends a committee substitute for the following: SB 1722

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: CS for SB 1394

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations; and Senators Garcia, Galvano, and Ring—

CS for SB 12—A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.001, F.S.; providing legislative intent regarding mental illness for purposes of the child welfare system; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child's care in residential treatment under certain circumstances; amending s. 39.507, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; amending s. 39.521, F.S.; providing for consideration of mental health issues and involve-

ment in treatment-based mental health programs in disposition hearings; providing requirements for certain court orders; amending s. 394.455, F.S.; defining terms; revising definitions; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and the Legislature by a specified date; redefining terms; providing essential elements of a coordinated system of care; providing requirements for the department's annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual's representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person's guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; deleting exceptions to such requirements; amending s. 394.463, F.S.; authorizing county or circuit courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certifications to managing entities and the department, rather than the Agency for Health Care Administration; requiring the managing entity and department to receive certain orders, certificates, and reports; requiring the managing entity and the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be released to law enforcement custody; providing exceptions; amending s. 394.4655, F.S.; providing for involuntary outpatient services; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; providing requirements for the appointment of state counsel; making technical changes; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; requiring a facility filing a petition for involuntary inpatient placement to send a copy to the department and managing entity; providing requirements for the appointment of state counsel; revising criteria for a hearing on involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient's attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient's incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.656, F.S.; revising the membership of the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; authorizing the agency and the department to develop a plan for revenue maximization; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.875, F.S.; requiring the department to modify licensure rules and procedures to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.311, F.S.; defining the terms "informed consent" and "involuntary services"; revising the definition of the term "qualified professional"; conforming a cross-reference; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.679, F.S.; specifying the licensed professionals who may complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person with a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons who may deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons who may file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization;

amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; requiring a managing entity to be notified of certain recommendations; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; requiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; authorizing a court to order a respondent to undergo treatment through a privately funded licensed service provider under certain circumstances; prohibiting a court from ordering involuntary outpatient services under certain circumstances; requiring the service provider to document certain inquiries; requiring the managing entity to document certain efforts; requiring a copy of the court's order to be sent to the department and managing entity; providing procedures for modifications to such orders; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; providing a list of persons prohibited from being appointed as an individual's guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment services coordination; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children's substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children's substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children's substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children's substance abuse services; amending ss. 39.407, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.966, 409.972, 440.102, 744.704, and 790.065, F.S.; conforming cross-references; providing an effective date.

By the Committees on Fiscal Policy; and Health Policy; and Senator Clemens—

CS for CS for SB 204—A bill to be entitled An act relating to music therapists; creating part XVII of ch. 468, F.S.; creating s. 468.85, F.S.; providing legislative intent; providing definitions; establishing requirements for registration as a music therapist; providing responsibilities of a music therapist; requiring biennial renewal of registration; prohibiting the practice of music therapy unless the therapist is registered; providing exemptions to registration; authorizing the Department of Health to adopt rules and take disciplinary action against an applicant or registrant who violates the act; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Richter—

CS for CS for SB 548—A bill to be entitled An act relating to title insurance; amending s. 627.778, F.S.; increasing a title insurer's limit of risk from one-half of its surplus as to policyholders to the entirety of its surplus; revising an exception to the limit; providing that the risk limitation does not prohibit ceding portions of the total risk to specified reinsurers; providing an effective date.

By the Committees on Rules; and Ethics and Elections; and Senators Flores and Gaetz—

CS for CS for SB 574—A bill to be entitled An act relating to expressway authorities; amending s. 348.0003, F.S.; revising membership of the governing body of certain expressway authorities; providing procedures when there is a vacancy or conclusion of a term; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

By the Committee on Fiscal Policy; and Senator Grimsley—

CS for SB 620—A bill to be entitled An act relating to medical examiners; amending s. 382.011, F.S.; providing that a member of the public may not be charged for certain examinations, investigations, or autopsies; authorizing a county to charge a medical examiner approval fee under certain circumstances; providing an effective date.

By the Committees on Appropriations; and Criminal Justice; and Senators Benacquisto, Flores, and Joyner—

CS for CS for SB 636—A bill to be entitled An act relating to evidence collected in sexual offense investigations; creating s. 943.326, F.S.; requiring that a sexual offense evidence kit or other DNA evidence be submitted to a member of the statewide criminal analysis laboratory system within a specified timeframe after specified occurrences; requiring a medical provider or law enforcement agency to inform an alleged victim of a sexual offense of certain information relating to sexual offense evidence kits; requiring the retention of specified evidence; requiring adoption and dissemination of guidelines and procedures by certain entities by a specified date; requiring the testing of sexual offense evidence kits within a specified timeframe after submission to a member of the statewide criminal analysis laboratory; providing requirements for such guidelines and procedures; providing construction; providing an effective date.

By the Committee on Judiciary; and Senator Stargel—

CS for SB 668—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring a court to consider certain alimony factors and make specific written findings of fact under certain circumstances; prohibiting a court from using certain presumptive alimony guidelines in calculating alimony pendente lite; amending s. 61.08, F.S.; defining terms; requiring a court to make specified initial written findings in a dissolution of marriage proceeding where a party has requested alimony; requiring a court to make specified findings before ruling on a request for alimony; providing for determinations of presumptive alimony amount range and duration range; providing presumptions concerning alimony awards depending on the duration of marriages; providing for imputation of income in certain circumstances; specifying exceptions to the guidelines for the amount and duration of alimony awards; providing for awards of nominal alimony in certain circumstances; providing for taxability and deductibility of alimony awards; prohibiting a combined award of alimony and child support from constituting more than a specified percentage of a payor's net income; authorizing the court to order a party to protect an alimony award by specified means; providing for termination of an award; authorizing a court to modify or terminate the amount of an initial alimony award; prohibiting a court from modifying the duration of an alimony award; providing for payment of awards; amending s. 61.13, F.S.; revising public policy; revising the factors that are used to determine the best

interests of a child; requiring a court order to be supported by written findings of fact for a specified initial permanent time-sharing schedule; amending s. 61.14, F.S.; prohibiting a court from changing the duration of alimony; authorizing a party to pursue an immediate modification of alimony in certain circumstances; revising factors to be considered in determining whether an existing award of alimony should be reduced or terminated because of an alleged supportive relationship; providing for burden of proof for claims concerning the existence of supportive relationships; providing for the effective date of a reduction or termination of an alimony award; providing that the remarriage of an alimony obligor is not a substantial change in circumstance; providing that the financial information of a spouse of a party paying or receiving alimony is inadmissible and undiscoverable; providing an exception; providing for modification or termination of an award based on a party's retirement; providing a presumption upon a finding of a substantial change in circumstance; specifying factors to be considered in determining whether to modify or terminate an award based on a substantial change in circumstance; providing for a temporary suspension of an obligor's payment of alimony while his or her petition for modification or termination is pending; providing for an award of attorney fees and costs for unreasonably pursuing or defending a modification of an award; providing for an effective date of a modification or termination of an award; amending s. 61.30, F.S.; requiring that a child support award be adjusted to reduce the combined alimony and child support award under certain circumstances; creating s. 61.192, F.S.; providing for motions to advance the trial of certain actions if a specified period has passed since the initial service on the respondent; amending ss. 61.1827 and 409.2579, F.S.; conforming cross-references; providing applicability; providing an effective date.

By the Committees on Appropriations; Banking and Insurance; and Health Policy; and Senator Grimsley—

CS for CS for CS for SB 676—A bill to be entitled An act relating to access to health care services; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; repealing s. 383.336, F.S., relating to provider hospitals, practice parameters, and peer review boards; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances by an advanced registered nurse practitioner; amending s. 456.44, F.S.; defining the term "registrant"; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for the treatment of certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under ch. 458 or ch. 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; revising the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; providing a short title; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; creating s. 627.42392, F.S.; defining the term "health insurer"; requir-

ing that certain health insurers that do not already use a certain form use only a prior authorization form approved by the Financial Services Commission in consultation with the Agency for Health Care Administration; requiring the commission in consultation with the agency to adopt by rule guidelines for such forms; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; amending s. 893.02, F.S.; revising the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., to incorporate the amendment made to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., to incorporate the amendment made to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., to incorporate the amendment made to s. 458.347, F.S., in references thereto; reenacting s. 464.012(3)(c), F.S., to incorporate the amendment made to s. 464.003, F.S., in a reference thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., to incorporate the amendment made to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., to incorporate the amendment made to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., to incorporate the amendment made to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., to incorporate the amendment made to s. 948.03, F.S., in references thereto; providing effective dates.

By the Committees on Appropriations; and Education Pre-K - 12; and Senators Gaetz and Stargel—

CS for CS for SB 684—A bill to be entitled An act relating to choice in sports; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district’s funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1006.15, F.S.; defining the term “eligible to participate”; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition in which a student who was recruited by specified adults participated; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending ss. 1012.795 and 1012.796,

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

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senator Joyner—

CS for CS for SB 708—A bill to be entitled An act relating to the Arthur G. Dozier School for Boys; requiring certain historical resources, records, archives, artifacts, researches, medical records, and human remains to remain in the custody of the University of South Florida; providing exceptions; requiring the Department of State to contract with the university for the identification and location of eligible next of kin of certain children; requiring the department to notify the next of kin of certain payment or reimbursement provisions; requiring the department to reimburse the next of kin of children whose bodies are buried and exhumed at the Dozier School or to pay directly to a provider for the costs associated with funeral services, reinterment, and grave marker expenses; providing a process for reimbursement or payment by the department; providing that a charitable donation made toward funeral, reinterment, and grave marker expenses is not eligible for reimbursement; requiring the department to submit a report; establishing a task force to make recommendations regarding a memorial and a location of a site for the reinterment of unidentified or unclaimed remains; providing membership of the task force; requiring the task force to submit its recommendation to the department by a certain date; requiring the task force to submit its recommendations to the Governor and Cabinet and to the Legislature; authorizing the department to adopt rules; providing appropriations; providing an effective date.

By the Committees on Appropriations; and Higher Education; and Senator Brandes—

CS for CS for SB 800—A bill to be entitled An act relating to independent postsecondary educational institutions; amending s. 1005.04, F.S.; requiring that certain institutions include specified information relating to student fees and costs in a disclosure to prospective students; creating s. 1005.11, F.S.; requiring the Commission for Independent Education to annually prepare an accountability report by a specified date; requiring licensed institutions to annually provide certain data to the commission by a specified date and authorizing administrative fines for an institution that fails to timely submit the data; requiring placement rates to be determined using a specified methodology; requiring the commission to establish a common set of data definitions; requiring the commission to establish certain benchmarks by rule; providing for the designation of certain licensed institutions as “high performing”; amending s. 1005.21, F.S.; revising the commission’s membership; limiting the terms of commission members; amending s. 1005.22, F.S.; requiring the commission to approve an annual budget; providing for the review of certain complaints concerning institutions or programs which are not closed within a specified time; authorizing the commission to prohibit the enrollment of new students, or limit the number of students in a program at, a licensed institution under certain circumstances; amending s. 1005.31, F.S.; revising the commission’s evaluation standards for licensure of an institution; requiring certain institutions to post a surety bond or similar financial security for specified purposes; requiring the commission to adopt rules; requiring the commission to examine an application for licensure and take certain actions within a specified period; amending s. 1005.32, F.S.; deleting a provision authorizing an institution that is a Florida corporation to apply for licensure by means of accreditation; requiring institutions granted licensure through accreditation to file a retention and completion management plan; amending s. 1005.36, F.S.; revising the criminal penalty for the unlawful closure of certain institutions; requiring the commission to create a Closed Institution Panel; providing membership and duties of the panel; providing that the panel’s activities be conducted at the expense of certain institutions; amending s. 1005.37, F.S.; requiring the commission to annually determine fees to support the Student Protection Fund; providing that fees may not be collected under certain circumstances; amending s. 1005.39, F.S.; requiring the commission to determine whether certain personnel of licensed institutions are qualified and require certain personnel to complete continuing education and training; requiring the commission to annually verify that certain personnel have completed certain training by a specified date; authorizing continuing education to be provided by licensed institutions under certain circumstances; re-

quiring certain evidence be included in initial or renewal application forms provided by the commission; providing an effective date.

By the Committees on Fiscal Policy; and Criminal Justice; and Senators Flores and Soto—

CS for CS for SB 912—A bill to be entitled An act relating to fraudulent activities associated with payment systems; amending s. 316.80, F.S.; revising the felony classification for unlawful conveyance of fuel; amending s. 525.07, F.S.; specifying requirements for managers of petroleum fuel measuring devices with respect to accurate measurement; requiring retail petroleum fuel measuring devices fitted with scanning devices to have certain security measures; providing requirements for such measures; requiring the owner or operator of a device to have certain security measures in place within a specified timeframe upon notice from the Department of Agriculture and Consumer Services; authorizing the department, under certain circumstances, to prohibit use of or to remove from service such devices that are non-compliant; defining terms; providing applicability; amending s. 817.611, F.S.; defining the term “related document”; revising the prohibition against trafficking in or possession of counterfeit credit cards; revising penalties; amending s. 921.0022, F.S.; revising the ranking of unlawful conveyance or fraudulent acquisition of fuel on the offense severity ranking chart; ranking trafficking in or possession of counterfeit credit cards; providing an effective date.

By the Committee on Appropriations; and Senator Montford—

CS for SB 922—A bill to be entitled An act relating to solid waste management; amending s. 403.709, F.S.; providing for the funding of a waste tire abatement program from the Solid Waste Management Trust Fund up to a specified percentage of total funds; establishing a solid waste landfill closure account within the Solid Waste Management Trust Fund; specifying the purpose of the account; authorizing the Department of Environmental Protection to use account funds to contract with a third party for the closing and long-term care of solid waste management facilities under specified circumstances; requiring the department to deposit certain funds into the solid waste landfill closure account; authorizing the department to use funds from the Solid Waste Management Trust Fund to pay for or reimburse specified expenses under certain circumstances; deleting a solid waste landfill closure account within the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; authorizing waste tire abatement programs under the small county consolidated grant program; removing the waste tire abatement program supported by the solid waste management grant program; removing distribution requirements; deleting an obsolete provision; reenacting ss. 403.413(6)(a) and 403.7032(5)(h), F.S., relating to the Florida Litter Law and recycling, respectively, to incorporate the amendments made to s. 403.7095, F.S., in references thereto; providing effective dates.

By the Committees on Fiscal Policy; and Commerce and Tourism; and Senator Richter—

CS for CS for SB 948—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photos of the items; specifying what may be used as a serial number; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term “antique”; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official’s jurisdiction, subject to certain conditions; providing an effective date.

By the Committees on Fiscal Policy; and Criminal Justice; and Senator Simmons—

CS for CS for SB 954—A bill to be entitled An act relating to electronic monitoring devices; creating s. 843.23, F.S.; defining the term “electronic monitoring device”; prohibiting a person from removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device being worn or used pursuant to any court order or an order by the Florida Commission on Offender Review; prohibiting a person from requesting, authorizing, or soliciting another person to perform such an act; providing criminal penalties; amending s. 948.11, F.S.; specifying that the Department of Corrections may electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control; deleting a provision imposing criminal penalties on persons who intentionally alter, tamper with, damage, or destroy electronic monitoring equipment; providing an effective date.

By the Committees on Appropriations; and Education Pre-K - 12; and Senator Simmons—

CS for CS for SB 1026—A bill to be entitled An act relating to high school athletics; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association (FHSAA) to allow a private school to join the association as a full-time member or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; prohibiting the FHSAA from taking any retributory or discriminatory action against specified schools; authorizing the Commissioner of Education to identify other associations in compliance with specified provisions; providing a process for resolving student eligibility disputes; conforming a cross-reference; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Banking and Insurance; and Senator Flores—

CS for CS for SB 1094—A bill to be entitled An act relating to public records; creating s. 663.097, F.S.; defining terms; providing an exemption from public records requirements for certain information held by the Office of Financial Regulation relating to international trust entities; authorizing the release of certain confidential and exempt information by the office; authorizing the publication of certain information; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

By the Committees on Fiscal Policy; Judiciary; and Governmental Oversight and Accountability; and Senator Garcia—

CS for CS for CS for SB 1220—A bill to be entitled An act relating to public records; amending s. 119.12, F.S.; revising the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce ch. 119, F.S.; prohibiting a court from assessing and awarding the reasonable costs of enforcement against an agency if certain conditions exist; specifying circumstances under which a complainant is not required to provide certain written notice of a public record request; providing an effective date.

By the Committee on Judiciary; and Senator Brandes—

CS for SB 1298—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing for construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; revising provisions authorizing the bringing of actions and specified re-

medies under the Patent Troll Prevention Act; providing an effective date.

By the Committees on Rules; and Banking and Insurance; and Senator Richter—

CS for CS for SB 1386—A bill to be entitled An act relating to insurance agents; amending s. 626.593, F.S.; revising a prohibition against a licensed insurance agent from receiving a specified fee or commission for examining any health insurance or any health benefit plan, rather than any group health insurance or any group health benefit plan, for certain purposes; amending s. 626.785, F.S.; revising amounts of coverage of certain life insurance policies that may be sold by specified persons; revising the version of the Annual Consumer Price Index used as a basis for calculating certain annual percentage increases in specified policies; providing an effective date.

By the Committee on Judiciary; and Senator Stargel—

CS for SB 1432—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; expanding the locations at which substitute service of process may be made when such location is the only discoverable address for the person to be served; defining the terms “virtual office” and “executive office or mini suite”; providing an effective date.

By the Committee on Transportation; and Senator Simmons—

CS for SB 1570—A bill to be entitled An act relating to school bus stop safety; amending s. 316.172, F.S.; revising the terms of violation and the penalties for failure to stop a vehicle upon approaching a school bus that displays a stop signal; providing for criminal penalties under certain circumstances; amending s. 316.192, F.S.; requiring an additional fee to be added to a fine imposed for a specified violation; providing for distribution of the fee; amending s. 318.17, F.S.; conforming provisions to changes made by the act; amending s. 318.18, F.S.; removing provisions made obsolete by the act; amending s. 318.21, F.S.; conforming a cross-reference; amending s. 395.4036, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Education Pre-K - 12—

CS for SB 7058—A bill to be entitled An act relating to early childhood development; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 383.141, F.S.; revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness of developmental evaluation and early intervention programs; requiring the clearinghouse to use a specified term; revising the information to be included in the clearinghouse; amending s. 391.025, F.S.; renaming the “Infants and Toddlers Early Intervention Program” as the “Early Steps Program”; revising the components of the Children’s Medical Services program; amending s. 391.026, F.S.; requiring the department to serve as the lead agency in administering the Early Steps Program; amending s. 391.301, F.S.; establishing the Early Steps Program within the department; deleting provisions relating to legislative findings; authorizing the program to include certain screening and referral services for specified purposes; providing requirements and responsibilities for the program; amending s. 391.302, F.S.; defining terms; revising the definitions of certain terms; deleting terms; repealing ss. 391.303, 391.304, 391.305, 391.306, and 391.307, F.S., relating to requirements for the Children’s Medical Services program, program coordination, program standards, program funding and contracts, and program review, respectively; amending s. 391.308, F.S.; renaming the “Infants and Toddlers Early Intervention Program” as the “Early Steps Program”; requiring, rather than authorizing, the department to implement and administer the program; requiring the department to ensure that the program follows specified performance standards; providing requirements of the program to meet such performance standards; revising the duties of the department; requiring the department to apply specified eligibility criteria for the

program based on an appropriation of funds; providing duties for local program offices; requiring the local program office to negotiate and maintain agreements with specified providers and managed care organizations; requiring the development of an individualized family support plan for each child served in the program; requiring the local program office to coordinate with managed care organizations; requiring the department to submit an annual report, subject to certain requirements, to the Governor, the Legislature, and the Florida Interagency Coordinating Council for Infants and Toddlers by a specified date; designating the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordinating council required by federal rule subject to certain requirements; providing requirements for the local program office and local school district to prepare certain children for the transition to school under certain circumstances; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; repealing s. 402.3057, F.S., relating to persons not required to be re-fingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; amending ss. 402.3025, 413.092, and 1003.575, F.S.; conforming provisions to changes made by the act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Fiscal Policy; and Criminal Justice; and Senators Flores and Soto—

CS for CS for SB 912—A bill to be entitled An act relating to fraudulent activities associated with payment systems; amending s. 316.80, F.S.; revising the felony classification for unlawful conveyance of fuel; amending s. 525.07, F.S.; specifying requirements for managers of petroleum fuel measuring devices with respect to accurate measurement; requiring retail petroleum fuel measuring devices fitted with scanning devices to have certain security measures; providing requirements for such measures; requiring the owner or operator of a device to have certain security measures in place within a specified timeframe upon notice from the Department of Agriculture and Consumer Services; authorizing the department, under certain circumstances, to prohibit use of or to remove from service such devices that are non-compliant; defining terms; providing applicability; amending s. 817.611, F.S.; defining the term “related document”; revising the prohibition against trafficking in or possession of counterfeit credit cards; revising penalties; amending s. 921.0022, F.S.; revising the ranking of unlawful conveyance or fraudulent acquisition of fuel on the offense severity ranking chart; ranking trafficking in or possession of counterfeit credit cards; providing an effective date.

—was referred to the Committee on Rules.

By the Committees on Fiscal Policy; and Commerce and Tourism; and Senator Richter—

CS for CS for SB 948—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photos of the items; specifying what may be used as a serial number; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising

the required holding period for certain goods acquired by a dealer; defining the term "antique"; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official's jurisdiction, subject to certain conditions; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Judiciary; and Senator Brandes—

CS for SB 1298—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing for construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; revising provisions authorizing the bringing of actions and specified remedies under the Patent Troll Prevention Act; providing an effective date.

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design Appointee: Dennis, Holly L., Sarasota	10/31/2017
Board of Trustees of Chipola College Appointees: Fleener, Andrew S., Chipley Wall, Darrin M., Chipley	05/31/2019 05/31/2019
Board of Trustees of State College of Florida, Manatee-Sarasota Appointee: Logan, Peter R., Parrish	05/31/2019
Board of Trustees of North Florida Community College Appointee: Wright, Lloyd Gary, Monticello	05/31/2019
Board of Trustees of St. Petersburg College Appointee: Foster, David William "Bill", St. Petersburg	05/31/2019
Construction Industry Licensing Board Appointees: Boyette, Aaron L., Tallahassee Layton, Mary, Seffner	10/31/2019 10/31/2019
Board of Trustees for the Florida School for the Deaf and the Blind Appointee: Zavelson, Thomas M., Gainesville	11/07/2019

<i>Office and Appointment</i>	<i>For Term Ending</i>
Education Practices Commission Appointee: Basso, Cristina, Miami	09/30/2019
Board of Employee Leasing Companies Appointees: Dockery, Celeste D., Lakewood Ranch Finkelstein, Abram, Weston	10/31/2019 10/31/2019
Tampa-Hillsborough County Expressway Authority Appointee: Alvarez, Daniel A., Sr., Seffner	07/01/2017
Board of Professional Geologists Appointee: Alfieri, Michael C., Odessa	10/31/2019
Commission for Independent Education Appointees: Bradley, Nancy M., Longwood Mulherin, Lynn, Celebration	06/30/2018 06/30/2018
Board of Pilot Commissioners Appointee: Cumings, Bruce, Ft. Lauderdale	10/31/2019
Florida Prepaid College Board Appointee: Starkey, Adria D., Naples	06/30/2016
Florida Real Estate Commission Appointee: Fitzgerald, Patricia, Jupiter	10/31/2019
Northeast Florida Regional Planning Council, Region 4 Appointees: Conkey, Douglas P., Orange Park Register, Darryl E., Glen St. Mary	10/01/2016 10/01/2018
Treasure Coast Regional Planning Council, Region 10 Appointee: Parrish, Reece J., Confidential pursuant to s. 119.071(4), F.S.	10/01/2018
South Florida Regional Planning Council, Region 11 Appointee: Goldberg, Cary A., Deerfield Beach	10/01/2018
Board of Respiratory Care Appointee: Frey, Joseph A., Longwood	10/31/2019
Board of Trustees, University of Florida Appointee: Powers, Marsha D., Ponte Vedra Beach	01/06/2021
Board of Trustees, University of West Florida Appointee: Baker, Richard R., Gulf Breeze	01/06/2021

Referred to the Committee on Ethics and Elections.

CO-INTRODUCERS

Senators Bean—CS for SB 966; Bradley—CS for CS for SB 636; Brandes—CS for SB 966; Hutson—SB 128, CS for SB 966, SB 7046; Negron—CS for SB 966; Sobel—SB 460

SENATE PAGES

February 22-26, 2016

Nichole "Nikki" Barnes, Crawfordville; Alyssa Chunn, Monticello; Justin Eichermuller, Bryceville; David Howle, Pahokee; Kaitlyn "Kaitie" Howie, Brooksville; Jocabed Martinez, Belle Glade; Emily Mauch, Green Cove Springs; Patrick McGrane, Tallahassee; Mackenzie Nailos, Oakland; Carly Ritterband, Niceville; Elida Rodriguez, Fort Myers; Kenneth Spence, Pahokee; Kiara Thompson, Tallahassee; Allison van Tilborgh, Lake Mary; Audra Weeks, Wauchula



Journal of the Senate

Number 15—Regular Session

Tuesday, February 23, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—35:

Mr. President	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	

Excused: Senator Soto

PRAYER

The following prayer was offered by LaQuisha Persak, an employee with the Office of the Secretary of the Senate:

Heavenly Father, we come before you today with gratitude and a humble heart, for you, in your divine wisdom, saw it fit for us to be present today. We thank you for all of our leaders in government, but specifically, we thank you for our State Senators. We thank you for you have called them here for a time such as this.

Lord, we pray that you guide them today with a spirit of wisdom as they consider important state business that is before them. Why pray for wisdom? Because wisdom is the ability to judge correctly and to follow the best course of action based on the knowledge and understanding of a thing.

Proverbs 4:7 states that, "Wisdom is the principal thing and that in all of our getting, to get understanding."

James 1:5 encourages us, "If you need wisdom, ask our generous God, and he will give it to you. He will not rebuke you for asking."

So God, we are asking for your wisdom today. We thank you for both hearing and answering our prayer today. In your son's name I pray. Amen.

PLEDGE

Senate Pages, David Howle of Pahokee; Kiara Thompson, Senator Thompson's granddaughter, of Tallahassee; Emily Mauch of Green Cove Springs; Carly Ritterband of Niceville; and Alyssa Chunn of Monticello, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Michelle Henne of St. Petersburg, sponsored by Senator Joyner, as the doctor of the day. Dr. Henne specializes in family medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Dean—

By Senators Dean, Bradley, Montford, and Soto—

SR 1770—A resolution recognizing April 2016 as "Springs Protection Awareness Month" in Florida.

WHEREAS, Florida's springs are essential to the environment, economy, and residents of, and visitors to, this state, and

WHEREAS, the Floridan Aquifer, one of the most productive in the world, supports more than 700 natural springs, giving this state the world's highest concentration of springs, and

WHEREAS, more than 93 percent of Florida residents rely on this groundwater supply for their drinking water, and

WHEREAS, groundwater plays a vital role in the state's economy, and

WHEREAS, springs are a natural resource that must be protected because they reflect groundwater conditions and provide an important habitat for wildlife, including species listed as threatened or endangered under the Endangered Species Act, and

WHEREAS, springs provide important recreational resources and opportunities that are enjoyed by residents and visitors alike, and

WHEREAS, Florida's springs discharge more than 19 billion gallons of fresh water each day, which is essential for sustaining spring runs and associated receiving water bodies, and

WHEREAS, healthy springs reflect the State of Florida's commitment to sustain and protect ground and surface water resources, NOW, THEREFORE,

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

That April 2016 is recognized as "Springs Protection Awareness Month" in Florida, and all levels of government are encouraged to support springs protection, restoration, and preservation awareness.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

CS for CS for SB 114—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

—as amended February 18, was read the third time by title.

Senator Legg moved the following amendment:

Amendment 1 (323094)—Between lines 117 and 118 insert:

(33) That portion of the S.R. 56 extension from Meadow Pointe Boulevard to U.S. 301/S.R. 41 in Pasco County is designated as the “Speaker Will Weatherford Highway.”

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Legg moved the following amendment to **Amendment 1 (323094)** which was adopted by two-thirds vote:

Amendment 1A (514222)—Delete line 5 and insert:

(33) Upon completion of construction, that portion of the S.R. 56 extension from Meadow

Amendment 1 (323094), as amended, was adopted by two-thirds vote.

Senator Soto offered the following amendment which was moved by Senator Thompson and adopted by two-thirds vote:

Amendment 2 (146142)—Between lines 117 and 118 insert:

(33) That portion of Pleasant Hill Road between Spinning Reel Lane and Sun Cove Drive in Osceola County is designated as “Astronaut Joseph M. Acaba Road.”

On motion by Senator Montford, **CS for CS for SB 114**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—1

Detert

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

HB 541—A bill to be entitled An act relating to addresses of legal residence; amending s. 97.021, F.S.; defining the term “address of legal residence”; amending ss. 97.053 and 97.057, F.S.; requiring a voter registration application to include the applicant’s address of legal re-

sidence and certain additional distinguishing information; specifying that an applicant’s failure to include such distinguishing information on a voter registration application does not affect his or her qualifications to register or vote or cast a ballot; conforming a provision; amending s. 98.015, F.S.; providing that a list of valid addresses maintained by a supervisor of elections include certain additional distinguishing information; providing duties of the supervisor relating to voter registration applications; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **HB 541** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Brandes, Diaz de la Portilla, Sachs

CS for CS for SB 828—A bill to be entitled An act relating to insurance guaranty association assessments; amending s. 631.914, F.S.; requiring the Office of Insurance Regulation to levy assessments for certain purposes; revising and providing requirements for the levy of assessments; requiring insurers and self-insurance funds to report certain premiums; requiring insurers to collect policy surcharges and pay assessments to the association; revising requirements for reporting premium for assessment calculations; revising and providing requirements and limitations for remittance of assessments to the association; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 828** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

SB 586—A bill to be entitled An act relating to responsibilities of health care providers; repealing s. 383.336, F.S., relating to practice

parameters for physicians performing caesarean section deliveries in provider hospitals; amending s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants or surgical technologists employed by or contracting with a facility to be certified; providing exceptions to such certification requirements; creating s. 395.0192, F.S.; requiring a hospital to notify certain obstetrical physicians within a specified timeframe before the hospital closes its obstetrical department or ceases to provide obstetrical services; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Stargel, **SB 586**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

CS for CS for HB 59—A bill to be entitled An act relating to agritourism; amending s. 570.85, F.S.; providing legislative intent; prohibiting a local government from enforcing a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land; specifying that the prohibition does not apply to local regulation of substantial offsite impacts relating to such activities; amending s. 570.86, F.S.; revising the definition of the term “agritourism activity” to include civic and ceremonial activities; amending s. 570.87, F.S.; providing conditions under which agritourism activities on farms or on lands classified as agricultural lands do not limit, restrict, or divest the land of such classification; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Stargel, **CS for CS for HB 59**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

CS for CS for SB 826—A bill to be entitled An act relating to mobile homes; amending s. 723.006, F.S.; revising certain notice requirements for written complaints; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules to implement board member training requirements; providing notice and requirements of such rules; amending s. 723.031, F.S.; authorizing a mobile home park owner to pass on non-ad valorem assessments to a tenant under certain circumstances; providing that a mobile home park owner is deemed to have disclosed the passing on of certain taxes and assessments under certain circumstances; requiring the non-ad valorem assessments to be a part of the lot rental amount; requiring that a renewed rental agreement remain under the same terms unless certain notice is provided; amending s. 723.059, F.S.; authorizing a mobile home purchaser to cancel or rescind the contract to purchase under certain circumstances; amending s. 723.075, F.S.; revising the rights that mobile home owners exercise if they form an association; authorizing mobile home owners to become members upon incorporation of the association; defining the terms “member” and “shareholder”; deleting provisions relating to memberships of successors to home owners; amending s. 723.078, F.S.; specifying voting requirements for homeowners’ associations; specifying the requirements for a majority of votes; authorizing members to vote by secret ballot and absentee ballot; prohibiting the tape recording or videotaping of meetings between the board of directors or its committees and the park owner; amending s. 723.0781, F.S.; providing a date on which certain provisions are effective; providing that board members may not be considered in violation of such provisions until after a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 826** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Bean, Diaz de la Portilla, Sachs

CS for SB 1066—A bill to be entitled An act relating to anatomical gifts; amending s. 765.521, F.S.; requiring the Department of Highway Safety and Motor Vehicles to maintain an integrated website link to the organ donation registry; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for SB 1066** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dean	Hays
Altman	Detert	Hukill
Bean	Evers	Hutson
Benacquisto	Flores	Joyner
Bradley	Gaetz	Latvala
Brandes	Galvano	Lee
Braynon	Garcia	Legg
Bullard	Gibson	Margolis
Clemens	Grimsley	Montford

Negron	Simmons	Sobel
Richter	Simpson	Stargel
Ring	Smith	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Diaz de la Portilla, Sachs

 Consideration of **CS for SB 250** was deferred.

CS for HB 479—A bill to be entitled An act relating to special districts; amending s. 11.40, F.S.; conforming cross-references; amending s. 189.011, F.S.; revising legislative intent with respect to the Uniform Special District Accountability Act to include dependent special districts; amending s. 189.016, F.S.; deleting a provision requiring a special district to transmit certain budgets to the local government under specific circumstances; specifying the period for which certain budget information must be posted on the special district's website; amending s. 189.02, F.S.; specifying the Legislature's authority to create dependent special districts by special act; creating s. 189.022, F.S.; providing for the identification of a dependent special district as dependent in its charter; amending s. 189.031, F.S.; providing for the identification of an independent special district as independent in its charter; transferring, renumbering, and amending ss. 189.034 and 189.035, F.S.; authorizing the Legislative Auditing Committee, for districts created by special act, or local general purpose governments, for districts created by local ordinance or resolution, to convene public hearings for special districts that fail to file specified required reports; deleting related provisions requiring the committee to provide certain notice to the Legislature or local general-purpose government, as appropriate, when a special district fails to file certain required reports or requested information, to conform; amending s. 189.061, F.S.; requiring the Department of Economic Opportunity to exclude inactive special districts from the official list of special districts; revising procedures for maintaining the official list of special districts; specifying that the official list or determination of status of a special district does not constitute final agency action; providing procedures for use in resolving inconsistencies in status determinations of special districts as identified in the official lists; amending s. 189.062, F.S.; revising the criteria that must be documented before a special district may be declared inactive; authorizing the repeal of certain special acts of inactive special districts by general law; requiring the department to remove special districts declared inactive from the official list of special districts; requiring the department to keep a separate list of inactive districts; amending s. 189.064, F.S.; revising the required content of the special district handbook; creating s. 189.0653, F.S.; requiring special districts created by special act or local ordinance to provide specified information to the committee or local general-purpose government, as appropriate; amending s. 189.067, F.S.; conforming cross-references; amending s. 189.068, F.S.; conforming cross-references; specifying that certain dependent special districts may be reviewed by specified local general purpose governments; amending s. 189.069, F.S.; revising the list of items required to be included on the websites of special districts; amending ss. 189.071 and 189.072, F.S.; conforming provisions to changes made by the act; amending s. 298.301, F.S.; revising notice requirements for certain assessments proposed to be levied by water management districts; reenacting ss. 165.0615(16) and 189.074(2)(e) and (3)(g), F.S., relating to municipal conversion of independent special districts upon elector-initiated and approved referendum and the voluntary merger of independent special districts, respectively; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Stargel, **CS for HB 479**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Brandes	Detert
Altman	Braynon	Evers
Bean	Bullard	Flores
Benacquisto	Clemens	Gaetz
Bradley	Dean	Galvano

Garcia	Latvala	Ring
Gibson	Lee	Simmons
Grimsley	Legg	Simpson
Hays	Margolis	Smith
Hukill	Montford	Sobel
Hutson	Negron	Stargel
Joyner	Richter	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Diaz de la Portilla, Sachs

CS for SB 1004—A bill to be entitled An act relating to security system plans; amending s. 119.071, F.S.; revising exceptions to a public records exemption; amending s. 281.301, F.S.; providing exceptions to a public records exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 1004** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Legg
Altman	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Diaz de la Portilla, Sachs

 Consideration of **CS for SB 1174** was deferred.

CS for SB 1046—A bill to be entitled An act relating to farm vehicles; amending s. 316.003, F.S.; defining the term “covered farm vehicle” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.302, F.S.; providing exemptions for covered farm vehicles and the operators of such vehicles from specified federal regulations relating to controlled substances and alcohol use and testing, commercial driver licenses, physical qualifications and examinations, hours of service of drivers, and inspection, repair, and maintenance when operating under certain conditions, notwithstanding specified statutory provisions; providing applicability; conforming a cross-reference; amending s. 322.53, F.S.; exempting the driver of a covered farm vehicle from commercial driver license requirements; amending ss. 316.3025 and 316.3026, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for SB 1046** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores
Bradley	Dean	Gaetz

Galvano	Latvala	Simmons
Garcia	Lee	Simpson
Gibson	Legg	Smith
Grimsley	Margolis	Sobel
Hays	Montford	Stargel
Hukill	Negron	Thompson
Hutson	Richter	
Joyner	Ring	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

SB 1202—A bill to be entitled An act relating to discounts on public park entrance fees and transportation fares; creating s. 125.029, F.S.; requiring counties to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouse and parents of certain deceased military members, law enforcement officers, firefighters, emergency medical technicians, and paramedics; requiring that individuals seeking the discount present information satisfactory to the county department which evidences eligibility; defining the term “park entrance fee”; providing certain exclusions; creating s. 163.58, F.S.; requiring certain regional transportation authorities to provide a partial or a full discount on fares for certain disabled veterans; creating s. 166.0447, F.S.; requiring municipalities to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouse and parents of certain deceased military members, law enforcement officers, firefighters, emergency medical technicians, and paramedics; requiring that individuals seeking the discount present information satisfactory to the municipal department which evidences eligibility; defining the term “park entrance fee”; providing certain exclusions; providing an effective date.

—was read the third time by title.

On motion by Senator Clemens, **SB 1202** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for SB 1174—A bill to be entitled An act relating to residential facilities; amending s. 419.001, F.S.; specifying applicability of siting requirements for community residential homes; providing applicability with respect to local land use and zoning; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1174** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for SB 7040—A bill to be entitled An act relating to workforce development; amending s. 20.60, F.S.; conforming provisions to changes made by the act; amending s. 115.01, F.S.; authorizing a county or state official to be granted leave of absence from his or her office to serve in the National Guard of any state; amending ss. 212.08, 220.183, and 250.10, F.S.; conforming provisions to changes made by the act; amending s. 250.482, F.S.; revising applicability of provisions with respect to immunity from penalization by employers for National Guard members ordered into state active duty; amending s. 250.81, F.S.; revising legislative intent; amending ss. 288.047, 290.0056, 322.34, 341.052, 414.045, 414.065, 414.085, 414.095, 414.105, 414.106, 414.295, 420.623, 420.624, 427.013, 427.0155, 427.0157, 433.091, and 443.1116, F.S.; conforming provisions to changes made by the act; amending s. 445.003, F.S.; providing implementation of the federal Workforce Innovation and Opportunity Act through a 4-year plan; revising the requirements of the plan; deleting a provision authorizing an optional federal partner to fulfill certain state planning and reporting requirements; deleting a provision requiring all optional federal program partners to participate in the second year of the plan; providing for program administration; deleting certain eligibility requirements for businesses; deleting the authority of CareerSource Florida, Inc., to negotiate and settle certain issues with the United States Department of Labor; requiring CareerSource Florida, Inc., to enter into a memorandum with the Florida Department of Education to ensure compliance with the state plan for workforce development; conforming provisions to changes made by the act; amending s. 445.004, F.S.; specifying membership requirements for the CareerSource Florida, Inc., board of directors; revising the entities required to collaborate with CareerSource Florida, Inc., to establish certain performance accountability measures; revising requirements for the performance accountability measures; deleting references to outcome tiers for such measures; deleting a provision requiring certain job placement reporting; conforming provisions to changes made by the act; amending s. 445.006, F.S.; providing for the development of a state plan to include strategic and operational elements; deleting a requirement that the strategic plan be updated or modified each year; revising requirements for the strategic and operational plans; conforming provisions to changes made by the act; amending s. 445.007, F.S.; revising local workforce development board membership requirements; authorizing CareerSource Florida, Inc., to waive a certain board representative requirement under certain circumstances; requiring CareerSource Florida, Inc., to establish regional planning areas subject to certain requirements by a certain date; requiring local workforce development boards and selected officials to prepare a regional workforce development plan; conforming provisions to changes made by the act; amending s. 445.0071, F.S.; conforming provisions to changes made by the act; amending s. 445.009, F.S.; requiring the local workforce development board to enter into a memorandum of understanding with each mandatory or optional partner detailing certain contributions; providing that costs will be allocated pursuant to a policy established by the Governor under certain circumstances; specifying the systems that may be accessed with the one-stop delivery system; conforming provisions to changes made by the act; amending s. 445.07, F.S.; requiring the Department of Education to

consult with the Department of Economic Opportunity in preparing, or contracting with an entity to prepare, certain economic security reports; amending ss. 445.014, 445.016, 445.017, 445.021, 445.022, 445.024, 445.025, 445.026, 445.030, 445.031, 445.048, 445.051, 985.622, 1002.83, 1003.491, 1003.492, 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and 1009.25, F.S.; conforming provisions to changes made by this act; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Detert, **CS for SB 7040**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for SB 846—A bill to be entitled An act relating to divers-down warning devices; amending s. 327.331, F.S.; revising the definitions of the terms “divers-down buoy,” “divers-down flag,” and “divers-down symbol”; defining the term “divers-down warning device”; expanding the types of indicators or devices allowed to be used to signal the presence of submerged divers; specifying requirements for divers-down warning devices; amending ss. 327.395 and 327.73, F.S.; conforming provisions to changes made by the act; reenacting s. 327.33(1), F.S., relating to reckless or careless operation of a vessel, to incorporate the amendment made to s. 327.331, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Clemens, **CS for SB 846** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

SB 914—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for medical and personal identifying information of an applicant for or a recipient of the property tax exemption for totally and permanently disabled persons; providing for retroactive application; authorizing disclosure of such information under certain conditions; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 914** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Legg
Altman	Flores	Margolis
Bean	Gaetz	Montford
Benacquisto	Galvano	Negron
Bradley	Garcia	Richter
Brandes	Gibson	Ring
Braynon	Grimsley	Simmons
Bullard	Hays	Simpson
Clemens	Hukill	Smith
Dean	Hutson	Sobel
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson

Nays—1

Joyner

Vote after roll call:

Yea—Abruzzo, Sachs

SB 7048—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.55, F.S., which provides an exemption from public records requirements for information relating to client records and donor information collected by regional autism centers; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **SB 7048** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for CS for CS for SB 540—A bill to be entitled An act relating to estates; creating s. 731.1055, F.S.; providing that the validity and the effect of a specified disposition of real property be determined by Florida law; amending s. 731.106, F.S.; conforming provisions to changes made by the act; amending s. 736.0802, F.S.; defining the term “pleading”; authorizing a trustee to pay attorney fees and costs from the assets of the trust without specified approval or court authorization in certain circumstances; requiring the trustee to serve a written notice of intent upon each qualified beneficiary of the trust before the payment is made; requiring the notice of intent to contain specified information and to be served in a specified manner; providing that specified qualified beneficiaries may be entitled to an order compelling the refund of a specified payment to the trust; requiring the court to award specified attorney fees and costs in certain circumstances; authorizing the court to prohibit a trustee from using trust assets to make a specified payment; authorizing the court to enter an order compelling the return of specified attorney fees and costs to the trust with interest at the statutory rate; requiring the court to deny a specified motion unless the court finds a reasonable basis to conclude that there has been a breach of the trust; authorizing a court to deny the motion if it finds good cause to do so; authorizing the movant to show that a reasonable basis exists, and a trustee to rebut the showing, through specified means; authorizing the court to impose such remedies or sanctions as it deems appropriate; providing that a trustee is authorized to use trust assets in a specified manner if a claim or defense of breach of trust is withdrawn, dismissed, or judicially resolved in a trial court without a determination that the trustee has committed a breach of trust; providing that specified proceedings, remedies, and rights are not limited; amending ss. 736.0816 and 736.1007, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for CS for SB 540** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	

Nays—None

Vote after roll call:

Yea—Sachs

CS for CS for SB 752—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying and location information of current or former personnel employed in an agency’s office of inspector general or internal audit department whose duties include auditing or investigating certain activities that could lead to criminal prosecution or administrative discipline, and the spouses and children thereof; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for CS for SB 752** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Lee
Abruzzo	Evers	Legg
Altman	Flores	Margolis
Bean	Gaetz	Montford
Benacquisto	Galvano	Negron
Bradley	Garcia	Ring
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Hutson	Stargel
Detert	Latvala	Thompson

Nays—1

Joyner

Vote after roll call:

Yea—Richter, Sachs

CS for SB 762—A bill to be entitled An act relating to public records; amending s. 397.6815, F.S.; providing an exemption from public records requirements for a petition for involuntary assessment and stabilization of a substance abuse impaired person, court orders, and related records, and personal identifying information on certain court dockets; providing exceptions; providing for release of a petition to a guardian advocate; providing retroactive application; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for SB 762** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	

Nays—None

Vote after roll call:

Yea—Sachs

RECONSIDERATION OF BILL

On motion by Senator Stargel, the rules were waived and the Senate reconsidered the vote by which—

SB 586—A bill to be entitled An act relating to responsibilities of health care providers; repealing s. 383.336, F.S., relating to practice parameters for physicians performing caesarean section deliveries in provider hospitals; amending s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants or surgical technologists employed by or contracting with a facility to be certified; providing exceptions to such certification requirements; creating s. 395.0192, F.S.; requiring a hospital to notify certain obstetrical physicians within a

specified timeframe before the hospital closes its obstetrical department or ceases to provide obstetrical services; providing an effective date.

—as amended, passed this day.

Senator Garcia moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (274194) (with title amendment)—Delete lines 20-84.

And the title is amended as follows:

Delete lines 6-10 and insert: creating s. 395.0192,

On motion by Senator Stargel, **SB 586**, as amended, was passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	

Nays—None

Vote after roll call:

Yea—Sachs

SPECIAL ORDER CALENDAR

On motion by Senator Garcia—

CS for SB 12—A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.001, F.S.; providing legislative intent regarding mental illness for purposes of the child welfare system; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child's care in residential treatment under certain circumstances; amending s. 39.507, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; amending s. 39.521, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in disposition hearings; providing requirements for certain court orders; amending s. 394.455, F.S.; defining terms; revising definitions; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and the Legislature by a specified date; redefining terms; providing essential elements of a coordinated system of care; providing requirements for the department's annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual's representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person's guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; deleting ex-

ceptions to such requirements; amending s. 394.463, F.S.; authorizing county or circuit courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certifications to managing entities and the department, rather than the Agency for Health Care Administration; requiring the managing entity and department to receive certain orders, certificates, and reports; requiring the managing entity and the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be released to law enforcement custody; providing exceptions; amending s. 394.4655, F.S.; providing for involuntary outpatient services; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; providing requirements for the appointment of state counsel; making technical changes; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; requiring a facility filing a petition for involuntary inpatient placement to send a copy to the department and managing entity; providing requirements for the appointment of state counsel; revising criteria for a hearing on involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient's attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient's incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.656, F.S.; revising the membership of the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; authorizing the agency and the department to develop a plan for revenue maximization; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.875, F.S.; requiring the department to modify licensure rules and procedures to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.311, F.S.; defining the terms "informed consent" and "involuntary services"; revising the definition of the term "qualified professional"; conforming a cross-reference; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.679, F.S.; specifying the licensed professionals who may complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person with a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons who may deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons who may file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization; amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; requiring a managing entity to be notified of certain recommendations; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; requiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; authorizing a court to order a respondent to undergo treatment through a privately funded licensed service provider under certain circumstances; prohibiting a court from ordering involuntary outpatient services under certain circumstances; requiring the service provider to document certain inquiries; requiring the managing entity to document

certain efforts; requiring a copy of the court's order to be sent to the department and managing entity; providing procedures for modifications to such orders; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; providing a list of persons prohibited from being appointed as an individual's guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment services coordination; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children's substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children's substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children's substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children's substance abuse services; amending ss. 39.407, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.966, 409.972, 440.102, 744.704, and 790.065, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Garcia moved the following amendments which were adopted:

Amendment 1 (776344)—Delete lines 784-789 and insert:
that includes the managing entity and is open to participation from individuals with behavioral health needs, their families, providers, law enforcement, and other parties. The county or counties, in collaboration with the managing entity, shall document the designated receiving system through memorandum of agreement or other binding arrangements. The county or counties and the managing entity shall approve the designated receiving system by October 31, 2017, and the county or counties shall review, update as necessary, and reapprove the designated receiving system at least once every three years. The designated receiving system shall function as a no-wrong-door model and may be organized in any manner which functions as a no-wrong-door model that responds to individual needs and integrates services among various providers. Such models include but are not limited to:

Amendment 2 (889952)—Delete lines 1006-1020 and insert:
developed and implemented by each county, in consultation with the managing entity and in accordance with this section. A county may enter into a memorandum of understanding with the governing boards of nearby counties to establish a shared transportation plan. When multiple counties enter into a memorandum of understanding for this purpose, the counties shall provide a copy of the agreement to the managing entity. The transportation plan shall describe methods of transport to a facility within the designated receiving system for individuals subject to involuntary examination under s. 394.463 or involuntary assessment and stabilization under s. 397.675, and may identify responsibility for transportation between participating facilities when necessary and agreed to by the facility. The plan may rely on emergency medical transport services or private transport companies as appropriate. The

plan shall comply with the transportation provisions of ss. 394.462, 397.6772, 397.6795, 397.6822, and 397.697.

Amendment 3 (113384) (with title amendment)—Delete lines 1629-1635.

And the title is amended as follows:

Delete lines 61-62 and insert: certain efforts; making technical

Amendment 4 (723728) (with title amendment)—Delete lines 1894-1900.

And the title is amended as follows:

Delete lines 67-68 and insert: managing entity; revising criteria for a

Amendment 5 (739756)—Between lines 2115 and 2116 insert:

(m) *One representative of the National Alliance of Mental Illness;*

Amendment 6 (944810)—Delete lines 2260-2263 and insert:

(g) *“Managing entity” means a corporation selected by and under contract with the department to manage the daily operational*

Amendment 7 (324962)—Delete lines 2297-2318.

Amendment 8 (318332)—Between lines 2464 and 2465 insert:

(6) *NETWORK ACCREDITATION AND SYSTEMS COORDINATION AGREEMENTS.—*

(a)1. *The department shall identify acceptable accreditations which address coordination within a network and, if possible, between the network and major systems and programs with which the network interacts, such as the child welfare system, state courts system, and the Medicaid program. In identifying acceptable accreditations, the department shall consider whether the accreditation facilitates integrated strategic planning, resource coordination, technology integration, performance measurement, and increased value to consumers through choice of access to services, improved coordination of services, and effectiveness and efficiency of service delivery.*

2. *All managing entities under contract as of July 1, 2016, shall earn accreditation deemed acceptable by the department pursuant to paragraph (a) by June 30, 2019. Managing entities whose initial contract with the state is executed after July 1, 2016, shall earn network accreditation within 3 years after the contract execution date. Pursuant to paragraph (4)(j) above, the department may continue the contract of a managing entity that earns the network accreditation within the required timeframe and maintains it throughout the contract term.*

(b) *If no accreditations are available or deemed acceptable which address coordination between the network and other major systems and programs, by July 1, 2017, for managing entities under contract as of July 1, 2016, and within one year after the contract execution date for managing entities initially under contract after that date, each managing entity shall enter into a memorandum of understanding detailing mechanisms for communication and coordination with any community-based care lead agencies, state court system, sheriff's offices, public defenders, offices of regional conflict counsel Medicaid managed medical assistance plans, and homeless coalitions in its service area. Such entities shall cooperate with the managing entities in entering into such memoranda.*

(c) *By February 1 of each year, beginning in 2018, each managing entity shall develop and submit to the department a plan for the enhancement of the behavioral health system of care of the managing entity's service area, if appropriate, based on the assessed behavioral health care needs of the service area. Individual sections of the plan shall address:*

1. *The designated receiving systems developed pursuant to s. 394.4573, and shall give consideration to evidence-based, evidence-informed, and innovative practices for diverting individuals from the acute behavioral health care system and addressing their needs once they are in the system in the most efficient and cost-effective manner.*

2. Treatment and recovery services, and shall emphasize the provision of care coordination and the use of recovery-oriented, peer-involved approaches.

3. Coordination between the behavioral health system of care and other systems such as the child welfare system, state courts system and Medicaid program.

(d) If the plan recommends additional funding, the plan shall describe, at a minimum, the specific needs that would be met, the specific services that would be purchased, the estimated benefits of the services, the projected costs, the projected number of individuals that would be served, and any other information indicating the estimated benefit to the community. The managing entity shall include consumers and their family members, local governments, law enforcement agencies, providers, community partners, and other stakeholders when developing the plan.

(e) Subject to a specific appropriation by the Legislature, the department may award system improvement grants to managing entities based on the submission of the plans as described and required in paragraphs (c) and (d).

(7) PERFORMANCE MEASUREMENT AND ACCOUNTABILITY.—

(a) Managing entities shall collect and submit data to the department regarding persons served, outcomes of persons served, costs of services provided through the department's contract, and other data as required by the department.

(b) The department shall evaluate the managing entity's performance and the overall progress made by the managing entity, together with other systems, in meeting the community's behavioral health needs, based on consumer-centered outcome measures that reflect national standards, if possible, and that can dependably be measured. The department shall work with managing entities to establish performance standards related at a minimum to:

1. The extent to which individuals in the community receive services.
2. The improvement in the overall behavioral health of a community.
3. The improvement in functioning or progress in the recovery of individuals served by the managing entity, as determined using person-centered measures tailored to the population.
4. The success of strategies to divert admissions to acute levels of care, jails, prisons, and forensic facilities as measured by, at a minimum, the total number of percentage of clients who, during a specified period, experience multiple admissions to acute levels of care, jails, prisons, or forensic facilities.
5. Consumer and family satisfaction.
6. The satisfaction of key community constituencies such as law enforcement agencies, juvenile justice agencies, the state courts system, school districts, local government entities, hospitals, and others as appropriate for the geographical area of the managing entity.

Amendment 9 (795792) (with title amendment)—Delete lines 2488-2545 and insert:

(7) **ACUTE CARE SERVICES UTILIZATION DATABASE.**—The department shall develop, implement, and maintain standards under which a managing entity shall collect utilization data from all public receiving facilities situated within its geographic service area and all detoxification and addictions receiving facilities under contract with the managing entity. As used in this subsection, the term "public receiving facility" means an entity that meets the licensure requirements of, and is designated by, the department to operate as a public receiving facility under s. 394.875 and that is operating as a licensed crisis stabilization unit.

(a) The department shall develop standards and protocols to be used for data collection, storage, transmittal, and analysis. The standards and protocols shall allow for compatibility of data and data transmittal between public receiving facilities, detoxification facilities, addiction

receiving facilities, managing entities, and the department for the implementation and requirements of this subsection.

(b) A managing entity shall require providers specified in paragraph (1)(a) to submit data, in real time or at least daily, to the managing entity for:

1. All admissions and discharges of clients receiving public receiving facility services who qualify as indigent, as defined in s. 394.4787;
2. The current active census of total licensed beds, the number of beds purchased by the department, the number of clients qualifying as indigent who occupy those beds, and the total number of unoccupied licensed beds regardless of funding for each public receiving facility;
3. All admissions and discharges of clients receiving substance abuse services in an addictions receiving facility or detoxification facility pursuant to parts IV and V of chapter 397.

(c) A managing entity shall require providers specified in paragraph (1)(a) to submit data, on a monthly basis, to the managing entity which aggregates the daily data submitted under paragraph (b). The managing entity shall reconcile the data in the monthly submission to the data received by the managing entity under paragraph (b) to check for consistency. If the monthly aggregate data submitted by a provider under this paragraph are inconsistent with the daily data submitted under paragraph (b), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.

(d) A managing entity shall require providers specified in paragraph (1)(a) within its provider network to submit data, on an annual basis, to the managing entity which aggregates the data submitted and reconciled under paragraph (c). The managing entity shall reconcile the data in the annual submission to the data received and reconciled by the managing entity under paragraph (c) to check for consistency. If the annual aggregate data submitted by a provider under this paragraph are inconsistent with the data received and reconciled under paragraph (c), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.

(e) After ensuring the accuracy of data pursuant to paragraphs (c) and (d), the managing entity shall submit the data to the department on a monthly and an annual basis. The department shall create a statewide database for the data described under paragraph (b) and submitted under this paragraph for the purpose of analyzing the payments for and the use of crisis stabilization services funded by the Baker Act and detoxification and addictions receiving services provided pursuant to parts IV and V of chapter 397 on a statewide basis and on an individual provider basis.

And the title is amended as follows:

Delete line 95 and insert: duties for managing entities; renaming the Crisis Stabilization Services Utilization Database as the Acute Care Utilization Database and requiring certain substance abuse providers to provide utilization data; deleting provisions

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Sobel moved the following amendment which was adopted:

Amendment 10 (219266)—Delete lines 1312-1315 and insert: documented approval of a psychiatrist or a clinical psychologist or, if the receiving facility is owned or operated by a hospital or health system, the release may also be approved by a psychiatric nurse performing within the framework of an

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment which was adopted:

Amendment 11 (578332) (with title amendment)—Between lines 3867 and 3868 insert:

Section 70. The Secretary of the Department of Children and Families will appoint a workgroup to consider the feasibility of individuals using advance directives to express the treatment wishes for substance

use disorders. The workgroup shall be composed of individuals with expertise in the treatment of substance use disorders. The workgroup must review the use of advance directives in mental health, the use of advance directives for substance use disorders in other states, and the use of similar legal instruments to express the treatment wishes of individuals suffering from substance use disorder. The workgroup will provide a report to the Governor, President of the Senate, and Speaker of the House by January 1, 2017. The report must include recommendations on the feasibility of using advance directives for individuals with substance use disorders and recommendations for any law changes or changes in agency rules. The members of the workgroup are not entitled to reimbursement from the Department of Children and Families for travel for workgroup meetings unless they are employees of the department. This section expires May 6, 2017.

Grimsley	Lee	Simmons
Hays	Negron	Simpson
Hutson	Richter	Stargel
Latvala	Ring	

Nays—15

Abruzzo	Gibson	Montford
Braynon	Hukill	Sachs
Bullard	Joyner	Smith
Clemens	Legg	Sobel
Detert	Margolis	Thompson

SPECIAL ORDER CALENDAR, continued

Consideration of **SB 110** was deferred.

SENATOR RICHTER PRESIDING

On motion by Senator Bradley—

CS for CS for SB 698—A bill to be entitled An act relating to alcoholic beverages and tobacco; amending s. 210.13, F.S.; revising applicability to include other persons who may be subject to a determination of tax on failure to file and return; amending s. 218.32, F.S.; requiring local governmental entities to include revenues derived from the use of temporary alcoholic beverage permits in annual financial reports; amending s. 561.01, F.S.; defining the term “railroad transit station”; amending s. 561.29, F.S.; requiring, rather than authorizing, the Division of Alcoholic Beverages and Tobacco to give a licensee a written waiver of certain requirements; revising the requirements to obtain such waivers; extending a certain waiver period; deleting a provision prohibiting waiver periods from totaling more than 24 months; creating s. 561.4205, F.S.; requiring an alcoholic beverage distributor to charge a deposit for certain alcoholic beverage sales; providing an inventory and reconciliation process as an accounting alternative for specified vendors; providing an inventory and reconciliation process for malt beverage kegs; amending s. 561.422, F.S.; authorizing the division to issue temporary permits to municipalities and counties to sell alcoholic beverages for consumption on the premises of an event; authorizing the director of the division to issue more than three permits per calendar year under certain circumstances; providing conditions for such permits; requiring certain municipalities and counties to remove and properly dispose of unconsumed alcoholic beverages; amending s. 565.02, F.S.; authorizing operators of railroad transit stations to obtain licenses to sell alcoholic beverages; revising the locations where certain beverages may be sold; prohibiting the transfer of specified licenses to certain locations; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; exempting railroad transit stations from liquor bottle size restrictions; authorizing alcoholic beverages to be consumed in all areas within the property of a railroad transit station; defining terms; revising legislative findings; requiring permittees to submit a report to the division; providing requirements for the report; amending s. 565.04, F.S.; authorizing a licensed distributor to transport alcoholic beverages through certain premises under specified circumstances; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendments which were adopted:

Amendment 1 (423324)—Delete line 113 and insert:
entertainment, or recreational facilities within the licensed premises

Amendment 2 (421950) (with title amendment)—Between lines 114 and 115 insert:

Section 4. Paragraph (a) of subsection (2) of section 561.20, Florida Statutes, is amended to read:

561.20 Limitation upon number of licenses issued.—

(2)(a) ~~The No such limitation of the number of licenses as herein provided in this section does not shall henceforth~~ prohibit the issuance of a special license to:

And the title is amended as follows:

Delete line 205 and insert: conforming cross-references; requiring the Department of Children and Families to create a workgroup on the use of advance directives for substance use disorders; requiring a report to the Governor, President of the Senate, and Speaker of the House of Representatives; providing an effective

Pursuant to Rule 4.19, **CS for SB 12**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for CS for SB 636—A bill to be entitled An act relating to evidence collected in sexual offense investigations; creating s. 943.326, F.S.; requiring that a sexual offense evidence kit or other DNA evidence be submitted to a member of the statewide criminal analysis laboratory system within a specified timeframe after specified occurrences; requiring a medical provider or law enforcement agency to inform an alleged victim of a sexual offense of certain information relating to sexual offense evidence kits; requiring the retention of specified evidence; requiring adoption and dissemination of guidelines and procedures for certain entities by a specified date; requiring the testing of sexual offense evidence kits within a specified timeframe after submission to a member of the statewide criminal analysis laboratory; providing requirements for such guidelines and procedures; providing construction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 636** was placed on the calendar of Bills on Third Reading.

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

BILLS ON THIRD READING

CS for SB 250—A bill to be entitled An act relating to family law; amending s. 61.13, F.S.; creating a presumption that approximately equal time-sharing by both parents is in the best interest of the child; revising a finite list of factors that a court must evaluate when determining whether the presumption of approximately equal time-sharing is overcome; requiring a court order to be supported by written findings of fact under certain circumstances; prohibiting the modification of a determination of parental responsibility, a parenting plan, or a time-sharing schedule unless certain determinations are made; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Lee, **CS for SB 250**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Bradley	Evers
Altman	Brandes	Flores
Bean	Dean	Gaetz
Benacquisto	Diaz de la Portilla	Galvano

1. Any bona fide hotel, motel, or motor court of not fewer than 80 guest rooms in any county having a population of less than 50,000 residents, and of not fewer than 100 guest rooms in any county having a population of 50,000 residents or greater; or any bona fide hotel or motel located in a historic structure, as defined in s. 561.01(21), with fewer than 100 guest rooms which derives at least 51 percent of its gross revenue from the rental of hotel or motel rooms, which is licensed as a public lodging establishment by the Division of Hotels and Restaurants; provided, however, that a bona fide hotel or motel with no fewer than 10 and no more than 25 guest rooms which is a historic structure, as defined in s. 561.01(21), in a municipality that on the effective date of this act has a population, according to the University of Florida's Bureau of Economic and Business Research Estimates of Population for 1998, of no fewer than 25,000 and no more than 35,000 residents and that is within a constitutionally chartered county may be issued a special license. This special license shall allow the sale and consumption of alcoholic beverages only on the licensed premises of the hotel or motel. In addition, the hotel or motel must derive at least 60 percent of its gross revenue from the rental of hotel or motel rooms and the sale of food and nonalcoholic beverages; provided that the provisions of this subparagraph shall supersede local laws requiring a greater number of hotel rooms;

2. Any condominium accommodation of which no fewer than 100 condominium units are wholly rentable to transients and which is licensed under the provisions of chapter 509, except that the license shall be issued only to the person or corporation which operates the hotel or motel operation and not to the association of condominium owners;

3. Any condominium accommodation of which no fewer than 50 condominium units are wholly rentable to transients, which is licensed under the provisions of chapter 509, and which is located in any county having home rule under s. 10 or s. 11, Art. VIII of the State Constitution of 1885, as amended, and incorporated by reference in s. 6(e), Art. VIII of the State Constitution, except that the license shall be issued only to the person or corporation which operates the hotel or motel operation and not to the association of condominium owners;

4. ~~Any food service establishment that has restaurant having 2,500 square feet of service area, is and equipped to serve meals to 150 persons full course meals at tables at one time, and that derives deriving at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages during the first 60-day operating period and each 12-month operating period thereafter.; However, A food service establishment no restaurant granted a special license on or after January 1, 1958, pursuant to general or special law may not shall operate as a package store and may not sell, nor shall intoxicating beverages be sold under such license after the hours of serving or consumption of food have elapsed. Failure by a licensee to meet the required percentage of food and nonalcoholic beverage gross revenues during the covered operating period shall result in revocation of the license or denial of the pending license application. A licensee whose license is revoked or an applicant whose pending application is denied, or any person required to qualify on the special license application, is ineligible to have any interest in a subsequent application for such a license for a period of 120 days after the date of the final denial or revocation; or~~

5. Any caterer, deriving at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, licensed by the Division of Hotels and Restaurants under chapter 509. Notwithstanding any other provision of law to the contrary, a licensee under this subparagraph shall sell or serve alcoholic beverages only for consumption on the premises of a catered event at which the licensee is also providing prepared food, and shall prominently display its license at any catered event at which the caterer is selling or serving alcoholic beverages. A licensee under this subparagraph shall purchase all alcoholic beverages it sells or serves at a catered event from a vendor licensed under s. 563.02(1), s. 564.02(1), or licensed under s. 565.02(1) subject to the limitation imposed in subsection (1), as appropriate. A licensee under this subparagraph may not store any alcoholic beverages to be sold or served at a catered event. Any alcoholic beverages purchased by a licensee under this subparagraph for a catered event that are not used at that event must remain with the customer; provided that if the vendor accepts unopened alcoholic beverages, the licensee may return such alcoholic beverages to the vendor for a credit or reimbursement. Regardless of the county or counties in which the licensee operates, a licensee under this subparagraph shall pay the annual state license tax set forth in s. 565.02(1)(b). A licensee under this subparagraph must

maintain for a period of 3 years all records required by the department by rule to demonstrate compliance with the requirements of this subparagraph, including licensed vendor receipts for the purchase of alcoholic beverages and records identifying each customer and the location and date of each catered event. Notwithstanding any provision of law to the contrary, any vendor licensed under s. 565.02(1) subject to the limitation imposed in subsection (1), may, without any additional licensure under this subparagraph, serve or sell alcoholic beverages for consumption on the premises of a catered event at which prepared food is provided by a caterer licensed under chapter 509. If a licensee under this subparagraph also possesses any other license under the Beverage Law, the license issued under this subparagraph shall not authorize the holder to conduct activities on the premises to which the other license or licenses apply that would otherwise be prohibited by the terms of that license or the Beverage Law. Nothing in this section shall permit the licensee to conduct activities that are otherwise prohibited by the Beverage Law or local law. The Division of Alcoholic Beverages and Tobacco is hereby authorized to adopt rules to administer the license created in this subparagraph, to include rules governing licensure, recordkeeping, and enforcement. The first \$300,000 in fees collected by the division each fiscal year pursuant to this subparagraph shall be deposited in the Department of Children and Families' Operations and Maintenance Trust Fund to be used only for alcohol and drug abuse education, treatment, and prevention programs. The remainder of the fees collected shall be deposited into the Hotel and Restaurant Trust Fund created pursuant to s. 509.072.

However, any license heretofore issued to any such hotel, motel, motor court, or restaurant or hereafter issued to any such hotel, motel, or motor court, including a condominium accommodation, under the general law shall not be moved to a new location, such license being valid only on the premises of such hotel, motel, motor court, or restaurant. Licenses issued to hotels, motels, motor courts, or restaurants under the general law and held by such hotels, motels, motor courts, or restaurants on May 24, 1947, shall be counted in the quota limitation contained in subsection (1). Any license issued for any hotel, motel, or motor court under the provisions of this law shall be issued only to the owner of the hotel, motel, or motor court or, in the event the hotel, motel, or motor court is leased, to the lessee of the hotel, motel, or motor court; and the license shall remain in the name of the owner or lessee so long as the license is in existence. Any special license now in existence heretofore issued under the provisions of this law cannot be renewed except in the name of the owner of the hotel, motel, motor court, or restaurant or, in the event the hotel, motel, motor court, or restaurant is leased, in the name of the lessee of the hotel, motel, motor court, or restaurant in which the license is located and must remain in the name of the owner or lessee so long as the license is in existence. Any license issued under this section shall be marked "Special," and nothing herein provided shall limit, restrict, or prevent the issuance of a special license for any restaurant or motel which shall hereafter meet the requirements of the law existing immediately prior to the effective date of this act, if construction of such restaurant has commenced prior to the effective date of this act and is completed within 30 days thereafter, or if an application is on file for such special license at the time this act takes effect; and any such licenses issued under this proviso may be annually renewed as now provided by law. Nothing herein prevents an application for transfer of a license to a bona fide purchaser of any hotel, motel, motor court, or restaurant by the purchaser of such facility or the transfer of such license pursuant to law.

And the title is amended as follows:

Between lines 10 and 11 insert: 561.20, F.S.; providing that a license must be revoked or a pending application must be denied under certain circumstances; providing that certain licensees or applicants are not eligible to have an interest in a subsequent license under certain circumstances for a specified timeframe; amending s.

Senator Bradley moved the following amendment:

Amendment 3 (598330) (with title amendment)—Delete lines 133-183 and insert:
 division to be held in an inactive status. ~~The division may waive or extend the requirement of this section upon the finding of hardship, including the purchase of the license in order to transfer it to a newly constructed or remodeled location. However, during such closed period, the licensee shall make reasonable efforts toward restoring the license to active status.~~ This paragraph ~~applies~~ shall apply to all annual license

periods commencing on or after July 1, 1981, but ~~does shall~~ not apply to licenses issued after September 30, 1988. *The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a second waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:*

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a local governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

(i) Failure of any licensee issued a new or transfer license after September 30, 1988, under s. 561.20(1) to maintain the licensed premises in an active manner in which the licensed premises are open for business to the public for the bona fide retail sale of authorized alcoholic beverages during regular and reasonable business hours for at least 8 hours a day for a period of 210 days or more during any 12-month period commencing 6 months after the acquisition of the license by the licensee. It is the intent of this act that for purposes of compliance with this paragraph, a licensee shall operate the licensed premises in a manner so as to maximize sales and tax revenues thereon; this includes maintaining a reasonable inventory of merchandise, including authorized alcoholic beverages, and the use of good business practices to achieve the intent of this law. Any attempt by a licensee to circumvent the intent of this law shall be grounds for revocation or suspension of the alcoholic beverage license. ~~The division may, upon written request of the licensee, give a written waiver of this requirement for a period not to exceed 12 months in cases where the licensee demonstrates that the licensed premises has been physically destroyed through no fault of the licensee, when the licensee has suffered an incapacitating illness or injury which is likely to be prolonged, or when the licensed premises has been prohibited from making sales as a result of any action of any court of competent jurisdiction. Any waiver given pursuant to this subsection may be continued upon subsequent written request showing that substantial progress has been made toward restoring the licensed premises to a condition suitable for the resumption of sales or toward allowing for a court having jurisdiction over the premises to release said jurisdiction, or that an incapacitating illness or injury continues to exist. However, in no event may the waivers necessitated by any one occurrence cumulatively total more than 24 months. Every A licensee shall notify the division in writing of any period during which his or her license is inactive and place the physical license with the division to be held in an inactive status. For the purpose of calculating compliance with the requirements of this paragraph, a license that is acquired in a transaction that is not an arm's length transaction, including transfers from relatives, affiliates, subsidiaries, and other related entities, retains and is subject to the first related transferor's date of acquisition and related periods of operation. The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a second waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:~~

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a local governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

And the title is amended as follows:

Delete lines 11-17 and insert: 561.29, F.S.; requiring the division to grant a one-time written waiver or extension of certain requirements to specified licensees; revising the circumstances under which a licensee may seek and the division may grant a second waiver or extension of the requirements; creating s. 561.4205, F.S.;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bradley moved the following amendment to **Amendment 3 (598330)** which was adopted:

Amendment 3A (469428) (with title amendment)—Delete lines 18-77 and insert:

waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a local governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

(i) Failure of any licensee issued a new or transfer license after September 30, 1988, under s. 561.20(1) to maintain the licensed premises in an active manner in which the licensed premises are open for business to the public for the bona fide retail sale of authorized alcoholic beverages during regular and reasonable business hours for at least 8 hours a day for a period of 210 days or more during any 12-month period commencing 6 months after the acquisition of the license by the licensee. It is the intent of this act that for purposes of compliance with this paragraph, a licensee shall operate the licensed premises in a manner so as to maximize sales and tax revenues thereon; this includes maintaining a reasonable inventory of merchandise, including authorized alcoholic beverages, and the use of good business practices to achieve the intent of this law. Any attempt by a licensee to circumvent the intent of this law shall be grounds for revocation or suspension of the alcoholic beverage license. ~~The division may, upon written request of the licensee, give a written waiver of this requirement for a period not to exceed 12 months in cases where the licensee demonstrates that the licensed premises has been physically destroyed through no fault of the licensee, when the licensee has suffered an incapacitating illness or injury which is likely to be prolonged, or when the licensed premises has been prohibited from making sales as a result of any action of any court of competent jurisdiction. Any waiver given pursuant to this subsection may be continued upon subsequent written request showing that substantial progress has been made toward restoring the licensed premises to a condition suitable for the resumption of sales or toward allowing for a court having jurisdiction over the premises to release said jurisdiction, or that an incapacitating illness or injury continues to exist. However, in no event may the waivers necessitated by any one occurrence cumulatively total more than 24 months. Every A licensee shall notify the division in writing of any period during which his or her license is inactive and place the physical license with the division to be held in an inactive status. For the purpose of calculating compliance with the requirements of this paragraph, a license that is acquired in a transaction that is not an arm's length transaction, including transfers from relatives, affiliates, subsidiaries, and other related entities, retains and is subject to the first related transferor's date of acquisition and related periods of operation. The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a waiver or extension of the~~

And the title is amended as follows:

Delete line 99 and insert: division may grant a waiver or extension of the

Amendment 3 (598330), as amended, was adopted.

Senator Latvala moved the following amendment which was adopted:

Amendment 4 (462062) (with title amendment)—Delete lines 245-246 and insert:
must be properly stored and secured by the municipality or county.

And the title is amended as follows:

Delete line 31 and insert: properly store and secure unconsumed alcoholic

Senator Bradley moved the following amendments which were adopted:

Amendment 5 (319680) (with title amendment)—Between lines 246 and 247 insert:

Section 7. Paragraph (a) of subsection (7) of section 563.06, Florida Statutes, is amended to read:

563.06 Malt beverages; imprint on individual container; size of containers; exemptions.—

(7) Notwithstanding any other provision of the Beverage Law, a malt beverage may be packaged in a growler, which is an individual container that holds 32, 64, or 128 ounces of such malt beverage if it is filled at the point of sale.

(a) A growler may be filled or refilled by any of the following:

1. A licensed manufacturer of malt beverages holding a vendor's license under s. 561.221(2).

2. A vendor holding a quota license under s. 561.20(1) or s. 565.02(1)(a) ~~which~~ *that* authorizes the sale of malt beverages.

3. A vendor holding a license under s. 563.02(1)(b)-(f), s. 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), *if such licensed vendor receives a health inspection and certification under s. 561.17(2) unless such license restricts the sale of malt beverages to sale for consumption only on the premises of such vendor.*

And the title is amended as follows:

Delete line 32 and insert: beverages; amending s. 563.06, F.S.; revising requirements for certain vendors to be authorized to fill or refill a growler; amending s. 565.02, F.S.; authorizing

Amendment 6 (284732) (with title amendment)—Delete lines 247-370 and insert:

Section 7. Subsection (2) of section 565.02, Florida Statutes, is amended to read:

565.02 License fees; vendors; clubs; caterers; and others.—

(2) Any operator of railroads or sleeping cars *and any vendor in a railroad transit station* in this state may obtain a license to *keep for sale and sell the beverages mentioned in the Beverage Law on passenger trains* upon the payment of an annual license tax of \$2,500, the tax to be paid to the division. *A municipality or county may not require an additional license or levy a tax for the privilege of selling such beverages.*

(a) *Operators of railroads or sleeping cars in this state are authorized to* ~~Such license shall authorize the holder thereof to~~ keep for sale and sell all beverages mentioned in the Beverage Law *for consumption upon any dining, club, parlor, buffet, or observation car of a passenger train in which certified copies of the licenses issued to the operators are posted. Certified copies of such licenses shall be issued by the division upon the payment of a fee of \$10 operated by it in this state, but such beverages may be sold only to passengers upon the cars and must be served for consumption thereon. It is unlawful for such licensees to purchase or sell any liquor except in miniature bottles of not more than 2 ounces. Every such license for the sale of alcoholic beverages on a passenger train shall be good throughout the state. Except for alcoholic beverages sold within the licensed premises of a railroad transit station, it is unlawful for such licensees to purchase or sell any liquor on a passenger*

~~train except in miniature bottles of not more than 2 ounces. No license shall be required, or tax levied by any municipality or county, for the privilege of selling such beverages for consumption in such cars. Such beverages shall be sold only on cars in which are posted certified copies of the licenses issued to such operator. Such certified copies of such licenses shall be issued by the division upon the payment of a tax of \$10.~~

(b) *Vendors in a railroad transit station are authorized to keep for sale and sell all beverages mentioned in the Beverage Law. Licenses issued to vendors in a railroad transit station may not be transferred to locations beyond the railroad transit station. The alcoholic beverages sold are for consumption on the licensed premises and may be consumed in all areas within the railroad transit station and on the passenger train. Operators of railroads and sleeping cars shall keep separate the alcoholic beverages intended for sale on passenger trains and the alcoholic beverages intended for sale in the railroad transit station.*

And the title is amended as follows:

Delete lines 32-45 and insert: beverages; amending s. 565.02, F.S.; authorizing vendors in railroad transit stations to obtain licenses to keep and sell alcoholic beverages; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; revising the locations where certain beverages may be sold; providing liquor bottle size restrictions for railroad transit stations; prohibiting the transfer of certain licenses; requiring operators of railroads and sleeping cars to keep separate certain alcoholic beverages;

Pursuant to Rule 4.19, **CS for CS for SB 698**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Simmons, the rules were waived and time of adjournment was extended until 1:00 p.m.

On motion by Senator Ring—

CS for CS for SB 468—A bill to be entitled An act relating to computer coding instruction; amending s. 1007.2616, F.S.; requiring high schools to offer student opportunities to take specified computer coding courses by a specified school year; requiring the Commissioner of Education to identify the computer coding courses that satisfy two credits of foreign language instruction under certain circumstances; requiring Florida College System institutions and state universities to recognize the credits as foreign language credits; requiring each student and his or her parent to sign a statement acknowledging and accepting that taking a computer coding course as a foreign language may not meet certain out-of-state requirements; requiring the inclusion of certain computer coding courses in the Course Code Directory; providing an effective date.

—was read the second time by title.

Senator Galvano moved the following amendments which were adopted:

Amendment 1 (591908) (with title amendment)—Delete line 26 and insert:
may, but will not be required to, provide students opportunities to take computer coding

And the title is amended as follows:

Delete lines 3-5 and insert: amending s. 1007.2616, F.S.; authorizing high schools to offer student opportunities to take specified computer coding courses by a specified school year; providing that high schools will not be required to offer such courses; requiring

Amendment 2 (409420) (with title amendment)—Between lines 39 and 40 insert:

(a) *The Florida Virtual School may offer computer coding courses identified in the Course Code Directory. If a school district does not offer*

an identified course, it may provide students access to the course through the Florida Virtual School or through other means.

(b) *The Department of Education shall annually report to the Board of Governors and the Legislature:*

1. *The courses identified in the Course Code Directory which meet the academic standards for computer coding.*

2. *The number of students, by district, including students enrolled in the Florida Virtual School, who are enrolled in a course identified in the Course Code Directory which meets the academic standards for computer coding.*

And the title is amended as follows:

Between lines 16 and 17 insert: authorizing the Florida Virtual School to offer computer coding courses identified in the Course Code Directory; authorizing school districts to provide students access to such courses under certain circumstances; requiring the Department of Education to annually report certain information to the Board of Governors and the Legislature;

Pursuant to Rule 4.19, **CS for CS for SB 468**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 954—A bill to be entitled An act relating to electronic monitoring devices; creating s. 843.23, F.S.; defining the term “electronic monitoring device”; prohibiting a person from removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device being worn or used pursuant to any court order or an order by the Florida Commission on Offender Review; prohibiting a person from requesting, authorizing, or soliciting another person to perform such an act; providing criminal penalties; amending s. 948.11, F.S.; specifying that the Department of Corrections may electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control; deleting a provision imposing criminal penalties on persons who intentionally alter, tamper with, damage, or destroy electronic monitoring equipment; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 954** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1416—A bill to be entitled An act relating to public records; amending s. 624.4212, F.S.; providing an exemption from public records requirements for certain reports and documents submitted to the Office of Insurance Regulation related to an own-risk and solvency assessment by an insurer or insurance group; providing an exemption from public records requirements for a corporate governance annual disclosure and supporting documents submitted to the office; revising the actuarial board to which the office may disclose certain information; providing for and revising future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1416** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1288**, **CS for CS for SB 1386**, and **CS for SB 784** was deferred.

On motion by Senator Joyner—

CS for CS for SB 708—A bill to be entitled An act relating to the Arthur G. Dozier School for Boys; requiring certain historical resources,

records, archives, artifacts, researches, medical records, and human remains to remain in the custody of the University of South Florida; providing exceptions; requiring the Department of State to contract with the university for the identification and location of eligible next of kin of certain children; requiring the department to notify the next of kin of certain payment or reimbursement provisions; requiring the department to reimburse the next of kin of children whose bodies are buried and exhumed at the Dozier School or to pay directly to a provider for the costs associated with funeral services, reinterment, and grave marker expenses; providing a process for reimbursement or payment by the department; providing that a charitable donation made toward funeral, reinterment, and grave marker expenses is not eligible for reimbursement; requiring the department to submit a report; establishing a task force to make recommendations regarding a memorial and a location of a site for the reinterment of unidentified or unclaimed remains; providing membership of the task force; requiring the task force to submit its recommendation to the department by a certain date; requiring the task force to submit its recommendations to the Governor and Cabinet and to the Legislature; authorizing the department to adopt rules; providing appropriations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 708** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for SB 784—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; revising the definition of the term “sexual abuse of a child” to delete a reference to a child being arrested or prosecuted for specified offenses; amending s. 782.04, F.S.; including human trafficking as a predicate offense for felony murder; amending s. 787.06, F.S.; creating an increased penalty for causing great bodily harm, permanent disability, or permanent disfigurement; prohibiting permanently branding, or directing the permanent branding, of a victim of human trafficking with specified intent; amending s. 456.074, F.S.; requiring the Department of Health to issue an emergency order suspending the license of a massage therapist or massage establishment if the therapist or a specified person connected to the establishment is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 480.041, F.S.; providing that a licensed massage therapist may not receive a new or renewal license if the applicant is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with a massage establishment; correcting a cross-reference; amending s. 480.043, F.S.; providing that a licensed massage establishment may not receive a new or renewal license if specified persons connected to the establishment are convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 796.06, F.S.; increasing criminal penalties for the offense of renting space to be used for lewdness, assignation, or prostitution; amending s. 796.07, F.S.; providing that minors may not be charged with specified prostitution offenses; specifying that certain educational programs may be offered by faith-based providers; providing for the reclassification of the offense of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution if the offense is committed in conjunction with a massage establishment; amending ss. 775.21 and 943.0435, F.S.; requiring a person convicted of specified racketeering offenses to register as a sexual predator or sexual offender under certain circumstances; amending ss. 944.606 and 944.607, F.S.; revising the definition of the term “sexual offender” for purposes of offender notification to include a person convicted of specified racketeering offenses if the court makes specified findings; reenacting s. 394.495(4)(p), F.S., relating to the child and adolescent mental health system of care, s. 409.1678(1)(c) and (6)(a) and (b), F.S., relating to specialized residential options for children who are victims of sexual exploitation, and s. 960.065(5), F.S., relating to eligibility for awards, to incorporate the amendment made by the act to s. 39.01, F.S., in references thereto; reenacting s. 39.806(1)(d) and (n), F.S., relating to grounds for termination of parental rights, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 63.089(4)(b), F.S., relating to

proceedings to terminate parental rights pending adoption, to incorporate the amendments made by the act to s. 775.21 and 782.04, F.S., in references thereto; reenacting s. 95.11(10), F.S., relating to limitations other than for the recovery of real property, s. 775.082(1)(b) and (3)(a), (b), and (c), F.S., relating to penalties, s. 782.065, F.S., relating to murder of specified officers, s. 921.16(1), F.S., relating to when sentences should be concurrent and when they should be consecutive, s. 948.062(1)(a), F.S., relating to reviewing and reporting serious offenses committed by offenders placed on probation or community control, s. 985.265(3)(b), F.S., relating to detention transfer and release, and s. 1012.315(1)(d), F.S., relating to disqualification from employment, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 1012.467(2)(g), F.S., relating to non-instructional contractors who are permitted access to school grounds when students are present, to incorporate the amendments made by the act to ss. 782.04 and 943.0435, F.S., in references thereto; reenacting s. 775.0823(1) and (2), F.S., relating to violent offenses committed against certain officers, attorneys, and judges, s. 921.0022(3)(i), F.S., relating to the offense severity ranking chart, s. 947.146(3)(i), F.S., relating to the Control Release Authority, and s. 394.912(9)(a), F.S., relating to definitions relating to involuntary civil commitment of sexually violent predators, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 775.15(19), F.S., relating to time limitations, to incorporate the amendment made by the act to s. 787.06, F.S., in a reference thereto; reenacting s. 60.05(4), F.S., relating to abatement of nuisances, s. 775.0877(1)(m), F.S., relating to criminal transmission of HIV, s. 796.08(2) and (3), F.S., relating to screening for HIV and sexually transmissible diseases, s. 796.09(2), F.S., relating to certain civil causes of action, s. 895.02(1)(a), F.S., relating to definitions for the Florida RICO Act, and s. 948.16(1)(a), F.S., relating to specified misdemeanor pretrial intervention programs, to incorporate the amendment made by the act to s. 796.07, F.S., in references thereto; reenacting s. 39.0139(3)(a), F.S., relating to visitation or other contact, s. 39.509(6)(b), F.S., relating to grandparents rights, s. 63.092(3), F.S., relating to a report to the court of intended placement by an adoption entity, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 68.07(3)(i) and (6), F.S., relating to change of name, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 322.141(3), F.S., relating to color or markings of certain licenses or identification cards, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 397.4872(2)(a) and (c), F.S., relating to exemption from disqualification, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 775.13(4)(e) and (f), F.S., relating to registration of convicted felons, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to this act by ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.261(3)(b), F.S., relating to The Florida Career Offender Registration Act, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 794.075(1), F.S., relating to sexual predators and erectile dysfunction drugs, and s. 903.0351(1)(c), F.S., relating to restrictions on pretrial release pending probation-violation hearing or community-control-violation hearing, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 903.046(2)(m), F.S., relating to purpose of and criteria for bail determination, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.141(5)(o), F.S., relating to sentence of death or life imprisonment for capital felonies, to incorporate the amendment made by the act to s. 775.21, F.S., in a reference thereto; reenacting s. 938.10(1), F.S., relating to additional court cost imposed in cases of certain crimes, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 943.0435(3), (4), and (5), F.S., relating to sexual offenders required to register with the department, to incorporate the amendments made by this act to ss. 775.21, 944.606, and 944.607, F.S., in references thereto; reenacting s. 944.607(4)(a) and (9), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 944.608(7), F.S., relating to notification to the Department of Law Enforcement of information on career offenders, to incorporate the amendments made by this act to ss. 775.21 and 944.607, F.S., in references thereto; reenacting s. 944.609(4), F.S., re-

lating to career offenders and notification upon release, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 947.1405(2)(c), (10), and (12), F.S., relating to the conditional release program, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.06(4) and (8)(b), (c), and (d), F.S., relating to violation of probation or community control, to incorporate the amendments made by this act to ss. 782.04, 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.063, F.S., relating to violations of probation or community control by designated sexual offenders and sexual predators, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.064(4), F.S., relating to notification of status as a violent felony offender of special concern, and s. 948.12(3), F.S., relating to intensive supervision for postprison release of violent offenders, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 948.30(3)(b) and (4), F.S., relating to additional terms and conditions of probation or community control for certain sex offenses, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.31, F.S., relating to evaluation and treatment of sexual predators and offenders on probation or community control, and s. 985.04(6)(b), F.S., relating to oaths, records, and confidential information, to incorporate the amendments made by the act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 985.4815(9), F.S., relating to notification to the Department of Law Enforcement of information on juvenile sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 92.55(1)(b), F.S., relating to judicial or other proceedings involving certain victims, witnesses, and persons, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 394.9125(2)(a), F.S., relating to state attorney authority to refer a person for civil commitment, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; reenacting s. 775.21(5)(d) and (10)(c), F.S., relating to the Florida Sexual Predators Act, to incorporate the amendments made by this act to ss. 943.0435 and 944.607, F.S., in references thereto; reenacting s. 775.24(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 943.0436(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.0862(2), F.S., relating to reclassification of sexual offenses against students by authority figures, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 784** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

SB 422—A bill to be entitled An act relating to health insurance coverage for opioids; creating s. 627.64194, F.S.; defining terms; providing that a health insurance policy that covers opioid analgesic drug products may impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the insurer imposes the same requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim; prohibiting such health insurance policy from requiring use of an opioid analgesic drug product without an abuse-deterrence labeling claim before providing coverage for an abuse-deterrent opioid analgesic drug product; providing an effective date.

—was read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

Amendment 1 (137132) (with title amendment)—Delete lines 49-57 and insert:

provides coverage for abuse-deterrent opioid analgesic drug products:

(a) *May impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the policy imposes the same*

prior authorization requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim.

(b) *May not require use of an opioid analgesic drug product without an abuse-deterrence labeling claim before authorizing the use of an abuse-deterrent opioid analgesic drug product.*

And the title is amended as follows:

Delete lines 5-13 and insert: abuse-deterrent opioid analgesic drug products may impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the insurer imposes the same requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim; prohibiting such health insurance policy from requiring use of an opioid analgesic drug product without an abuse-deterrence labeling claim before authorizing the use of an abuse-deterrent opioid

Pursuant to Rule 4.19, **SB 422**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 460—A bill to be entitled An act relating to experimental treatments for terminal conditions; amending s. 499.0295, F.S.; revising the definition of the term “investigational drug, biological product, or device”; providing for eligible patients or their legal representatives to purchase and possess cannabis for medical use; authorizing certain licensed dispensing organizations to manufacture, possess, sell, deliver, distribute, dispense, and dispose of cannabis; exempting such organizations from specified laws; defining terms; providing applicability; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

Senator Bradley moved the following amendment:

Amendment 1 (369986) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Section 381.986, Florida Statutes, is amended to read:

381.986 Compassionate use of low-THC *and medical cannabis*.—

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

(a) “Cannabis delivery device” means an object used, intended for use, or designed for use in preparing, storing, ingesting, inhaling, or otherwise introducing low-THC cannabis or medical cannabis into the human body.

(b)(e) “Dispensing organization” means an organization approved by the department to cultivate, process, *transport*, and dispense low-THC cannabis or medical cannabis pursuant to this section.

(c) “Independent testing laboratory” means a laboratory, including the managers, employees, or contractors of the laboratory, which has no direct or indirect interest in a dispensing organization.

(d) “Legal representative” means the qualified patient’s parent, legal guardian acting pursuant to a court’s authorization as required under s. 744.3215(4), health care surrogate acting pursuant to the qualified patient’s written consent or a court’s authorization as required under s. 765.113, or an individual who is authorized under a power of attorney to make health care decisions on behalf of the qualified patient.

(e)(b) “Low-THC cannabis” means a plant of the genus *Cannabis*, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed only from a dispensing organization.

(f) “Medical cannabis” means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant or its seeds or resin that

is dispensed only from a dispensing organization for medical use by an eligible patient as defined in s. 499.0295.

(g)(e) “Medical use” means administration of the ordered amount of low-THC cannabis or medical cannabis. The term does not include the:

1. Possession, use, or administration of low-THC cannabis or medical cannabis by smoking.

2. ~~The term also does not include the~~ Transfer of low-THC cannabis or medical cannabis to a person other than the qualified patient for whom it was ordered or the qualified patient’s legal representative on behalf of the qualified patient.

3. Use or administration of low-THC cannabis or medical cannabis:

a. On any form of public transportation.

b. In any public place.

c. In a qualified patient’s place of employment, if restricted by his or her employer.

d. In a state correctional institution as defined in s. 944.02 or a correctional institution as defined in s. 944.241.

e. On the grounds of a preschool, primary school, or secondary school.

f. On a school bus or in a vehicle, aircraft, or motorboat.

(h)(d) “Qualified patient” means a resident of this state who has been added to the compassionate use registry by a physician licensed under chapter 458 or chapter 459 to receive low-THC cannabis or medical cannabis from a dispensing organization.

(i)(e) “Smoking” means burning or igniting a substance and inhaling the smoke. Smoking does not include the use of a vaporizer.

(2) PHYSICIAN ORDERING.—Effective January 1, 2015, A physician is authorized to order licensed under chapter 458 or chapter 459 who has examined and is treating a patient suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms may order for the patient’s medical use low-THC cannabis to treat a qualified patient suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms; order low-THC cannabis such disease, disorder, or condition or to alleviate symptoms of such disease, disorder, or condition, if no other satisfactory alternative treatment options exist for the qualified ~~that~~ patient; order medical cannabis to treat an eligible patient as defined in s. 499.0295; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician ~~and all of the following conditions apply:~~

(a) Holds an active, unrestricted license as a physician under chapter 458 or an osteopathic physician under chapter 459;

(b) Has treated the patient for at least 3 months immediately preceding the patient’s registration in the compassionate use registry;

(c) Has successfully completed the course and examination required under paragraph (4)(a);

(a) ~~The patient is a permanent resident of this state.~~

(d)(b) ~~Has determined~~ The physician determines that the risks of treating the patient with ordering low-THC cannabis or medical cannabis are reasonable in light of the potential benefit to the ~~for that~~ patient. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such determination must be documented in the patient’s medical record;-

(e)(c) ~~The physician~~ Registers as the orderer of low-THC cannabis or medical cannabis for the named patient on the compassionate use registry maintained by the department and updates the registry to reflect the contents of the order, including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the pa-

tient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change. The physician shall deactivate the registration of the patient and the patient's legal representative ~~patient's registration~~ when treatment is discontinued;—

(f)(d) ~~The physician~~ Maintains a patient treatment plan that includes the dose, route of administration, planned duration, and monitoring of the patient's symptoms and other indicators of tolerance or reaction to the low-THC cannabis or medical cannabis;—

(g)(e) ~~The physician~~ Submits the patient treatment plan quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of low-THC cannabis and medical cannabis on patients;—

(h)(f) ~~The physician~~ Obtains the voluntary written informed consent of the patient or the patient's legal representative ~~guardian~~ to treatment with low-THC cannabis after sufficiently explaining the current state of knowledge in the medical community of the effectiveness of treatment of the patient's condition with low-THC cannabis, the medically acceptable alternatives, and the potential risks and side effects;

(i) Obtains written informed consent as defined in and required under s. 499.0295, if the physician is ordering medical cannabis for an eligible patient pursuant to that section; and

(j) Is not a medical director employed by a dispensing organization.

(3) PENALTIES.—

(a) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders low-THC cannabis for a patient without a reasonable belief that the patient is suffering from:

1. Cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be treated with low-THC cannabis; or

2. Symptoms of cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be alleviated with low-THC cannabis.

(b) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders medical cannabis for a patient without a reasonable belief that the patient has a terminal condition as defined in s. 499.0295.

(c)(b) ~~A~~ Any person who fraudulently represents that he or she has cancer, ~~or~~ a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms, or a terminal condition to a physician for the purpose of being ordered low-THC cannabis, medical cannabis, or a cannabis delivery device by such physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(d) An eligible patient as defined in s. 499.0295 who uses medical cannabis, and such patient's legal representative who administers medical cannabis, in plain view of or in a place open to the general public, on the grounds of a school, or in a school bus, vehicle, aircraft, or motorboat commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(e) A physician who orders low-THC cannabis, medical cannabis, or a cannabis delivery device and receives compensation from a dispensing organization related to the ordering of low-THC cannabis, medical cannabis, or a cannabis delivery device is subject to disciplinary action under the applicable practice act and s. 456.072(1)(n).

(4) PHYSICIAN EDUCATION.—

(a) Before ordering low-THC cannabis, medical cannabis, or a cannabis delivery device for medical use by a patient in this state, the appropriate board shall require the ordering physician ~~licensed under chapter 458 or chapter 459~~ to successfully complete an 8-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association that encompasses the clinical indications for the appropriate use of low-THC cannabis and

medical cannabis, the appropriate cannabis delivery devices ~~mechanisms~~, the contraindications for such use, and ~~as well as~~ the relevant state and federal laws governing the ordering, dispensing, and possessing of these substances and devices ~~this substance~~. The first course and examination shall ~~be presented by October 1, 2014, and shall be administered at least annually thereafter~~. Successful completion of the course may be used by a physician to satisfy 8 hours of the continuing medical education requirements required by his or her respective board for licensure renewal. This course may be offered in a distance learning format.

(b) The appropriate board shall require the medical director of each dispensing organization *to hold an active, unrestricted license as a physician under chapter 458 or as an osteopathic physician under chapter 459 and approved under subsection (5) to successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association that encompasses appropriate safety procedures and knowledge of low-THC cannabis, medical cannabis, and cannabis delivery devices.*

(c) Successful completion of the course and examination specified in paragraph (a) is required for every physician who orders low-THC cannabis, medical cannabis, or a cannabis delivery device each time such physician renews his or her license. In addition, successful completion of the course and examination specified in paragraph (b) is required for the medical director of each dispensing organization each time such physician renews his or her license.

(d) A physician who fails to comply with this subsection and who orders low-THC cannabis, medical cannabis, or a cannabis delivery device may be subject to disciplinary action under the applicable practice act and under s. 456.072(1)(k).

(5) DUTIES OF THE DEPARTMENT.—~~By January 1, 2015,~~ The department shall:

(a) Create and maintain a secure, electronic, and online compassionate use registry for the registration of physicians, ~~and~~ patients, and the legal representatives of patients as provided under this section. The registry must be accessible to law enforcement agencies and to a dispensing organization ~~in order to verify the authorization of a patient or a patient's legal representative to possess patient authorization for~~ low-THC cannabis, medical cannabis, or a cannabis delivery device and record the low-THC cannabis, medical cannabis, or cannabis delivery device dispensed. The registry must prevent an active registration of a patient by multiple physicians.

(b) Authorize the establishment of five dispensing organizations to ensure reasonable statewide accessibility and availability as necessary for patients registered in the compassionate use registry and who are ordered low-THC cannabis, medical cannabis, or a cannabis delivery device under this section, one in each of the following regions: northwest Florida, northeast Florida, central Florida, southeast Florida, and southwest Florida. The department shall develop an application form and impose an initial application and biennial renewal fee that is sufficient to cover the costs of administering this section. An applicant for approval as a dispensing organization must be able to demonstrate:

1. The technical and technological ability to cultivate and produce low-THC cannabis. The applicant must possess a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131 that is issued for the cultivation of more than 400,000 plants, be operated by a nurseryman as defined in s. 581.011, and have been operated as a registered nursery in this state for at least 30 continuous years.

2. The ability to secure the premises, resources, and personnel necessary to operate as a dispensing organization.

3. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

4. An infrastructure reasonably located to dispense low-THC cannabis to registered patients statewide or regionally as determined by the department.

5. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financials to the department. Upon approval, the applicant must post a \$5 million performance bond. *However, upon a dispensing organization's serving at least 1,000 qualified patients, the dispensing organization is only required to maintain a \$2 million performance bond.*

6. That all owners and managers have been fingerprinted and have successfully passed a level 2 background screening pursuant to s. 435.04.

7. The employment of a medical director ~~who is a physician licensed under chapter 458 or chapter 459~~ to supervise the activities of the dispensing organization.

(c) *Upon the registration of 250,000 qualified patients in the compassionate use registry, approve three additional dispensing organizations, which must meet the requirements of subparagraphs (b)2.-7. for such approval.*

(d) *Allow a dispensing organization to make a wholesale purchase of low-THC cannabis or medical cannabis from, or a distribution of low-THC cannabis or medical cannabis to, another dispensing organization.*

(e) ~~(c)~~ Monitor physician registration and ordering of low-THC cannabis, medical cannabis, or a cannabis delivery device for ordering practices that could facilitate unlawful diversion or misuse of low-THC cannabis, medical cannabis, or a cannabis delivery device and take disciplinary action as indicated.

~~(d) Adopt rules necessary to implement this section.~~

(6) DISPENSING ORGANIZATION.—An approved dispensing organization must, at all times, ~~shall~~ maintain compliance with the criteria demonstrated for selection and approval as a dispensing organization under subsection (5) and the criteria required in this subsection ~~at all times.~~

(a) *When growing low-THC cannabis or medical cannabis, a dispensing organization:*

1. *May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.*

2. *Must grow and process low-THC cannabis or medical cannabis within an enclosed structure and in a room separate from any other plant.*

3. *Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state, notify the Department of Agriculture and Consumer Services within 10 calendar days after a determination that a plant is infested or infected by such plant pest, and implement and maintain phytosanitary policies and procedures.*

4. *Must perform fumigation or treatment of plants, or the removal and destruction of infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.*

(b) *When processing low-THC cannabis or medical cannabis, a dispensing organization must:*

1. *Process the low-THC cannabis or medical cannabis in an enclosure separate from other plants or products.*

2. *Test the processed low-THC cannabis and medical cannabis before they are dispensed. Results must be verified and signed by two dispensing organization employees. Before dispensing low-THC cannabis, the dispensing organization must determine that the test results indicate that the low-THC cannabis meets the definition of low-THC cannabis and, for medical cannabis and low-THC cannabis, that all medical cannabis and low-THC cannabis is safe for human consumption and free from contaminants that are unsafe for human consumption. The dispensing organization must retain records of all testing and samples of each homogenous batch of cannabis and low-THC cannabis for at least 9 months. The dispensing organization must contract with an independent*

testing laboratory to perform audits on the dispensing organization's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the low-THC cannabis or medical cannabis meets the requirements of this section and that the medical cannabis and low-THC cannabis is safe for human consumption.

3. *Package the low-THC cannabis or medical cannabis in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.*

4. *Package the low-THC cannabis or medical cannabis in a receptacle that has a firmly affixed and legible label stating the following information:*

a. *A statement that the low-THC cannabis or medical cannabis meets the requirements of subparagraph 2.;*

b. *The name of the dispensing organization from which the medical cannabis or low-THC cannabis originates; and*

c. *The batch number and harvest number from which the medical cannabis or low-THC cannabis originates.*

5. *Reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of testing pursuant to the audit required under subparagraph 2.*

(c) *When dispensing low-THC cannabis, medical cannabis, or a cannabis delivery device, a dispensing organization:*

1. *May not dispense more than a 45-day supply of low-THC cannabis or medical cannabis to a patient or the patient's legal representative.*

2. *Must have the dispensing organization's employee who dispenses the low-THC cannabis, medical cannabis, or a cannabis delivery device enter into the compassionate use registry his or her name or unique employee identifier.*

3. *Must verify in the compassionate use registry that a physician has ordered the low-THC cannabis, medical cannabis, or a specific type of a cannabis delivery device for the patient.*

4. *May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes, bongs, or wrapping papers, other than a physician-ordered cannabis delivery device required for the medical use of low-THC cannabis or medical cannabis, while dispensing low-THC cannabis or medical cannabis.*

5. ~~Must~~ *Before dispensing low-THC cannabis to a qualified patient, the dispensing organization shall verify that the patient has an active registration in the compassionate use registry, the patient or patient's legal representative holds a valid and active registration card, the order presented matches the order contents as recorded in the registry, and the order has not already been filled.*

6. *Must, upon dispensing the low-THC cannabis, medical cannabis, or cannabis delivery device, the dispensing organization shall record in the registry the date, time, quantity, and form of low-THC cannabis or medical cannabis dispensed and the type of cannabis delivery device dispensed.*

(d) *To ensure the safety and security of its premises and any off-site storage facilities, and to maintain adequate controls against the diversion, theft, and loss of low-THC cannabis, medical cannabis, or cannabis delivery devices, a dispensing organization shall:*

1.a. *Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; or*

b. *Maintain a video surveillance system that records continuously 24 hours each day and meets at least one of the following criteria:*

(I) *Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms;*

(II) Cameras are fixed in entrances and exits to the premises, which shall record from both indoor and outdoor, or ingress and egress, vantage points;

(III) Recorded images must clearly and accurately display the time and date; or

(IV) Retain video surveillance recordings for a minimum of 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the organization's outdoor premises have sufficient lighting from dusk until dawn.

3. Establish and maintain a tracking system approved by the department that traces the low-THC cannabis or medical cannabis from seed to sale. The tracking system shall include notification of key events as determined by the department, including when cannabis seeds are planted, when cannabis plants are harvested and destroyed, and when low-THC cannabis or medical cannabis is transported, sold, stolen, diverted, or lost.

4. Not dispense from its premises low-THC cannabis, medical cannabis, or a cannabis delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver low-THC cannabis and medical cannabis to qualified patients 24 hours each day.

5. Store low-THC cannabis or medical cannabis in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times.

7. Require each employee to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor's pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement within 24 hours after it is notified or becomes aware of the theft, diversion, or loss of low-THC cannabis or medical cannabis.

(e) To ensure the safe transport of low-THC cannabis or medical cannabis to dispensing organization facilities, independent testing laboratories, or patients, the dispensing organization must:

1. Maintain a transportation manifest, which must be retained for at least 1 year.

2. Ensure only vehicles in good working order are used to transport low-THC cannabis or medical cannabis.

3. Lock low-THC cannabis or medical cannabis in a separate compartment or container within the vehicle.

4. Require at least two persons to be in a vehicle transporting low-THC cannabis or medical cannabis, and require at least one person to remain in the vehicle while the low-THC cannabis or medical cannabis is being delivered.

5. Provide specific safety and security training to employees transporting or delivering low-THC cannabis or medical cannabis.

(7) DEPARTMENT AUTHORITY AND RESPONSIBILITIES.—

(a) The department may conduct announced or unannounced inspections of dispensing organizations to determine compliance with this section or rules adopted pursuant to this section.

(b) The department shall inspect a dispensing organization upon complaint or notice provided to the department that the dispensing organization has dispensed low-THC cannabis or medical cannabis containing any mold, bacteria, or other contaminant that may cause or has caused an adverse effect to human health or the environment.

(c) The department shall conduct at least a biennial inspection of each dispensing organization to evaluate the dispensing organization's

records, personnel, equipment, processes, security measures, sanitation practices, and quality assurance practices.

(d) The department may enter into interagency agreements with the Department of Agriculture and Consumer Services, the Department of Business and Professional Regulation, the Department of Transportation, the Department of Highway Safety and Motor Vehicles, and the Agency for Health Care Administration, and such agencies are authorized to enter into an interagency agreement with the department, to conduct inspections or perform other responsibilities assigned to the department under this section.

(e) The department must make a list of all approved dispensing organizations and qualified ordering physicians and medical directors publicly available on its website.

(f) The department may establish a system for issuing and renewing registration cards for patients and their legal representatives, establish the circumstances under which the cards may be revoked by or must be returned to the department, and establish fees to implement such system. The department must require, at a minimum, the registration cards to:

1. Provide the name, address, and date of birth of the patient or legal representative.

2. Have a full-face, passport-type, color photograph of the patient or legal representative taken within the 90 days immediately preceding registration.

3. Identify whether the cardholder is a patient or legal representative.

4. List a unique numeric identifier for the patient or legal representative that is matched to the identifier used for such person in the department's compassionate use registry.

5. Provide the expiration date, which shall be 1 year after the date of the physician's initial order of low-THC cannabis or medical cannabis.

6. For the legal representative, provide the name and unique numeric identifier of the patient that the legal representative is assisting.

7. Be resistant to counterfeiting or tampering.

(g) The department may impose reasonable fines not to exceed \$10,000 on a dispensing organization for any of the following violations:

1. Violating this section, s. 499.0295, or department rule.

2. Failing to maintain qualifications for approval.

3. Endangering the health, safety, or security of a qualified patient.

4. Improperly disclosing personal and confidential information of the qualified patient.

5. Attempting to procure dispensing organization approval by bribery, fraudulent misrepresentation, or extortion.

6. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the business of a dispensing organization.

7. Making or filing a report or record that the dispensing organization knows to be false.

8. Willfully failing to maintain a record required by this section or department rule.

9. Willfully impeding or obstructing an employee or agent of the department in the furtherance of his or her official duties.

10. Engaging in fraud or deceit, negligence, incompetence, or misconduct in the business practices of a dispensing organization.

11. Making misleading, deceptive, or fraudulent representations in or related to the business practices of a dispensing organization.

12. Having a license or the authority to engage in any regulated profession, occupation, or business that is related to the business prac-

tices of a dispensing organization suspended, revoked, or otherwise acted against by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law.

13. *Violating a lawful order of the department or an agency of the state, or failing to comply with a lawfully issued subpoena of the department or an agency of the state.*

(h) *The department may suspend, revoke, or refuse to renew a dispensing organization's approval if a dispensing organization commits any of the violations in paragraph (g).*

(i) *The department shall renew the approval of a dispensing organization biennially if the dispensing organization meets the requirements of this section and pays the biennial renewal fee.*

(j) *The department may adopt rules necessary to implement this section.*

(8) **PREEMPTION.—**

(a) *All matters regarding the regulation of the cultivation and processing of medical cannabis or low-THC cannabis by dispensing organizations are preempted to the state.*

(b) *A municipality may determine by ordinance the criteria for the number and location of, and other permitting requirements that do not conflict with state law or department rule for, dispensing facilities of dispensing organizations located within its municipal boundaries. A county may determine by ordinance the criteria for the number, location, and other permitting requirements that do not conflict with state law or department rule for all dispensing facilities of dispensing organizations located within the unincorporated areas of that county.*

(9) ~~(7)~~ **EXCEPTIONS TO OTHER LAWS.—**

(a) *Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a qualified patient and the qualified patient's legal representative may purchase and possess for the patient's medical use up to the amount of low-THC cannabis or medical cannabis ordered for the patient, but not more than a 45-day supply, and a cannabis delivery device ordered for the patient.*

(b) *Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved dispensing organization and its owners, managers, and employees may manufacture, possess, sell, deliver, distribute, dispense, and lawfully dispose of reasonable quantities, as established by department rule, of low-THC cannabis, medical cannabis, or a cannabis delivery device. For purposes of this subsection, the terms "manufacture," "possession," "deliver," "distribute," and "dispense" have the same meanings as provided in s. 893.02.*

(c) *Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved independent testing laboratory may possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis as provided by department rule.*

(d) ~~(e)~~ *An approved dispensing organization and its owners, managers, and employees are not subject to licensure or regulation under chapter 465 or chapter 499 for manufacturing, possessing, selling, delivering, distributing, dispensing, or lawfully disposing of reasonable quantities, as established by department rule, of low-THC cannabis, medical cannabis, or a cannabis delivery device.*

(e) *An approved dispensing organization that continues to meet the requirements for approval is presumed to be registered with the department and to meet the regulations adopted by the department or its successor agency for the purpose of dispensing medical cannabis or low-THC cannabis under state law. Additionally, the authority provided to a dispensing organization in s. 499.0295 does not impair the approval of a dispensing organization.*

(f) *This subsection does not preclude a person from being prosecuted for a criminal offense related to impairment or intoxication resulting from the medical use of low-THC cannabis or medical cannabis or re-*

lieve a person from any requirement under law to submit to a breath, blood, urine, or other test to detect the presence of a controlled substance.

Section 2. Subsections (2) and (3) of section 499.0295, Florida Statutes, are amended to read:

499.0295 Experimental treatments for terminal conditions.—

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

(a) *"Dispensing organization" means an organization approved by the Department of Health under s. 381.986(5) to cultivate, process, transport, and dispense low-THC cannabis, medical cannabis, and cannabis delivery devices.*

(b) ~~(a)~~ *"Eligible patient" means a person who:*

1. *Has a terminal condition that is attested to by the patient's physician and confirmed by a second independent evaluation by a board-certified physician in an appropriate specialty for that condition;*

2. *Has considered all other treatment options for the terminal condition currently approved by the United States Food and Drug Administration;*

3. *Has given written informed consent for the use of an investigational drug, biological product, or device; and*

4. *Has documentation from his or her treating physician that the patient meets the requirements of this paragraph.*

(c) ~~(b)~~ *"Investigational drug, biological product, or device" means:*

1. *A drug, biological product, or device that has successfully completed phase 1 of a clinical trial but has not been approved for general use by the United States Food and Drug Administration and remains under investigation in a clinical trial approved by the United States Food and Drug Administration; or*

2. *Medical cannabis that is manufactured and sold by a dispensing organization.*

(d) ~~(c)~~ *"Terminal condition" means a progressive disease or medical or surgical condition that causes significant functional impairment, is not considered by a treating physician to be reversible even with the administration of available treatment options currently approved by the United States Food and Drug Administration, and, without the administration of life-sustaining procedures, will result in death within 1 year after diagnosis if the condition runs its normal course.*

(e) ~~(d)~~ *"Written informed consent" means a document that is signed by a patient, a parent of a minor patient, a court-appointed guardian for a patient, or a health care surrogate designated by a patient and includes:*

1. *An explanation of the currently approved products and treatments for the patient's terminal condition.*

2. *An attestation that the patient concurs with his or her physician in believing that all currently approved products and treatments are unlikely to prolong the patient's life.*

3. *Identification of the specific investigational drug, biological product, or device that the patient is seeking to use.*

4. *A realistic description of the most likely outcomes of using the investigational drug, biological product, or device. The description shall include the possibility that new, unanticipated, different, or worse symptoms might result and death could be hastened by the proposed treatment. The description shall be based on the physician's knowledge of the proposed treatment for the patient's terminal condition.*

5. *A statement that the patient's health plan or third-party administrator and physician are not obligated to pay for care or treatment consequent to the use of the investigational drug, biological product, or device unless required to do so by law or contract.*

6. *A statement that the patient's eligibility for hospice care may be withdrawn if the patient begins treatment with the investigational*

drug, biological product, or device and that hospice care may be reinstated if the treatment ends and the patient meets hospice eligibility requirements.

7. A statement that the patient understands he or she is liable for all expenses consequent to the use of the investigational drug, biological product, or device and that liability extends to the patient's estate, unless a contract between the patient and the manufacturer of the investigational drug, biological product, or device states otherwise.

(3) Upon the request of an eligible patient, a manufacturer may, or upon a physician's order pursuant to s. 381.986, a dispensing organization may:

(a) Make its investigational drug, biological product, or device available under this section.

(b) Provide an investigational drug, biological product, ~~or~~ device, or cannabis delivery device as defined in s. 381.986 to an eligible patient without receiving compensation.

(c) Require an eligible patient to pay the costs of, or the costs associated with, the manufacture of the investigational drug, biological product, ~~or~~ device, or cannabis delivery device as defined in s. 381.986.

Section 3. (1) Notwithstanding s. 381.986(5)(b), Florida Statutes, a dispensing organization that receives notice from the Department of Health that it is approved as a region's dispensing organization; posts a \$5 million performance bond in compliance with rule 64-4.002(5)(e), Florida Administrative Code; meets the requirements of and requests cultivation authorization pursuant to rule 64-4.005(2), Florida Administrative Code; and expends at least \$100,000 to fulfill its legal obligations as a dispensing organization shall be granted cultivation authorization by the Department of Health and is authorized to operate as a dispensing organization for the full term of its original approval and all subsequent renewals pursuant to s. 381.986, Florida Statutes.

(2) An action taken before or after the effective date of this section by the Division of Administrative Hearings, the Department of Health, or a court of competent jurisdiction which has the effect of approving, pursuant to s. 381.986(5)(b), Florida Statutes, a dispensing organization that does not meet the criteria of subsection (1) does not impair an authorization granted pursuant to subsection (1) to a dispensing organization meeting the criteria of subsection (1). During the operations of any dispensing organization that meets the criteria of subsection (1), the Department of Health may enforce rule 64-4.005, Florida Administrative Code, as filed on June 17, 2015.

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

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis; providing requirements for physicians ordering medical cannabis; providing penalties; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; requiring the Department of Health to include legal representative information in its online compassionate use registry; revising requirements for dispensing organizations; revising duties and responsibilities of the department; revising standards to be met and maintained by dispensing organizations; authorizing an independent testing laboratory and its employees to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis under certain circumstances; exempting an approved dispensing organization and related persons from the Florida Drug and Cosmetic Act; providing applicability; amending s. 499.0295, F.S.; defining the term "dispensing organization"; revising the definition of the term "investigational drug, biological product, or device"; authorizing certain manufacturers to dispense cannabis delivery devices; authorizing certain dispensing organizations to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; providing applicability; providing an effective date.

On motion by Senator Bradley, further consideration of **SB 460** with pending **Amendment 1 (369986)** was deferred.

On motion by Senator Richter—

CS for SB 1288—A bill to be entitled An act relating to emergency management; amending s. 252.34, F.S.; defining the term "activate" for purposes of part I of ch. 252, F.S.; amending ss. 163.360, 474.2125, and 627.659, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1288** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 1386—A bill to be entitled An act relating to insurance agents; amending s. 626.593, F.S.; revising a prohibition against a licensed insurance agent from receiving a specified fee or commission for examining any health insurance or any health benefit plan, rather than any group health insurance or any group health benefit plan, for certain purposes; amending s. 626.785, F.S.; revising amounts of coverage of certain life insurance policies that may be sold by specified persons; revising the version of the Annual Consumer Price Index used as a basis for calculating certain annual percentage increases in specified policies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1386** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 242** was deferred.

On motion by Senator Legg, by unanimous consent—

CS for SB 7058—A bill to be entitled An act relating to early childhood development; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 383.141, F.S.; revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness of developmental evaluation and early intervention programs; requiring the clearinghouse to use a specified term; revising the information to be included in the clearinghouse; amending s. 391.025, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; requiring the department to serve as the lead agency in administering the Early Steps Program; amending s. 391.301, F.S.; establishing the Early Steps Program within the department; deleting provisions relating to legislative findings; authorizing the program to include certain screening and referral services for specified purposes; providing requirements and responsibilities for the program; amending s. 391.302, F.S.; defining terms; revising the definitions of certain terms; deleting terms; repealing ss. 391.303, 391.304, 391.305, 391.306, and 391.307, F.S., relating to requirements for the Children's Medical Services program, program coordination, program standards, program funding and contracts, and program review, respectively; amending s. 391.308, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; requiring, rather than authorizing, the department to implement and administer the program; requiring the department to ensure that the program follows specified performance standards; providing requirements of the program to meet such performance standards; revising the duties of the department; requiring the department to apply specified eligibility criteria for the program based on an appropriation of funds; providing duties for local program offices; requiring the local program office to negotiate and maintain agreements with specified providers and managed care organizations; requiring the development of an individualized family

support plan for each child served in the program; requiring the local program office to coordinate with managed care organizations; requiring the department to submit an annual report, subject to certain requirements, to the Governor, the Legislature, and the Florida Interagency Coordinating Council for Infants and Toddlers by a specified date; designating the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordinating council required by federal rule subject to certain requirements; providing requirements for the local program office and local school district to prepare certain children for the transition to school under certain circumstances; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; repealing s. 402.3057, F.S., relating to persons not required to be re-fingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; amending ss. 402.3025, 413.092, and 1003.575, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Pending further consideration of **CS for SB 7058**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7053** was withdrawn from the Committees on Education Pre-K - 12; and Appropriations.

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

CS for HB 7053—A bill to be entitled An act relating to the Child Care and Development Block Grant Program; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; amending s. 402.3025, F.S.; conforming a cross-reference; repealing s. 402.3057, F.S., relating to persons not required to be re-fingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; pro-

viding for additional uses of funds for school readiness programs; providing an effective date.

—a companion measure, was substituted for **CS for SB 7058** and read the second time by title.

Senator Legg moved the following amendment which was adopted:

Amendment 1 (842916) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (6) of section 39.201, Florida Statutes, is amended to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(6) Information in the central abuse hotline may not be used for employment screening, except as provided in s. 39.202(2)(a) and (h) or s. 402.302(15). Information in the central abuse hotline and the department’s automated abuse information system may be used by the department, its authorized agents or contract providers, the Department of Health, or county agencies as part of the licensure or registration process pursuant to ss. 402.301-402.319 and ss. 409.175-409.176.

Section 2. Paragraph (a) of subsection (2) of section 39.202, Florida Statutes, is amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, *the Office of Early Learning*, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapter 393, ~~or~~ family day care homes, ~~or informal child care~~ providers who receive school readiness funding *under part VI of chapter 1002*, or other homes used to provide for the care and welfare of children; or
6. Services for victims of domestic violence when provided by certified domestic violence centers working at the department’s request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 3. Subsections (2) and (3) of section 383.141, Florida Statutes, are amended to read:

383.141 Prenatally diagnosed conditions; patient to be provided information; definitions; information clearinghouse; advisory council.—

(2) When a developmental disability is diagnosed based on the results of a prenatal test, the health care provider who ordered the prenatal test, or his or her designee, shall provide the patient with current information about the nature of the developmental disability, the accuracy of the prenatal test, and resources for obtaining relevant support services, including hotlines, resource centers, and information clearinghouses related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services under *this part s. 391.303*.

(3) The Department of Health shall *develop and implement a comprehensive information clearinghouse to educate health care providers, inform parents, and increase public awareness regarding brain development, developmental disabilities and delays, and all services, resources, and interventions available to mitigate the effects of impaired development among children. The clearinghouse must use the term "unique abilities" as much as possible when identifying infants or children with developmental disabilities and delays. The clearinghouse must provide:*

(a) *Health information on conditions that may lead to impaired development of physical, learning, language, or behavioral skills.*

(b) *Education and information to support parents whose unborn children have been prenatally diagnosed with developmental disabilities or whose children have diagnosed or suspected developmental delays.*

(c) *Education and training for health care providers to recognize and respond appropriately to developmental disabilities, delays, and conditions related to disabilities or delays. Specific information approved by the advisory council shall be made available to health care providers for use in counseling parents whose unborn children have been prenatally diagnosed with developmental disabilities or whose children have diagnosed or suspected developmental delays.*

(d) *Promotion of public awareness of availability of supportive services, such as resource centers, educational programs, other support programs for parents and families, and developmental evaluation and intervention services.*

(e) *Hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities. The hotlines and the department's clearinghouse must provide information to parents and families or other caregivers regarding the Early Steps Program under s. 391.301, the Florida Diagnostic and Learning Resources System, the Early Learning program, Healthy Start, Help Me Grow, and any other intervention programs. Information offered must include directions on how to obtain early intervention, rehabilitative, and habilitative services and devices establish on its Internet website a clearinghouse of information related to developmental disabilities concerning providers of supportive services, information hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities, resource centers, educational programs, other support programs for parents and families, and developmental evaluation and intervention services under s. 391.303. Such information shall be made available to health care providers for use in counseling pregnant women whose unborn children have been prenatally diagnosed with developmental disabilities.*

(4)(a) There is established an advisory council within the Department of Health which consists of health care providers and caregivers who perform health care services for persons who have developmental disabilities, including Down syndrome and autism. This group shall consist of nine members as follows:

1. Three members appointed by the Governor;
2. Three members appointed by the President of the Senate; and
3. Three members appointed by the Speaker of the House of Representatives.

(b) The advisory council shall provide technical assistance to the Department of Health in the establishment of the information clearinghouse and give the department the benefit of the council members' knowledge and experience relating to the needs of patients and families of patients with developmental disabilities and available support services.

(c) Members of the council shall elect a chairperson and a vice chairperson. The elected chairperson and vice chairperson shall serve in these roles until their terms of appointment on the council expire.

(d) The advisory council shall meet quarterly to review this clearinghouse of information, and may meet more often at the call of the chairperson or as determined by a majority of members.

(e) The council members shall be appointed to 4-year terms, except that, to provide for staggered terms, one initial appointee each from the Governor, the President of the Senate, and the Speaker of the House of

Representatives shall be appointed to a 2-year term, one appointee each from these officials shall be appointed to a 3-year term, and the remaining initial appointees shall be appointed to 4-year terms. All subsequent appointments shall be for 4-year terms. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(f) Members of the council shall serve without compensation. Meetings of the council may be held in person, without reimbursement for travel expenses, or by teleconference or other electronic means.

(g) The Department of Health shall provide administrative support for the advisory council.

Section 4. Paragraph (c) of subsection (1) of section 391.025, Florida Statutes, is amended to read:

391.025 Applicability and scope.—

(1) The Children's Medical Services program consists of the following components:

(c) The developmental evaluation and intervention program, including the ~~Early Steps Florida Infants and Toddlers Early Intervention Program.~~

Section 5. Subsection (19) is added to section 391.026, Florida Statutes, to read:

391.026 Powers and duties of the department.—The department shall have the following powers, duties, and responsibilities:

(19) *To serve as the lead agency in administering the Early Steps Program pursuant to part C of the federal Individuals with Disabilities Education Act and part III of this chapter.*

Section 6. Section 391.301, Florida Statutes, is amended to read:

391.301 ~~Early Steps Program; establishment and goals Developmental evaluation and intervention programs; legislative findings and intent.—~~

(1) ~~The Early Steps Program is established within the department to serve infants and toddlers who are at risk of developmental disabilities based on a physical or mental condition and infants and toddlers with developmental delays by providing developmental evaluation and early intervention and by providing families with training and support services in a variety of home and community settings in order to enhance family and caregiver competence, confidence, and capacity to meet their child's developmental needs and desired outcomes. The Legislature finds that the high-risk and disabled newborn infants in this state need in-hospital and outpatient developmental evaluation and intervention and that their families need training and support services. The Legislature further finds that there is an identifiable and increasing number of infants who need developmental evaluation and intervention and family support due to the fact that increased numbers of low birthweight and sick full-term newborn infants are now surviving because of the advances in neonatal intensive care medicine; increased numbers of medically involved infants are remaining inappropriately in hospitals because their parents lack the confidence or skills to care for these infants without support; and increased numbers of infants are at risk due to parent risk factors, such as substance abuse, teenage pregnancy, and other high-risk conditions.~~

(2) ~~The program may include screening and referral. It is the intent of the Legislature to establish developmental evaluation and intervention services at all hospitals providing Level II or Level III neonatal intensive care services, in order to promptly identify newborns with disabilities or with conditions associated with risks of developmental delays so that families with high risk or disabled infants may gain as early as possible the services and skills they need to support their infants' development infants.~~

(3) ~~The program must. It is the intent of the Legislature that a methodology be developed to integrate information and coordinate services on infants with potentially disabling conditions with other programs serving infants and toddlers early intervention programs, including, but not limited to, Part C of Pub. L. No. 105-17 and the Healthy~~

Start program, the newborn screening program, and the Blind Babies Program.

(4) The program must:

(a) Provide services to enhance the development of infants and toddlers with disabilities and delays.

(b) Expand the recognition by health care providers, families, and the public of the significant brain development that occurs during a child's first 3 years of life.

(c) Maintain the importance of the family in all areas of the child's development and support the family's participation in early intervention services and decisions affecting the child.

(d) Operate a comprehensive, coordinated interagency system of early intervention services and supports in accordance with part C of the federal Individuals with Disabilities Education Act.

(e) Ensure timely evaluation, individual planning, and early intervention services necessary to meet the unique needs of eligible infants and toddlers.

(f) Build the service capacity and enhance the competencies of health care providers serving infants and toddlers with unique needs and abilities.

(g) Ensure programmatic and fiscal accountability through establishment of a high-capacity data system, active monitoring of performance indicators, and ongoing quality improvement.

Section 7. Section 391.302, Florida Statutes, is amended to read:

391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss. 391.301-391.307~~, the term:

(1) "Developmental delay" means a condition, identified and measured through appropriate instruments and procedures, which may delay physical, cognitive, communication, social or emotional, or adaptive development.

(2) "Developmental disability" means a condition, identified and measured through appropriate instruments and procedures, which may impair physical, cognitive, communication, social or emotional, or adaptive development.

(3) "Developmental intervention" or "early intervention" means individual and group ~~individualized~~ therapies and services needed to enhance both the infant's or toddler's growth and development and family functioning. The term includes habilitative services and assistive technology devices, rehabilitative services and assistive technology devices, and parent support and training.

(4) "Habilitative services and devices" means health care services and assistive technology devices that help a child maintain, learn, or improve skills and functioning for daily living.

(5)(2) "Infant or toddler" or "child" means a child from birth until the child's third birthday.

(6) "Local program office" means an office that administers the Early Steps Program within a municipality, county, or region.

(7) "Rehabilitative services and devices" means restorative and remedial services that maintain or enhance the current level of functioning of a child if there is a possibility of improvement or reversal of impairment.

~~(3) "In-hospital intervention services" means the provision of assessments; the provision of individualized services; monitoring and modifying the delivery of medical interventions; and enhancing the environment for the high risk, developmentally disabled, or medically involved infant or toddler in order to achieve optimum growth and development.~~

~~(4) "Parent support and training" means a range of services to families of high risk, developmentally disabled, or medically involved infants or toddlers, including family counseling; financial planning;~~

~~agency referral; development of parent-to-parent support groups; education concerning growth, development, and developmental intervention and objective measurable skills, including abuse avoidance skills; training of parents to advocate for their child; and bereavement counseling.~~

Section 8. Sections 391.303, 391.304, 391.305, 391.306, and 391.307, Florida Statutes, are repealed.

Section 9. Section 391.308, Florida Statutes, is amended to read:

391.308 ~~Early Steps Infants and Toddlers Early Intervention Program.~~—The department shall ~~Department of Health may~~ implement and administer part C of the federal Individuals with Disabilities Education Act (IDEA), which shall be known as the "Early Steps ~~Florida Infants and Toddlers Early Intervention Program.~~"

(1) **PERFORMANCE STANDARDS.**—The department shall ensure that the Early Steps Program complies with the following performance standards:

(a) The program must provide services from referral through transition in a family-centered manner that recognizes and responds to unique circumstances and needs of infants and toddlers and their families as measured by a variety of qualitative data, including satisfaction surveys, interviews, focus groups, and input from stakeholders.

(b) The program must provide individualized family support plans that are understandable and usable by families, health care providers, and payers and that identify the current level of functioning of the infant or toddler, family supports and resources, expected outcomes, and specific early intervention services needed to achieve the expected outcomes, as measured by periodic system independent evaluation.

(c) The program must help each family to use available resources in a way that maximizes the child's access to services necessary to achieve the outcomes of the individualized family support plan, as measured by family feedback and by independent assessments of services used by each child.

(d) The program must offer families access to quality services that effectively enable infants and toddlers with developmental disabilities and developmental delays to achieve optimal functional levels as measured by an independent evaluation of outcome indicators in social or emotional skills, communication, and adaptive behaviors.

(2) **DUTIES OF THE DEPARTMENT.**—The department shall:

(a) ~~Jointly with the Department of Education, shall~~ Annually prepare a grant application to the United States Department of Education for funding early intervention services for infants and toddlers with disabilities, from birth through 36 months of age, and their families pursuant to part C of the federal Individuals with Disabilities Education Act.

~~(b)(2) The department, jointly with the Department of Education, provide shall include~~ a reading initiative as an early intervention service for infants and toddlers.

(c) Annually develop a state plan for the Early Steps Program.

1. The plan must assess the need for early intervention services, evaluate the extent of the statewide need that is met by the program, identify barriers to fully meeting the need, and recommend specific action steps to improve program performance.

2. The plan must be developed through an inclusive process that involves families, local program offices, health care providers, and other stakeholders.

(d) Ensure local program offices educate hospitals that provide Level II and Level III neonatal intensive care services about the Early Steps Program and the referral process for the provision of developmental evaluation and intervention services.

(e) Establish standards and qualifications for developmental evaluation and early intervention service providers, including standards for determining the adequacy of provider networks in each local program office service area.

(f) Establish statewide uniform protocols and procedures to determine eligibility for developmental evaluation and early intervention services.

(g) Establish a consistent, statewide format and procedure for preparing and completing an individualized family support plan.

(h) Promote interagency cooperation and coordination, with the Medicaid program, the Department of Education program pursuant to part B of the federal Individuals with Disabilities Education Act, and programs providing child screening such as the Florida Diagnostic and Learning Resources System, the Office of Early Learning, Healthy Start, and the Help Me Grow program.

1. Coordination with the Medicaid program shall be developed and maintained through written agreements with the Agency for Health Care Administration and Medicaid managed care organizations as well as through active and ongoing communication with these organizations. The department shall assist local program offices to negotiate agreements with Medicaid managed care organizations in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local program offices to negotiate agreements with school districts in the service areas of the local program offices.

(i) Develop and disseminate the knowledge and methods necessary to effectively coordinate benefits among various payer types.

(j) Provide a mediation process and if necessary, an appeals process for applicants found ineligible for developmental evaluation or early intervention services or denied financial support for such services.

(k) Competitively procure local program offices to provide services throughout the state in accordance with chapter 287. The department shall specify the requirements and qualifications for local program offices in the procurement document.

(l) Establish performance standards and other metrics for evaluation of local program offices, including standards for measuring timeliness of services, outcomes of early intervention services, and administrative efficiency. Performance standards and metrics shall be developed in consultation with local program offices.

(m) Provide technical assistance to the local program offices.

(3) **ELIGIBILITY.**—The department shall apply the following eligibility criteria if specific funding is provided, and the associated applicable eligibility criteria are identified, in the General Appropriations Act:

(a) Infants and toddlers are eligible for an evaluation to determine the presence of a developmental disability or the risk of a developmental delay based on a physical or medical condition.

(b) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 1.5 standard deviations from the mean in two or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(c) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 2.0 standard deviations from the mean in one of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(d) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 1.5 standard deviations from the mean in one or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(e) Infants and toddlers determined to have a developmental delay based on informed clinical opinion.

(f) Infants and toddlers at risk of developmental delay based on an established condition known to result in developmental delay, or a physical or mental condition known to create a risk of developmental delay.

(4) **DUTIES OF THE LOCAL PROGRAM OFFICES.**—A local program office shall:

(a) Evaluate a child to determine eligibility within 45 calendar days after the child is referred to the program.

(b) Notify the parent or legal guardian of his or her child's eligibility status initially and at least annually thereafter. If a child is determined not to be eligible, the local program office must provide the parent or legal guardian with written information on the right to an appeal and the process for making such an appeal.

(c) Secure and maintain interagency agreements or contracts with local school districts in a local service area.

(d) Provide services directly or procure services from health care providers that meet or exceed the minimum qualifications established for service providers. The local program office must become a Medicaid provider if it provides services directly.

(e) Provide directly or procure services that are, to the extent possible, delivered in a child's natural environment, such as in the child's home or community setting. The inability to provide services in the natural environment is not a sufficient reason to deny services.

(f) Develop an individualized family support plan for each child served. The plan must:

1. Be completed within 45 calendar days after the child is referred to the program;

2. Be developed in conjunction with the child's parent or legal guardian who provides written consent for the services included in the plan;

3. Be reviewed at least every 6 months with the parent or legal guardian and updated if needed; and

4. Include steps to transition to school or other future services by the child's third birthday.

(g) Assess the progress of the child and his or her family in meeting the goals of the individualized family support plan.

(h) For each service required by the individualized family support plan, refer the child to an appropriate service provider or work with Medicaid managed care organizations or private insurers to secure the needed services.

(i) Provide service coordination, including contacting the appropriate service provider to determine whether the provider can timely deliver the service, providing the parent or legal guardian with the name and contact information of the service provider and the date and location of the service of any appointment made on behalf of the child, and contacting the parent or legal guardian after the service is provided to ensure that the service is timely delivered and to determine whether the family requests additional services.

(j) Negotiate and maintain agreements with Medicaid providers and Medicaid managed care organizations in its area.

1. With the parent's or legal guardian's permission, the services in the child's approved individualized family support plan shall be communicated to the Medicaid managed care organization. Services that cannot be funded by Medicaid must be specifically identified and explained to the family.

2. The agreement between the local program office and Medicaid managed care organizations must establish methods of communication and procedures for the timely approval of services covered by Medicaid.

(k) Develop agreements and arrangements with private insurers in order to coordinate benefits and services for any mutual enrollee.

1. The child's approved individualized family support plan may be communicated to the child's insurer with the parent's or legal guardian's permission.

2. The local program office and private insurers shall establish methods of communication and procedures for the timely approval of services covered by the child's insurer, if appropriate and approved by the child's parent or legal guardian.

(l) Provide to the department data necessary for an evaluation of the local program office performance.

(5) **ACCOUNTABILITY REPORTING.**—By December 1 of each year, the department shall prepare and submit a report that assesses the performance of the Early Steps Program to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Florida Interagency Coordinating Council for Infants and Toddlers. The department must address the performance standards in subsection (1) and report actual performance compared to the standards for the prior fiscal year. The data used to compile the report must be submitted by each local program office in the state. The department shall report on all of the following measures:

(a) Number and percentage of infants and toddlers served with an individualized family support plan.

(b) Number and percentage of infants and toddlers demonstrating improved social or emotional skills after the program.

(c) Number and percentage of infants and toddlers demonstrating improved use of knowledge and cognitive skills after the program.

(d) Number and percentage of families reporting positive outcomes in their infant's and toddler's development as a result of early intervention services.

(e) Progress toward meeting the goals of individualized family support plans.

(f) Any additional measures established by the department.

(6) **STATE INTERAGENCY COORDINATING COUNCIL.**—The Florida Interagency Coordinating Council for Infants and Toddlers shall serve as the state interagency coordinating council required by 34 C.F.R. s. 303.600. The council shall be housed for administrative purposes in the department, and the department shall provide administrative support to the council.

(7) **TRANSITION TO EDUCATION.**—

(a) At least 90 days before a child reaches 3 years of age, the local program office shall initiate transition planning to ensure the child's successful transition from the Early Steps Program to a school district program for children with disabilities or to another program as part of an individual family support plan.

(b) At least 90 days before a child reaches 3 years of age, the local program office shall:

1. Notify the local school district in which the child resides and the Department of Education that the child may be eligible for special education or related services as determined by the local school district pursuant to ss. 1003.21 and 1003.57, unless the child's parent or legal guardian has opted out of such notification; and

2. Upon approval by the child's parent or legal guardian, convene a transition conference that includes participation of a local school district representative and the parent or legal guardian to discuss options for and availability of services.

(c) The local school district shall evaluate and determine a child's eligibility to receive special education or related services pursuant to part B of the federal Individuals with Disabilities Education Act and ss. 1003.21 and 1003.57.

(d) The local program office, in conjunction with the local school district, shall modify a child's individual family support plan or, if applicable, the local school district shall develop an individual education plan for the child pursuant to ss. 1003.57, 1003.571, and 1003.5715,

which identifies special education or related services that the child will receive and the providers or agencies that will provide such services.

(e) If a child is determined to be ineligible for school district program services, the local program office and the local school district shall provide the child's parent or legal guardian with written information on other available services or community resources.

(f) The local program office shall negotiate and maintain an inter-agency agreement with each local school district in its service area pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency agreement must be reviewed at least annually and updated upon review, if needed.

Section 10. Subsection (15) of section 402.302, Florida Statutes, is amended to read:

402.302 Definitions.—As used in this chapter, the term:

(15) "Screening" means the act of assessing the background of child care personnel, in accordance with state and federal law, and volunteers and includes, but is not limited to;

(a) Employment history checks, including documented attempts to contact each employer that employed the applicant within the preceding 5 years and documentation of the findings.

(b) A search of the criminal history records, sexual predator and sexual offender registry, and child abuse and neglect registry of any state in which the applicant resided during the preceding 5 years.

An applicant must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to local criminal records checks through local law enforcement agencies, fingerprinting for all purposes and checks in this subsection, statewide criminal records checks through the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to federal criminal records checks through the Federal Bureau of Investigation for national processing. Fingerprint submission must comply with s. 435.12.

Section 11. Section 402.3057, Florida Statutes, is repealed.

Section 12. Subsection (3) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(3) The department and local licensing agencies, or the designees thereof, shall be responsible for coordination and dissemination of information on child care to the community and shall make available through electronic means upon request all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and in addition to the names and addresses of licensed child care facilities, school readiness program providers, and, where applicable pursuant to s. 402.313, licensed or registered family day care homes. This information shall also include the number of deaths, serious injuries, and instances of substantiated child abuse that have occurred in child care settings each year; research and best practices in child development; and resources regarding social-emotional development, parent and family engagement, healthy eating, and physical activity.

Section 13. Section 402.311, Florida Statutes, is amended to read:

402.311 Inspection.—

(1) A licensed child care facility shall accord to the department or the local licensing agency, whichever is applicable, the privilege of inspection, including access to facilities and personnel and to those records required in s. 402.305, at reasonable times during regular business hours, to ensure compliance with the provisions of ss. 402.301-402.319. The right of entry and inspection shall also extend to any premises which the department or local licensing agency has reason to believe are being operated or maintained as a child care facility without a license, but no such entry or inspection of any premises shall be made without the permission of the person in charge thereof unless a warrant

is first obtained from the circuit court authorizing *such entry or inspection same*. Any application for a license or renewal made pursuant to this act or the advertisement to the public for the provision of child care as defined in s. 402.302 shall constitute permission for any entry or inspection of the premises for which the license is sought in order to facilitate verification of the information submitted on or in connection with the application. In the event a licensed facility refuses permission for entry or inspection to the department or local licensing agency, a warrant shall be obtained from the circuit court authorizing *entry or inspection before same prior to* such entry or inspection. The department or local licensing agency may institute disciplinary proceedings pursuant to s. 402.310, for such refusal.

(2) A school readiness program provider shall accord to the department or the local licensing agency, whichever is applicable, the privilege of inspection, including access to facilities, personnel, and records, to verify compliance with the requirements of s. 1002.88. Entry, inspection, and issuance of an inspection report by the department or the local licensing agency to verify compliance with the requirements of s. 1002.88 is an exercise of a discretionary power to enforce compliance with the laws duly enacted by a governmental body.

(3) The department's issuance, transmittal, or publication of an inspection report resulting from an inspection under this section does not constitute agency action subject to chapter 120.

Section 14. Subsection (3) is added to section 402.319, Florida Statutes, to read:

402.319 Penalties.—

(3) Each child care facility, family day care home, and large family child care home shall annually submit an affidavit of compliance with s. 39.201.

Section 15. Paragraph (c) is added to subsection (4) of section 435.07, Florida Statutes, to read:

435.07 Exemptions from disqualification.—Unless otherwise provided by law, the provisions of this section apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required under this chapter, regardless of whether those disqualifying offenses are listed in this chapter or other laws.

(4)

(c) Disqualification from employment under this chapter may not be removed from, and an exemption may not be granted to, any current or prospective child care personnel of a provider receiving school readiness funding under part VI of chapter 1002, and such a person is disqualified from employment as child care personnel with such providers, regardless of any prior exemptions from disqualification, if the person has been registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) or has been arrested for and is awaiting final disposition of, has been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, or has been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or a similar law of another jurisdiction:

1. A felony offense prohibited under any of the following statutes:

- a. Chapter 741, relating to domestic violence.
- b. Section 782.04, relating to murder.
- c. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.
- d. Section 784.021, relating to aggravated assault.
- e. Section 784.045, relating to aggravated battery.
- f. Section 787.01, relating to kidnapping.
- g. Section 787.025, relating to luring or enticing a child.

h. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

i. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

j. Section 794.011, relating to sexual battery.

k. Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

l. Section 794.05, relating to unlawful sexual activity with certain minors.

m. Section 794.08, relating to female genital mutilation.

n. Section 806.01, relating to arson.

o. Section 826.04, relating to incest.

p. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

q. Section 827.04, relating to contributing to the delinquency or dependency of a child.

r. Section 827.071, relating to sexual performance by a child.

s. Chapter 847, relating to child pornography.

t. Section 985.701, relating to sexual misconduct in juvenile justice programs.

2. A misdemeanor offense prohibited under any of the following statutes:

a. Section 784.03, relating to battery, if the victim of the offense was a minor.

b. Section 787.025, relating to luring or enticing a child.

c. Chapter 847, relating to child pornography.

3. A criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subparagraph 1. or subparagraph 2.

Section 16. Paragraph (i) of subsection (2) of section 1002.82, Florida Statutes, is amended, and paragraphs (s) through (x) are added to that subsection, to read:

1002.82 Office of Early Learning; powers and duties.—

(2) The office shall:

(i) Enter into a memorandum of understanding with local licensing agencies and ~~Develop, in coordination with~~ the Child Care Services Program Office of the Department of Children and Families for inspections of school readiness program providers to monitor and verify compliance with s. 1002.88 and the health and safety checklist adopted by the office. The provider contract of a school readiness program provider that refuses permission for entry or inspection shall be terminated. ~~The, and adopt a health and safety checklist may to be completed by license exempt providers that does not exceed the requirements of s. 402.305 and the Child Care and Development Fund pursuant to 45 C.F.R. part 98.~~

(s) Develop and implement strategies to increase the supply and improve the quality of child care services for infants and toddlers, children with disabilities, children who receive care during nontraditional hours, children in underserved areas, and children in areas that have significant concentrations of poverty and unemployment.

(t) Establish preservice and inservice training requirements that address, at a minimum, school readiness child development standards, health and safety requirements, and social-emotional behavior inter-

vention models, which may include positive behavior intervention and support models.

(u) Establish standards for emergency preparedness plans for school readiness program providers.

(v) Establish group sizes.

(w) Establish staff-to-children ratios that do not exceed the requirements of s. 402.302(8) or (11) or s. 402.305(4), as applicable, for school readiness program providers.

(x) Establish eligibility criteria, including limitations based on income and family assets, in accordance with s. 1002.87 and federal law.

Section 17. Subsections (7) and (8) of section 1002.84, Florida Statutes, are amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

(7) Determine child eligibility pursuant to s. 1002.87 and provider eligibility pursuant to s. 1002.88. ~~At a minimum, Child eligibility must be redetermined annually. Redetermination must also be conducted twice per year for an additional 50 percent of a coalition's enrollment through a statistically valid random sampling.~~ A coalition must document the reason ~~why~~ a child is no longer eligible for the school readiness program according to the standard codes prescribed by the office.

(8) Establish a parent sliding fee scale that ~~provides for~~ ~~requires~~ a parent copayment ~~that is not a barrier to families receiving to participate in the school readiness program services.~~ Providers are required to collect the parent's copayment. A coalition may, on a case-by-case basis, waive the copayment for an at-risk child or temporarily waive the copayment for a child whose ~~family's income is at or below the federal poverty level and whose family experiences a natural disaster or an event that limits the parent's ability to pay, such as incarceration, placement in residential treatment, or becoming homeless, or an emergency situation such as a household fire or burglary, or while the parent is participating in parenting classes.~~ A parent may not transfer school readiness program services to another school readiness program provider until the parent has submitted documentation from the current school readiness program provider to the early learning coalition stating that the parent has satisfactorily fulfilled the copayment obligation.

Section 18. Subsections (1), (4), (5), and (6) of section 1002.87, Florida Statutes, are amended to read:

1002.87 School readiness program; eligibility and enrollment.—

(1) ~~Effective August 1, 2013, or upon reevaluation of eligibility for children currently served, whichever is later,~~ Each early learning coalition shall give priority for participation in the school readiness program as follows:

(a) Priority shall be given first to a child younger than 13 years of age from a family that includes a parent who is receiving temporary cash assistance under chapter 414 and subject to the federal work requirements.

(b) Priority shall be given next to an at-risk child younger than 9 years of age.

(c) Priority shall be given next to a child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. who is from a working family that is economically disadvantaged, and may include such child's eligible siblings, beginning with the school year in which the sibling is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. until the beginning of the school year in which the sibling is eligible to begin 6th grade, provided that the first priority for funding an eligible sibling is local revenues available to the coalition for funding direct services. ~~However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level.~~

(d) Priority shall be given next to a child of a parent who transitions from the work program into employment as described in s. 445.032 from

birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2.

(e) Priority shall be given next to an at-risk child who is at least 9 years of age but younger than 13 years of age. An at-risk child whose sibling is enrolled in the school readiness program within an eligibility priority category listed in paragraphs (a)-(c) shall be given priority over other children who are eligible under this paragraph.

(f) Priority shall be given next to a child who is younger than 13 years of age from a working family that is economically disadvantaged. A child who is eligible under this paragraph whose sibling is enrolled in the school readiness program under paragraph (c) shall be given priority over other children who are eligible under this paragraph. ~~However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level.~~

(g) Priority shall be given next to a child of a parent who transitions from the work program into employment as described in s. 445.032 who is younger than 13 years of age.

(h) Priority shall be given next to a child who has special needs, has been determined eligible as a student with a disability, has a current individual education plan with a Florida school district, and is not younger than 3 years of age. A special needs child eligible under this paragraph remains eligible until the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2.

(i) Notwithstanding paragraphs (a)-(d), priority shall be given last to a child who otherwise meets one of the eligibility criteria in paragraphs (a)-(d) but who is also enrolled concurrently in the federal Head Start Program and the Voluntary Prekindergarten Education Program.

(4) The parent of a child enrolled in the school readiness program must notify the coalition or its designee within 10 days after any change in employment status, income, or family size or failure to maintain attendance at a job training or educational program in accordance with program requirements. ~~Upon notification by the parent, the child's eligibility must be reevaluated.~~

(5) A child whose eligibility priority category requires the child to be from a working family ceases to be eligible for the school readiness program if a parent with whom the child resides does not reestablish employment or resume attendance at a job training or educational program within 90 ~~60~~ days after becoming unemployed or ceasing to attend a job training or educational program.

(6) Eligibility for each child must be reevaluated annually. Upon reevaluation, a child may not continue to receive school readiness program services if he or she has ceased to be eligible under this section. A child who is ineligible due to a parent's job loss or cessation of education or job training shall continue to receive school readiness program services for at least 3 months to enable the parent to obtain employment.

Section 19. Paragraphs (c), (d), and (e) of subsection (1) of section 1002.88, Florida Statutes, are amended to read:

1002.88 School readiness program provider standards; eligibility to deliver the school readiness program.—

(1) To be eligible to deliver the school readiness program, a school readiness program provider must:

(c) Provide basic health and safety of its premises and facilities and compliance with requirements for age-appropriate immunizations of children enrolled in the school readiness program.

1. For a provider that is licensed ~~child care facility, a large family child care home, or a licensed family day care home,~~ compliance with s. 402.305, s. 402.3131, or s. 402.313 and this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

2. For a provider that is a registered family day care home or is not subject to licensure or registration by the Department of Children and Families, compliance with this subsection, as verified pursuant to s. 402.311, satisfies this requirement. Upon verification pursuant to s. 402.311, the provider ~~For a public or nonpublic school, compliance with s. 402.3025 or s. 1003.22 satisfies this requirement. A faith based child care provider, an informal child care provider, or a nonpublic school,~~

~~exempt from licensure under s. 402.316 or s. 402.3025, shall annually post complete the health and safety checklist adopted by the office, post the checklist prominently on its premises in plain sight for visitors and parents; and shall annually submit the checklist it annually to its local early learning coalition.~~

(d) Provide an appropriate *group size and staff-to-children ratio*, pursuant to s. 402.305(4) or s. 402.302(8) or (11), as applicable, and as verified pursuant to s. 402.311.

(e) *Employ child care personnel, as defined in s. 402.302(3), who have satisfied the screening requirements of chapter 402 and fulfilled the training requirements of the office* Provide a healthy and safe environment pursuant to s. 402.305(5), (6), and (7), as applicable, and as verified pursuant to s. 402.311.

Section 20. Subsections (6) and (7) of section 1002.89, Florida Statutes, are amended to read:

1002.89 School readiness program; funding.—

(6) Costs shall be kept to the minimum necessary for the efficient and effective administration of the school readiness program with the highest priority of expenditure being direct services for eligible children. However, no more than 5 percent of the funds described in subsection (5) may be used for administrative costs and no more than 22 percent of the funds described in subsection (5) may be used in any fiscal year for any combination of administrative costs, quality activities, and non-direct services as follows:

(a) Administrative costs as described in 45 C.F.R. s. 98.52, which shall include monitoring providers using the standard methodology adopted under s. 1002.82 to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract adopted under s. 1002.82(2)(m).

(b) Activities to improve the quality of child care as described in 45 C.F.R. s. 98.51, which shall be limited to the following:

1. Developing, establishing, expanding, operating, and coordinating resource and referral programs specifically related to the provision of comprehensive consumer education to parents and the public to *promote informed child care choices specified in 45 C.F.R. s. 98.33 regarding participation in the school readiness program and parental choice.*

2. Awarding grants *and providing financial support* to school readiness program providers *and their staff* to assist them in meeting applicable state requirements for child care performance standards, implementing developmentally appropriate curricula and related classroom resources that support curricula, providing literacy supports, and providing *continued* professional development *and training*. Any grants awarded pursuant to this subparagraph shall comply with ~~the requirements of~~ ss. 215.971 and 287.058.

3. Providing training, ~~and~~ technical assistance, *and financial support* for school readiness program providers, staff, and parents on standards, child screenings, child assessments, *child development research and best practices*, developmentally appropriate curricula, character development, teacher-child interactions, age-appropriate discipline practices, health and safety, nutrition, first aid, *cardio-pulmonary resuscitation*, the recognition of communicable diseases, and child abuse detection, ~~and~~ prevention, *and reporting*.

4. Providing, from among the funds provided for the activities described in subparagraphs 1.-3., adequate funding for infants and toddlers as necessary to meet federal requirements related to expenditures for quality activities for infant and toddler care.

5. Improving the monitoring of compliance with, and enforcement of, applicable state and local requirements as described in and limited by 45 C.F.R. s. 98.40.

6. Responding to Warm-Line requests by providers and parents ~~related to school readiness program children~~, including providing developmental and health screenings to school readiness program children.

(c) Nondirect services as described in applicable Office of Management and Budget instructions are those services not defined as administrative, direct, or quality services that are required to administer

the school readiness program. Such services include, but are not limited to:

1. Assisting families to complete the required application and eligibility documentation.
2. Determining child and family eligibility.
3. Recruiting eligible child care providers.
4. Processing and tracking attendance records.
5. Developing and maintaining a statewide child care information system.

As used in this paragraph, the term “nondirect services” does not include payments to school readiness program providers for direct services provided to children who are eligible under s. 1002.87, administrative costs as described in paragraph (a), or quality activities as described in paragraph (b).

(7) Funds appropriated for the school readiness program may not be expended for the purchase or improvement of land; for the purchase, construction, or permanent improvement of any building or facility; or for the purchase of buses. However, funds may be expended for minor remodeling and upgrading of child care facilities *which is necessary for the administration of the program and* to ensure that providers meet state and local child care standards, including applicable health and safety requirements.

Section 21. Paragraph (c) of subsection (2) of section 402.3025, Florida Statutes, is amended to read:

402.3025 Public and nonpublic schools.—For the purposes of ss. 402.301-402.319, the following shall apply:

(2) NONPUBLIC SCHOOLS.—

(c) Programs for children who are at least 3 years of age, but under 5 years of age, shall not be deemed to be child care and shall not be subject to the provisions of ss. 402.301-402.319 relating to child care facilities, provided the programs in the schools are operated and staffed directly by the schools, provided a majority of the children enrolled in the schools are 5 years of age or older, and provided there is compliance with the screening requirements for personnel pursuant to s. 402.305 ~~or s. 402.3057~~. A nonpublic school may designate certain programs as child care, in which case these programs shall be subject to the provisions of ss. 402.301-402.319.

Section 22. Subsections (1) and (2) of section 413.092, Florida Statutes, are amended to read:

413.092 Blind Babies Program.—

(1) The Blind Babies Program is created within the Division of Blind Services of the Department of Education to provide community-based early-intervention education to children from birth through 5 years of age who are blind or visually impaired, and to their parents, families, and caregivers, through community-based provider organizations. The division shall enlist parents, ophthalmologists, pediatricians, schools, ~~the Early Steps Program Infant and Toddlers Early Intervention Programs~~, and therapists to help identify and enroll blind and visually impaired children, as well as their parents, families, and caregivers, in these educational programs.

(2) The program is not an entitlement but shall promote early development with a special emphasis on vision skills to minimize developmental delays. The education shall lay the groundwork for future learning by helping a child progress through normal developmental stages. It shall teach children to discover and make the best use of their skills for future success in school. It shall seek to ensure that visually impaired and blind children enter school as ready to learn as their sighted classmates. The program shall seek to link these children, and their parents, families, and caregivers, to other available services, training, education, and employment programs that could assist these families in the future. This linkage may include referrals to the school districts and the ~~Early Steps Infants and Toddlers Early Intervention Program~~ for assessments to identify any additional services needed which are not provided by the Blind Babies Program. The division shall

develop a formula for eligibility based on financial means and may create a means-based matrix to set a copayment fee for families having sufficient financial means.

Section 23. Subsection (1) of section 1003.575, Florida Statutes, is amended to read:

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, and from school to employment or independent living. If an individual education plan team makes a recommendation in accordance with State Board of Education rule for a student with a disability, as defined in s. 1003.01(3), to receive an assistive technology assessment, that assessment must be completed within 60 school days after the team's recommendation. To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, or an individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

(1) ~~The Early Steps Florida Infants and Toddlers Early Intervention Program in the Division of Children's Medical Services of the Department of Health.~~

Interagency agreements entered into pursuant to this section shall provide a framework for ensuring that young persons with disabilities and their families, educators, and employers are informed about the utilization and coordination of assistive technology devices and services that may assist in meeting transition needs, and shall establish a mechanism by which a young person or his or her parent may request that an assistive technology device remain with the young person as he or she moves through the continuum from home to school to postschool.

Section 24. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to early childhood development; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 383.141, F.S.; revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness of developmental evaluation and early intervention programs; requiring the clearinghouse to use a specified term; revising the information to be included in the clearinghouse; amending s. 391.025, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; requiring the department to serve as the lead agency in administering the Early Steps Program; amending s. 391.301, F.S.; establishing the Early Steps Program within the department; deleting provisions relating to legislative findings; authorizing the program to include certain screening and referral services for specified purposes; providing requirements and responsibilities for the program; amending s. 391.302, F.S.; defining terms; revising the definitions of certain terms; deleting terms; repealing ss. 391.303, 391.304, 391.305, 391.306, and 391.307, F.S., relating to requirements for the Children's Medical Services program, program coordination, program standards, program funding and contracts, and program review, respectively; amending s. 391.308, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; requiring, rather than authorizing, the department to implement and administer the program; requiring the department to ensure that the program follows specified performance standards; providing requirements of the program to meet such performance standards; revising the duties of the department; requiring the department to apply specified eligibility criteria for the program based on an appropriation of funds; providing duties for local program offices; requiring the local program office to negotiate and maintain agreements with specified providers and managed care organizations;

requiring the development of an individualized family support plan for each child served in the program; requiring the local program office to coordinate with managed care organizations; requiring the department to submit an annual report, subject to certain requirements, to the Governor, the Legislature, and the Florida Interagency Coordinating Council for Infants and Toddlers by a specified date; designating the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordinating council required by federal rule subject to certain requirements; providing requirements for the local program office and local school district to prepare certain children for the transition to school under certain circumstances; amending s. 402.302, F.S.; revising the definition of the term "screening" for purposes of child care licensing requirements; repealing s. 402.3057, F.S., relating to persons not required to be refingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; amending ss. 402.3025, 413.092, and 1003.575, F.S.; conforming provisions to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7053**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons, by unanimous consent—

SB 1110—A bill to be entitled An act relating to the Central Florida Expressway Authority; amending s. 348.753, F.S.; requiring the chairs of the boards of specified county commissions each to appoint one member from his or her respective county who is a commission member or chair or the county mayor to serve on the governing body of the authority; requiring Senate confirmation of members appointed to the authority by the Governor; providing that the Senate's refusal or failure to confirm a member appointed by the Governor creates a vacancy; specifying that the terms of members appointed by the Governor end on a specified date; removing the requirement that the authority elect one of its members as secretary; amending s. 348.754, F.S.; specifying that the Central Florida Expressway Authority is a party to a certain lease-purchase agreement between the Department of Transportation and the Orlando-Orange County Expressway Authority; amending s. 348.757, F.S.; removing the requirement that title in fee simple absolute to the former Orlando-Orange County Expressway System be transferred to the state upon the completion of the faithful performance and termination of a specified lease-purchase agreement; providing an effective date.

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

Pursuant to Rule 4.19, **SB 1110** was placed on the calendar of Bills on Third Reading.

On motion by Senator Braynon—

CS for CS for SB 242—A bill to be entitled An act relating to an infectious disease elimination pilot program; creating the "Miami-Dade Infectious Disease Elimination Act (IDEA)"; amending s. 381.0038, F.S.; authorizing the University of Miami and its affiliates to establish a sterile needle and syringe exchange pilot program in Miami-Dade County; establishing the pilot program criteria; providing that the

possession, distribution, or exchange of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member, volunteer, or participant may be prosecuted; requiring the pilot program to collect certain data for reporting purposes; prohibiting the collection of personal identifying information from program participants; requiring the university and its affiliates to submit annual reports to the Department of Health; requiring the university and its affiliates to submit a final report containing certain information and summaries to the department; prohibiting state, county, or municipal funds from being used to operate the pilot program; requiring the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; providing for severability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Braynon moved the following amendment which was adopted:

Amendment 1 (401628) (with title amendment)—Delete lines 99-124 and insert:

3. *Make available educational materials and referrals to education regarding the transmission of HIV, viral hepatitis, and other blood-borne diseases; provide referrals for drug abuse prevention and treatment; and provide or refer for HIV and viral hepatitis screening.*

(b) *The possession, distribution, or exchange of needles or syringes as part of the pilot program established under this subsection is not a violation of any part of chapter 893 or any other law.*

(c) *A pilot program staff member, volunteer, or participant is not immune from criminal prosecution for:*

1. *The possession of needles or syringes that are not a part of the pilot program; or*

2. *The redistribution of needles or syringes in any form, if acting outside the pilot program.*

(d) *The pilot program must collect data for quarterly, annual, and final reporting purposes. The annual report must include information on the number of participants served, the number of needles and syringes exchanged and distributed, the demographic profiles of the participants served, the number of participants entering drug counseling and treatment; the number of participants receiving testing for HIV, AIDS, viral hepatitis, or other blood-borne diseases; and other data necessary for the pilot program. However, personal identifying information may not be collected from a participant for any purpose. Quarterly reports must be submitted to the Department of Health in Miami-Dade County by October 15, January 15, April 15, and July 15 of each year. An annual report must be submitted to the Department of Health by August 1*

And the title is amended as follows:

Delete line 19 and insert: affiliates to submit quarterly and annual reports to the Department

Pursuant to Rule 4.19, **CS for CS for SB 242**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for CS for CS for SB 1602—A bill to be entitled An act relating to elevators; creating s. 399.031, F.S.; providing a short title; providing clearance requirements for elevators installed in private residences; requiring certain doors and gates to withstand a specified amount of force; requiring certain doors to reject a sphere of a specified size under certain circumstances; requiring all such elevators to be equipped with a certain device; providing requirements for the device; providing applicability; directing the Florida Building Commission to adopt the provisions of the act into the Florida Building Code by a certain date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1602** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 286—A bill to be entitled An act relating to merger and acquisition brokers; amending s. 517.061, F.S.; providing an exemption from certain registration requirements with the Office of Financial Regulation for a specified offer or sale of securities; amending s. 517.12, F.S.; defining terms; requiring a merger and acquisition broker to receive certain written assurances from a specified person prior to the completion of specified securities transactions; providing an exemption from certain registration requirements with the office for a merger and acquisition broker under certain circumstances; specifying disqualifying conditions for the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 286** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for SB 966—A bill to be entitled An act relating to unclaimed property; amending s. 717.107, F.S.; revising a presumption of when funds held or owing under a matured or terminated life or endowment insurance policy or annuity contract are unclaimed; revising a condition of when certain insurance policies or annuity contracts are deemed matured and the proceeds are due and payable; requiring an insurer to compare records of certain insurance policies, annuity contracts, and retained asset accounts of its insureds against the United States Social Security Administration Death Master File or a certain database or service to determine if a death is indicated; providing requirements for the comparison; providing for a presumption of death for certain individuals; providing an exception; requiring an insurer to account for certain variations in data and partial information; providing the circumstances under which a policy, a contract, or an account is deemed to be in force; providing applicability; defining a term; requiring an insurer to follow certain procedures after learning of a death through a specified comparison; authorizing an insurer to disclose certain personal information to specified persons for certain purposes; prohibiting an insurer and specified entities from charging fees and costs associated with certain activities; conforming provisions to changes made by the act; providing retroactive applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 966** was placed on the calendar of Bills on Third Reading.

MOMENT OF SILENCE

At the request of Senator Abruzzo, the Senate observed a moment of silence in memory of Dori Slosberg on the twentieth anniversary of her passing.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Gibson, by two-thirds vote, **SB 1592** and **SB 736** were withdrawn from the committees of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote, **SB 1058** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Simmons, the rules were waived and **SB 460** with pending **Amendment 1 (369986)**, **SM 1642**, **CS for SB 1176**, and **SB 206** were retained on the Special Order Calendar.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, February 23, 2016: CS for SB 12, CS for CS for SB 636, SB 110, CS for CS for SB 698, CS for CS for SB 468, CS for CS for SB 954, CS for CS for SB 1416, CS for SB 1288, CS for CS for SB 1386, CS for SB 784, CS for CS for SB 708, SB 422, SB 460, CS for CS for SB 242, CS for CS for CS for SB 1602, CS for SB 7058, CS for CS for SB 286, CS for SB 966, SB 1110, CS for SB 1176, SB 206, SM 1642.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Criminal Justice recommends the following pass: CS for SB 964

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

The Committee on Criminal Justice recommends the following pass: SB 1412; CS for SB 1420

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 702; CS for SB 1306

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 214

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1266

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

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SM 1710

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 894; CS for SB 992

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Garey, Alan L.	09/30/2019
Hunter, Donald C.	09/30/2017
Upchurch, James R.	09/30/2017

The appointments were referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Regulated Industries—

SB 7072—A bill to be entitled An act relating to gaming; amending s. 24.103, F.S.; defining the term “point-of-sale terminal”; amending s. 24.105, F.S.; authorizing the Department of the Lottery to create a program that authorizes certain persons to purchase a ticket or game at a point-of-sale terminal; authorizing the department to adopt rules; providing requirements for the rules; amending s. 24.112, F.S.; authorizing the department, a retailer operating from one or more locations, or a vendor approved by the department to use a point-of-sale terminal to sell a lottery ticket or game; requiring a point-of-sale terminal to perform certain functions; specifying that the point-of-sale terminal may not reveal winning numbers; prohibiting a point-of-sale terminal from including or making use of video reels or mechanical reels or other video depictions of slot machine or casino game themes or titles for game play; prohibiting a point-of-sale terminal from being used to redeem a winning ticket; amending s. 550.002, F.S.; redefining the term “full schedule of live racing or games”; amending s. 550.01215, F.S.; revising provisions for applications for pari-mutuel operating licenses; authorizing a greyhound racing permitholder to specify certain intentions on its application; authorizing a greyhound racing permitholder to receive an operating license to conduct pari-mutuel wagering activities at another permitholder’s greyhound racing facility; limiting the number of pari-mutuel wagering operating licenses that may be issued each year; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to approve changes in racing dates for permitholders under certain circumstances; providing requirements for licensure of certain jai alai permitholders; deleting a provision for conversion of certain converted permits to jai alai permits; amending s. 550.0251, F.S.; requiring the division to annually report to the Governor and the Legislature; specifying requirements for the content of the report; amending s. 550.054, F.S.; requiring the division to revoke a pari-mutuel wagering operating permit under certain circumstances; prohibiting issuance or approval of new pari-mutuel permits after a specified date; authorizing a permitholder to apply to the division to place a permit in inactive status; revising provisions that prohibit transfer or assignment of a pari-mutuel permit; prohibiting transfer or assignment of a pari-mutuel permit or license under certain conditions; prohibiting relocation of a pari-mutuel facility, cardroom, or slot machine facility or conversion of pari-mutuel permits to a different class; providing for approval of the relocation of such permits; deleting provisions for certain converted permits; repealing s. 550.0555, F.S., relating to the relocation of greyhound racing permits; repealing s. 550.0745, F.S., relating to the conversion of pari-mutuel permits to summer jai alai permits; amending s. 550.0951, F.S.; deleting provisions for certain credits for a greyhound racing permitholder; revising the tax on handle for live greyhound racing and intertrack wagering if the host track is a greyhound racing track; requiring a tax on handle and fees for video race licensees; specifying how fees may be used by the department and the Department of Law Enforcement; amending s. 550.09511, F.S.; conforming a cross-reference; amending s. 550.09512, F.S.; providing for the revocation of certain harness horse racing permits; specifying that a revoked permit may not be reissued; amending s. 550.09514, F.S.; deleting certain provisions that prohibit tax on handle until a specified amount of tax savings have resulted; revising purse requirements of a greyhound racing permitholder that conducts live racing; amending s. 550.09515, F.S.; providing for the revocation of

certain thoroughbred racing permits; specifying that a revoked permit may not be reissued; amending s. 550.1625, F.S.; deleting the requirement that a greyhound racing permitholder pay the breaks tax; repealing s. 550.1647, F.S., relating to unclaimed tickets and breaks held by greyhound racing permitholders; amending s. 550.1648, F.S.; revising requirements for a greyhound racing permitholder to provide a greyhound adoption booth at its facility; requiring sterilization of greyhounds before adoption; authorizing the fee for such sterilization to be included in the cost of adoption; defining the term “bona fide organization that promotes or encourages the adoption of greyhounds”; creating s. 550.1752, F.S.; creating the permit reduction program within the division; providing a purpose for the program; providing for funding for the program up to a specified maximum amount; requiring the division to purchase pari-mutuel permits from permitholders under certain circumstances; requiring that permitholders who wish to make an offer to sell meet certain requirements; requiring the division to adopt a certain form by rule; requiring that the division establish the value of a pari-mutuel permit based on the valuation of one or more independent appraisers; authorizing the division to establish a value that is lower than the valuation of the independent appraiser; requiring the division to accept the offers that best utilize available funding; requiring the division to cancel permits that it purchases through the program; providing for expiration of the program; renaming the permit reduction program as the thoroughbred purse supplement program; revising the purpose of the program; deleting provisions requiring the division to purchase pari-mutuel permits; revising the form the division shall adopt by rule; requiring the division to apportion purse supplement funds in a certain manner; requiring a thoroughbred permitholder to return any unused portion of a purse supplement fund under certain circumstances; and authorizing rulemaking, as of a specified date; creating s. 550.2416, F.S.; requiring injuries to racing greyhounds to be reported within a certain timeframe on a form adopted by the division; requiring such form to be completed and signed under oath or affirmation by certain individuals; providing penalties; specifying information that must be included on the form; requiring the division to maintain the forms as public records for a specified time; specifying disciplinary action that may be taken against a licensee of the Department of Business and Professional Regulation who makes false statements on an injury form or who fails to report an injury; exempting injuries to certain animals from reporting requirements; requiring the division to adopt rules; amending s. 550.26165, F.S.; conforming a cross-reference; amending s. 550.3345, F.S.; deleting obsolete provisions; revising requirements for a permit previously converted from a quarter horse racing permit to a limited thoroughbred racing permit; amending s. 550.3551, F.S.; deleting a provision that limits the number of out-of-state races on which wagers are accepted by a greyhound racing permitholder; deleting a provision prohibiting a permitholder from conducting fewer than eight live races or games under certain circumstances; deleting a provision requiring certain permitholders to conduct a full schedule of live racing to receive certain full-card broadcasts and accept certain wagers; amending s. 550.375, F.S.; conforming a cross-reference; amending s. 550.475, F.S.; prohibiting a permitholder from leasing from certain pari-mutuel permitholders; amending s. 550.5251, F.S., deleting a provision relating to requirements for thoroughbred permitholders; amending s. 550.615, F.S.; revising eligibility requirements for certain pari-mutuel facilities to qualify to receive certain broadcasts; providing that certain greyhound racing permitholders are not required to obtain certain written consent; deleting requirements to conduct intertrack wagering between certain permitholders; deleting a provision prohibiting certain intertrack wagering in certain counties; specifying conditions under which greyhound racing permitholders may accept wagers; amending s. 550.6308, F.S.; revising the number of days of thoroughbred horse sales required for an applicant to obtain a limited intertrack wagering license; revising eligibility requirements for such licenses; revising requirements for such wagering; deleting provisions requiring a licensee to make certain payments to the daily pari-mutuel pool; amending s. 551.101, F.S.; revising the facilities that may possess slot machines and conduct slot machine gaming; deleting certain provisions requiring a countywide referendum to approve slot machines at certain facilities; amending s. 551.102, F.S.; revising definitions; amending s. 551.104, F.S.; prohibiting the division from issuing a slot machine license to certain pari-mutuel permitholders; revising conditions of licensure and to maintain authority to conduct slot machine

gaming; exempting a summer thoroughbred racing permitholder from certain purse requirements; providing applicability; deleting a provision prohibiting the division from issuing or renewing a license for an applicant holding a permit under ch. 550, F.S., under certain circumstances; deleting a provision requiring certain slot machine licensees to remit a certain amount for the payment of purses on live races, as of a certain date; conforming provisions to changes made by the act; creating s. 551.1042, F.S.; prohibiting the transfer of a slot machine license or relocation of a slot machine facility; creating s. 551.1043, F.S.; providing legislative findings; authorizing an additional slot machine license to be awarded and renewed annually to a pari-mutuel permitholder located in a certain county; authorizing certain pari-mutuel permitholders to apply for such a license; providing an application fee; requiring the deposit of the fee in the Pari-mutuel Wagering Trust Fund; requiring the division to award the license to the applicant that best meets the selection criteria; providing selection criteria; requiring the division to complete a certain evaluation by a specified date; specifying grounds for denial of an application; providing that certain protests be forwarded to the Division of Administrative Hearings; providing requirements for appeals; authorizing the division to adopt certain emergency rules; creating s. 551.1044, F.S.; authorizing blackjack table games at certain pari-mutuel facilities; specifying limits on wagers; amending s. 551.106, F.S.; deleting obsolete provisions; revising the tax rate on slot machine revenues under certain conditions; amending s. 551.108, F.S.; providing applicability; amending s. 551.114, F.S.; revising the areas where a designated slot machine gaming area may be located; amending s. 551.116, F.S.; deleting a restriction on the number of hours per day that slot machine gaming areas may be open; amending s. 551.121, F.S.; authorizing the serving of complimentary or reduced-cost alcoholic beverages to a person playing a slot machine; authorizing the location of an automated teller machine or similar device within designated slot machine gaming areas; amending s. 849.086, F.S.; amending legislative intent; revising definitions; deleting certain license renewal requirements; deleting provisions relating to restrictions of hours of operation; authorizing certain cardroom operators to offer certain designated player games; requiring the designated player to be licensed; prohibiting cardroom operators from serving as the designated player in a game and from having a financial interest in a designated player; authorizing a cardroom operator to collect a rake, subject to certain requirements; requiring the dealer button to be rotated under certain circumstances; prohibiting a cardroom operator from allowing a designated player to pay an opposing player under certain circumstances; providing elements of a designated player game; revising requirements for a cardroom license to be issued or renewed; requiring a certain written agreement with a thoroughbred permitholder; providing contract requirements for the agreement; conforming provisions to changes made by the act; directing the division to revoke certain pari-mutuel permits; specifying that the revoked permits may not be reissued; providing for severability; providing a contingent effective date.

—was referred to the Committee on Appropriations.

By the Committee on Regulated Industries—

SB 7074—A bill to be entitled An act relating to the Gaming Compact between the Seminole Tribe of Florida and the State of Florida; amending s. 285.710, F.S.; superseding the Gaming Compact; ratifying and approving a specified compact executed by the Governor and the Tribe contingent upon the adoption of a specified amendment to the compact; directing the Governor to cooperate with the Tribe in seeking approval of the amended compact from the United States Secretary of the Interior; specifying the provision that must be adopted by amendment to the compact before it may be deemed ratified and approved; expanding the games authorized to be conducted and the counties in which such games may be offered; amending s. 285.712, F.S.; correcting a citation; providing a contingent effective date.

—was referred to the Committee on Appropriations.

By the Committee on Ethics and Elections—

SB 7076—A bill to be entitled An act relating to the Legislature; fixing the date for convening the 2018 Regular Session of the Legislature; providing an effective date.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senator Detert—

CS for SB 214—A bill to be entitled An act relating to offenses against brokers, broker associates, or sales associates; creating s. 775.0863, F.S.; providing definitions; providing applicability; providing for reclassification of specified offenses committed against brokers, broker associates, or sales associates; providing an effective date.

By the Committees on Appropriations; and Education Pre-K - 12; and Senator Detert—

CS for CS for SB 894—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing, rather than requiring, the department to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating certain State Board of Education rule-making authority related to teacher assignment; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Brandes—

CS for CS for SB 992—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the Department of Financial Services to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the Department of Financial Services for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners;

amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; revising an exception to such standards; providing an alternative method of installing such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; specifying fees to be paid by the requestor to the department or Office of Insurance Regulation for certain service of process on authorized and unauthorized insurers; amending s. 626.854, F.S.; revising applicability of the definition of the term “public adjuster”; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; specifying the determination of a defendant’s last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.931, F.S.; limiting a requirement for the quarterly filing of a certain affidavit with the Florida Surplus Lines Service Office to specified surplus lines agents; amending s. 626.9892, F.S.; providing that the department, rather than the Division of Insurance Fraud, investigates certain crimes; adding violations of specified statutes to the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term “combination fire department”; requiring the division to prioritize the annual award of grants to specified fire departments; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual’s certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability for the department’s rulemaking authority; providing an appropriation; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Simpson—

CS for SB 1266—A bill to be entitled An act relating to recovery agencies; amending s. 493.6101, F.S.; revising the definition of the term “recovery agency”; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Evers—

CS for SM 1710—A memorial to the Congress of the United States, urging Congress to authorize the use of military force against al-Qaeda, the Islamic State of Iraq and the Levant (ISIL), and all other global Islamic terrorist organizations that similarly engage in acts of terrorism.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 119 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Bileca, Artiles, Caldwell, Diaz, M.—

HB 119—A bill to be entitled An act relating to educational facilities; creating s. 1013.385, F.S.; providing for school district construction flexibility; authorizing exceptions to educational facilities construction requirements under certain circumstances; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 189 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Diaz, M., Artiles, Spano—

CS for HB 189—A bill to be entitled An act relating to teacher certification; amending s. 1012.56, F.S.; providing alternative requirements for earning a professional educator certificate that covers certain grades; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 249 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Moskowitz, Pigman—

CS for CS for HB 249—A bill to be entitled An act relating to culinary education programs; amending s. 381.0072, F.S.; providing for the applicability of Department of Health sanitation rules to a licensed culinary education program; defining the term "culinary education program"; including certain culinary education programs under the definition of "food service establishment" and providing for the applicability of food service protection requirements thereto; conforming provisions; amending s. 509.013, F.S.; revising the definition of the term "public food service establishment" to include a culinary education program; amending s. 561.20, F.S.; permitting a culinary education program with a public food service establishment license to obtain an alcoholic beverage license under certain conditions; authorizing the Division of Alcoholic Beverages and Tobacco to adopt rules to administer such licenses; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Policy; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 287 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Diaz, M., Sprowls, Artiles, Beshears, Slosberg—

CS for CS for CS for HB 287—A bill to be entitled An act relating to the Principal Autonomy Pilot Program Initiative; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a procedure for certain district school boards to participate in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to participate in a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, eligibility requirements for certain funding, and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; providing appropriations; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 669, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Sprowls, Artiles, Costello, Diaz, M., Mayfield—

CS for CS for CS for HB 669—A bill to be entitled An act relating to educational choice; amending s. 1001.42, F.S.; providing additional duties of an internal auditor employed by a school district; amending s. 1002.20, F.S.; including specific certifications and programs in the public educational choice options available to students; authorizing parents to use the Florida Personal Learning Scholarship Accounts Program as a private educational choice option; providing that parents of public school students have the right to certain information; providing requirements for the school financial report to be provided to parents; requiring that a course syllabus be provided to a parent of a public school student in specified grade levels for each course in which the student is enrolled; requiring the syllabus to include certain information; amending s. 1002.31, F.S.; requiring school districts to establish a controlled open enrollment process; authorizing a parent to seek enrollment of his or her child in, and transport his or her child to, any public school in the state that has not reached capacity; authorizing a school district to provide transportation to certain students; revising the controlled open enrollment application process; providing that a student may not be displaced from his or her zoned school under certain circumstances; authorizing a student to attend a school of choice until he or she completes the school's highest grade; requiring a school district to annually report specified information; requiring a parent to provide certain notification to the school district of residence by a specified date; requiring district school boards to establish a process for a parent to request that his or her child be transferred to another classroom teacher; amending s. 1003.4295, F.S.; revising the courses in which a student may earn high school credit through the Credit Acceleration Program; revising the assessments used in such program; requiring the Department of Education to contract with the Center for Applied Economic Research at Florida Polytechnic University for certain purposes; requiring the department to provide research results and recommendations to the Legislature by a specified date; providing an appropriation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 705 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Berman, Ahern, Antone, Artiles, Baxley, Beshears, Boyd, Bracy, Broxson, Burgess, Campbell, Clarke-Reed, Cortes, B., Cruz, Drake, DuBose, Dudley, Fant, Harrell, Jones, M., Latvala, Lee, Magar, Mayfield, McGhee, Miller, Moskowitz, Murphy, Nuñez, Passidomo, Perry, Peters, Porter, Pritchett, Raschein, Roberson, K., Rodrigues, R., Rogers, Rooney, Slosberg, Sprowls, Stafford, Stevenson, Sullivan, Torres, Williams, A.—

CS for HB 705—A bill to be entitled An act relating to qualifications for educational interpreters; creating s. 1012.441, F.S.; requiring the State Board of Education to adopt standards for educational interpreters; requiring school districts to notify parents if an individual assigned to provide interpreter services for their students does not meet such standards; requiring school districts to report to the Department of Education, for publication on its website, certain information regarding individuals providing interpreter services; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 719 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Spano, Artiles, Diaz, M.—

CS for CS for HB 719—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating State Board of Education rulemaking authority for certain teacher assignments; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.75, F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 799 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Avila, Sprowls, Ahern, Bileca—

HB 799—A bill to be entitled An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; providing that active duty members of the Armed Forces of the United States residing or stationed outside of this state may receive out-of-

state fee waivers; requiring that tuition and fees charged to such students be below a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; providing for regulations and rules to administer such provisions; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 833 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Plasencia, Cortes, B., Adkins, Ahern, Antone, Artiles, Avila, Berman, Bracy, Burgess, Campbell, Combee, Cortes, J., Costello, Cruz, Cummings, DuBose, Dudley, Edwards, Eisnaugle, Fant, Fresen, Geller, Gonzalez, Harrison, Jacobs, Jones, M., Jones, S., Ker-ner, La Rosa, Latvala, Lee, Magar, Mayfield, Miller, Moskowitz, Murphy, Narain, O'Toole, Pafford, Pilon, Plakon, Porter, Pritchett, Raschein, Raulerson, Rehwinkel Vasilinda, Renner, Richardson, Rodríguez, J., Rogers, Rooney, Slosberg, Sprowls, Stark, Steube, Sullivan, Torres, Van Zant, Williams, A.—

HB 833—A bill to be entitled An act relating to public school recess; amending s. 1003.455, F.S.; requiring each district school board to provide students in certain grades with consecutive minutes of free-play recess per day; providing that free-play recess may not be withheld for specified reasons; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 835, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee and Representative(s) Eisnaugle, Adkins, Costello, Hill—

CS for HB 835—A bill to be entitled An act relating to education; amending s. 1002.41, F.S.; providing that enrollment in a home education program is a ministerial act by the district school superintendent upon receipt of the notice and may only be terminated under certain circumstances; specifying that a home education program is not a school district program; authorizing a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; requiring reporting and funding through the Florida Education Finance Program; requiring home education program students be provided access to certain certifications and assessments offered by the school district; providing for a textbook reimbursement for certain home education program students; providing for funding and the disbursement of the reimbursement; requiring that a home education student's enrollment in a dual enrollment course be verified by the postsecondary institution before award of the reimbursement; requiring the reimbursement to be prorated under certain circumstances; prohibiting a school district from taking certain actions against a home education program student's parent unless such action is required for a school district program; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1007.271, F.S.; exempting dual enrollment students from paying technology fees; prohibiting dual enrollment course and program limitations for home education students from exceeding limitations for other students; providing an exemption from the grade point average requirement for initial enrollment in a dual enrollment program for certain home education students; providing that articulation agreements for private schools and

home education students may not contain specified payment provisions; requiring each public postsecondary institution to develop a comprehensive dual enrollment articulation agreement for home education students; authorizing certain postsecondary institutions to enter into an articulation agreement with certain private schools; requiring that the articulation agreement be submitted to the Department of Education; requiring that specified provisions be included in the agreement; amending s. 1009.536, F.S.; specifying student eligibility for the Florida Gold Seal Vocational Scholars award; providing an appropriation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 837 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee and Representative(s) Bileca, Cortes, B., Artiles, Gaetz, Rooney—

CS for HB 837—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; exempting a foster child from specified eligibility provisions; providing that a student enrolled in a transition-to-work program is eligible for a John M. McKay Scholarship; creating a transition-to-work program for specific students enrolled in the John M. McKay Scholarships for Students with Disabilities Program; providing program requirements; providing participation requirements for students, schools, and businesses; exempting a John M. McKay Scholarship award from a specified funding calculation; amending s. 1011.61, F.S.; exempting a John M. McKay Scholarship award from a specified funding calculation for purposes of the Florida Education Finance Program; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1003 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Sullivan, Artiles, Porter—

CS for HB 1003—A bill to be entitled An act relating to employment after retirement of school district personnel; amending s. 1012.33, F.S.; revising provisions relating to the reemployment of retirees as instructional personnel on a contractual basis; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1155 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Eisnaugle, Mayfield—

CS for HB 1155—A bill to be entitled An act relating to membership associations; creating s. 617.221, F.S.; defining the term "membership association"; requiring a membership association to file an annual report with the Legislature; specifying report requirements; prohibiting a membership association from expending public funds on litigation against the state; requiring the Auditor General to conduct an annual

financial and operational audit of membership associations; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1157, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Higher Education & Workforce Subcommittee and Representative(s) Raburn, Ahern, Artiles, Perry, Torres—

CS for HB 1157—A bill to be entitled An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; directing the Department of Education to award certain postsecondary course credit to veterans; amending s. 1007.27, F.S.; directing the Department of Education to award postsecondary course credit for specified examinations and tests; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1305 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee and Representative(s) Eagle, Artiles, Boyd, Cummings, Fitzhagen, Fullwood, La Rosa, Santiago, Young—

CS for HB 1305—A bill to be entitled An act relating to emergency allergy treatment in schools; amending s. 381.88, F.S.; revising the term "authorized entity"; amending ss. 1002.20 and 1002.42, F.S.; authorizing a public school and a private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors; revising the storage requirements for epinephrine auto-injectors; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1365, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Rodrigues, R., Sprowls, Artiles, Perry, Slosberg, Smith—

CS for CS for HB 1365—A bill to be entitled An act relating to the Competency-Based Education Pilot Program; creating s. 1003.4996, F.S.; creating the Competency-Based Education Pilot Program; providing for participation in the program and application requirements; exempting participating school districts from specified rules; providing for funding of students enrolled in participating schools; providing duties of the Department of Education; providing for rulemaking; providing an effective date.

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

The Honorable Andy Gardiner, President

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

Bob Ward, Clerk

By Higher Education & Workforce Subcommittee and Representative(s) Raburn, Artiles, Cortes, B., Diaz, M., Grant—

HB 7017—A bill to be entitled An act relating to career and adult education; amending s. 446.021, F.S.; revising definitions relating to state apprenticeship and job-training programs; amending s. 446.032, F.S.; conforming a provision; amending s. 446.045, F.S.; revising criteria for certain appointments to the State Apprenticeship Advisory Council; amending s. 446.081, F.S.; limiting applicability of state apprenticeship and job-training program requirements with respect to certain provisions for veterans, minority persons, and women; amending s. 446.091, F.S.; conforming a provision; amending s. 446.092, F.S.; revising criteria for apprenticeship occupations; amending s. 1003.435, F.S.; revising requirements for the high school equivalency diploma; amending s. 1004.015, F.S.; revising the membership of the Higher Education Coordinating Council; amending s. 1004.02, F.S.; revising the definition of the term "applied technology diploma program"; amending s. 1004.92, F.S.; revising the Department of Education's responsibility for the development of program standards for career, adult, and community education programs; providing for rulemaking; amending s. 1004.93, F.S.; revising provisions relating to adult general education; providing that adult education programs may only provide academic services to specified students under certain circumstances; deleting duties of the State Board of Education relating to adult general education programs; deleting a requirement that specific expenditures be reported separately; revising allocation requirements for developmental education; amending s. 1008.44, F.S.; revising the number of allowable CAPE Digital Tool certificates in certain areas that do not lead to college credit; deleting a provision authorizing the Chancellor of Career and Adult Education to update the list of certificates; amending s. 1009.22, F.S.; revising tuition and fees for specific workforce education programs; amending s. 1009.42, F.S.; requiring district school boards operating a career center and governing bodies of charter technical career centers to establish a specific appeal procedure for students; amending s. 1011.80, F.S.; conforming provisions; requiring school districts and Florida College System institutions to maintain certain records; revising operational and performance funding calculation and allocation for workforce education programs; deleting provisions relating to a program to assist in responding to the needs of new and expanding businesses and a requirement that the State Board of Education and CareerSource Florida, Inc., provide the Legislature with certain formulas and mechanisms for distributing performance funds; creating s. 1011.802, F.S.; creating the Florida Apprenticeship Grant (FLAG) program; providing for the purpose, requirements, and administration of the program; requiring certain career centers and institutions to provide quarterly reports; creating s. 1011.803, F.S.; creating the Rapid Response Grant program; providing for the purpose, requirements, and administration of the program; requiring certain career centers to provide quarterly reports; requiring the department to administer the program and conduct an annual program analysis; providing an appropriation; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7019 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Higher Education & Workforce Subcommittee and Representative(s) Porter, Artiles, Cortes, B.—

CS for HB 7019—A bill to be entitled An act relating to postsecondary access and affordability; amending s. 1001.7065, F.S.; specifying that the costs of instructional materials are not included in tuition for certain online degree programs; creating s. 1004.084, F.S.; requiring the Board of Governors of the State University System and the State Board of Education to submit annual reports to the Governor and Legislature relating to college affordability; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability to include instructional

materials; defining the term "instructional materials"; requiring Florida College System institution and state university boards of trustees to identify wide variances in the costs of, and frequency of changes in the selection of, textbooks and instructional materials for certain courses; authorizing the Florida College System institution and state university boards of trustees to adopt policies to allow for the use of innovative pricing techniques and payment options for certain textbooks and instructional materials; requiring the boards of trustees to send a list of identified courses to the academic department chairs for review; requiring Florida College System institutions and state universities to post certain information on their websites; requiring the State Board of Education and Board of Governors to receive input from specified individuals and entities before adopting textbook and instructional materials affordability policies; providing for legislative review and repeal of specified provisions; requiring postsecondary institutions to consult with certain school districts to identify certain practices; requiring cost-benefit analyses relating to textbooks and instructional materials; providing reporting requirements; amending s. 1009.23, F.S.; requiring Florida College System institutions to provide a public notice relating to increases in tuition and fees; amending s. 1009.24, F.S.; revising provisions relating to the assessment of a tuition differential by a state university board of trustees; revising requirements for the use of tuition differential revenues; deleting a requirement that a certain percentage of tuition differential revenues be used for the purpose of improvements in the quality of undergraduate education; requiring state universities to provide a public notice relating to increases in tuition and fees; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7029, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Cortes, B., Artiles—

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an

administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7043 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee, Education Committee and Representative(s) Fresen—

CS for HB 7043—A bill to be entitled An act relating to education; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.71, F.S.; providing for selection of the chair and vice chair of each state university board of trustees; specifying terms and duties of the chair; providing grounds for removal of a board member; specifying publication requirements for minutes of board meetings; requiring the Board of Governors to adopt regulations; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the board to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and submit the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment in performance funding; requiring the board to adopt regulations; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.731, F.S.; providing legislative intent; establishing the Florida Best and Brightest Teacher Scholarship Program; providing eligibility criteria; requiring a school district to annually submit the number of eligible classroom teachers to the Department of Education; providing for funding and the disbursement of funds; defining the term "school district"; amending s. 1012.75,

F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7101, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Trujillo, Spano, Mayfield—

HB 7101—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; requiring the notice to specify aggravating factors that state intends to prove; providing for amendment of notice; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made by the act to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made by the act to s. 921.142, F.S., in references thereto; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 202.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 350.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 576.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1042.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7016.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of February 18 and February 22 were corrected and approved.

CO-INTRODUCERS

Senators Detert—CS for SB 966; Flores—CS for SB 760; Gaetz—CS for SB 184; Garcia—SB 128; Gibson—CS for CS for SB 636; Hutson—SB 110, SB 460; Richter—CS for SB 966; Sachs—CS for SB 184; Simmons—CS for SB 966; Simpson—CS for SB 966; Sobel—CS for SB 760; Soto—CS for SB 760

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 12:58 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 4:00 p.m., Wednesday, February 24 or upon call of the President.



Journal of the Senate

Number 16—Regular Session

Wednesday, February 24, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 4:00 p.m. A quorum present—39:

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

PRAYER

The following prayer was offered by Deacon Wallace Brown, Pilgrim Rest Missionary Baptist Church, Havana, a long-time employee of the Office of the Senate Sergeant at Arms:

Almighty God, we live, move, and have our being through you. You have made us for the purpose of serving you. Let us not rest in our hearts until we seek and find you.

Strengthen our hearts so that nothing may hinder us from knowing thy will. Let your light shine so that we may see and serve you with freedom. Lord, if our hearts are weak, strengthen them with your spirit. If our hearts are empty, fill them with your presence. If our hearts are sinful, cleanse them with your blood. If our hearts are cold, warm them with your unselfish love.

Lord, look down on us today and every day. Bless us with the blessings we stand in need of. We magnify your holy name through Jesus Christ. Amen.

PLEDGE

Senate Pages, Justin Eichermuller of Bryceville; Nikki Barnes of Crawfordville; Kaitie Howie of Brooksville; and Jocabed Martinez of Belle Glade, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Simmons, pursuant to Rule 6.2, **SB 460** with pending **Amendment 1 (369986)** was removed from the Special Order Calendar and committed to the Committee on Rules.

BILLS ON THIRD READING

CS for SB 12—A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.001, F.S.; providing legislative intent regarding mental illness for purposes of the child welfare system; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child’s care in residential treatment under certain circumstances; amending s. 39.507, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; amending s. 39.521, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in disposition hearings; providing requirements for certain court orders; amending s. 394.455, F.S.; defining terms; revising definitions; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and the Legislature by a specified date; redefining terms; providing essential elements of a coordinated system of care; providing requirements for the department’s annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual’s representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person’s guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; deleting exceptions to such requirements; amending s. 394.463, F.S.; authorizing county or circuit courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certifications to managing entities and the department, rather than the Agency for Health Care Administration; requiring the managing entity and department to receive certain orders, certificates, and reports; requiring the managing entity and the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be released to law enforcement custody; providing exceptions; amending s. 394.4655, F.S.; providing for involuntary outpatient services; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; making technical changes; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; requiring a facility filing a petition for involuntary inpatient placement to send a copy to the department and managing entity; revising criteria for a hearing on involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient’s attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient’s incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.656, F.S.; revising the membership of the Criminal

Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; authorizing the agency and the department to develop a plan for revenue maximization; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.875, F.S.; requiring the department to modify licensure rules and procedures to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; renaming the Crisis Stabilization Services Utilization Database as the Acute Care Utilization Database and requiring certain substance abuse providers to provide utilization data; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.311, F.S.; defining the terms “informed consent” and “involuntary services”; revising the definition of the term “qualified professional”; conforming a cross-reference; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.679, F.S.; specifying the licensed professionals who may complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person with a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons who may deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons who may file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization; amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; requiring a managing entity to be notified of certain recommendations; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; requiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; authorizing a court to order a respondent to undergo treatment through a privately funded licensed service provider under certain circumstances; prohibiting a court from ordering involuntary outpatient services under certain circumstances; requiring the service provider to document certain inquiries; requiring the managing entity to document certain efforts; requiring a copy of the court’s order to be sent to the department and managing entity; providing procedures for modifications to such orders; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; providing a list of persons prohibited from being appointed as an individual’s guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients

in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment services coordination; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children’s substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children’s substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children’s substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children’s substance abuse services; amending ss. 39.407, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.966, 409.972, 440.102, 744.704, and 790.065, F.S.; conforming cross-references; requiring the Department of Children and Families to create a workgroup on the use of advance directives for substance use disorders; requiring a report to the Governor, President of the Senate, and Speaker of the House of Representatives; providing an effective date.

—as amended February 23, was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Garcia moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (723442)—Delete line 2584 and insert:
managing entities, and the department for the implementation and

Amendment 2 (104600)—Delete line 2535 and insert:
measured by, at a minimum, the total number and percentage of

On motion by Senator Garcia, **CS for SB 12**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Legg
Altman	Gaetz	Margolis
Benacquisto	Galvano	Montford
Bradley	Garcia	Negron
Brandes	Gibson	Richter
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Hutson	Sobel
Detert	Joyner	Stargel
Diaz de la Portilla	Latvala	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Bean, Evers, Smith

CS for CS for SB 636—A bill to be entitled An act relating to evidence collected in sexual offense investigations; creating s. 943.326, F.S.; requiring that a sexual offense evidence kit or other DNA evidence be submitted to a member of the statewide criminal analysis laboratory system within a specified timeframe after specified occurrences; requiring a medical provider or law enforcement agency to inform an alleged victim of a sexual offense of certain information relating to sexual offense evidence kits; requiring the retention of specified evidence; requiring adoption and dissemination of guidelines and procedures by certain entities by a specified date; requiring the testing of sexual offense evidence kits within a specified timeframe after submission to a member of the statewide criminal analysis laboratory; providing requirements for such guidelines and procedures; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Benacquisto, **CS for CS for SB 636** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Evers

CS for CS for SB 698—A bill to be entitled An act relating to alcoholic beverages and tobacco; amending s. 210.13, F.S.; revising applicability to include other persons who may be subject to a determination of tax on failure to file and return; amending s. 218.32, F.S.; requiring local governmental entities to include revenues derived from the use of temporary alcoholic beverage permits in annual financial reports; amending s. 561.01, F.S.; defining the term “railroad transit station”; amending s. 561.20, F.S.; providing that a license must be revoked or a pending application must be denied under certain circumstances; providing that certain licensees or applicants are not eligible to have an interest in a subsequent license under certain circumstances for a specified timeframe; amending s. 561.29, F.S.; requiring the division to grant a one-time written waiver or extension of certain requirements to specified licensees; revising the circumstances under which a licensee may seek and the division may grant a waiver or extension of the requirements; creating s. 561.4205, F.S.; requiring an alcoholic beverage distributor to charge a deposit for certain alcoholic beverage sales; providing an inventory and reconciliation process as an accounting alternative for specified vendors; providing an inventory and reconciliation process for malt beverage kegs; amending s. 561.422, F.S.; authorizing the division to issue temporary permits to municipalities and counties to sell alcoholic beverages for consumption on the premises of an event; authorizing the director of the division to issue more than three permits per calendar year under certain circumstances; providing conditions for such permits; requiring certain municipalities and counties to properly store and secure unconsumed alcoholic beverages; amending s. 563.06, F.S.; revising requirements for certain vendors to be authorized to fill or refill a growler; amending s. 565.02, F.S.; authorizing vendors in railroad transit stations to obtain licenses to keep and sell alcoholic beverages; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; revising the locations where certain beverages may be sold; providing liquor bottle size restrictions for railroad transit stations; prohibiting the transfer of certain licenses; requiring operators of railroads and sleeping cars to keep separate certain alcoholic beverages; amending s. 565.04, F.S.; authorizing a licensed distributor to transport alcoholic beverages through certain premises under specified circumstances; providing an effective date.

—as amended February 23, was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bradley moved the following amendment:

Amendment 1 (576758) (with title amendment)—Between lines 462 and 463 insert:

4. *A vendor holding a license under to s. 563.02(1)(a) or s. 564.02(1)(a), having held that license in current, active status on June 30, 2015, subject to the following requirements:*

a. *The vendor proves to the satisfaction of the division that the vendor had draft equipment and tapping accessories installed and had purchased kegs before June 30, 2015.*

b. *The growlers are filled or refilled by the vendor or the vendor’s employee, who must be age 18 or older.*

c. *The taps or mechanisms used to fill or refill the growlers are not accessible to customers.*

d. *The growlers meet labeling or sealing requirements set forth in paragraph (b).*

e. *The vendor does not permit consumption on premises, including tastings or other sampling activities.*

And the title is amended as follows:

Delete line 38 and insert: authorized to fill or refill a growler; revising which licensed vendors may fill or refill a growler; amending s.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bradley moved the following amendment to **Amendment 1 (576758)** which was adopted by two-thirds vote:

Amendment 1A (315318)—Delete line 5 and insert:

4. *A vendor holding a license under s. 563.02(1)(a) or*

Amendment 1 (576758), as amended, was adopted by two-thirds vote.

On motion by Senator Bradley, **CS for CS for SB 698**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Bradley	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Flores	Margolis	

Nays—None

Vote after roll call:

Yea—Brandes, Evers

Yea to Nay—Negron

CS for CS for SB 468—A bill to be entitled An act relating to computer coding instruction; amending s. 1007.2616, F.S.; authorizing high schools to offer student opportunities to take specified computer coding courses by a specified school year; providing that high schools will not be required to offer such courses; requiring the Commissioner of Education to identify the computer coding courses that satisfy two credits of foreign language instruction under certain circumstances; requiring Florida College System institutions and state universities to recognize the credits as foreign language credits; requiring each student and his or her parent to sign a statement acknowledging and accepting that taking a computer coding course as a foreign language may not meet certain out-of-state requirements; requiring the inclusion of certain computer coding courses in the Course Code Directory; authorizing the Florida Virtual School to offer computer coding courses identified in the Course Code Directory; authorizing school districts to provide students

access to such courses under certain circumstances; requiring the Department of Education to annually report certain information to the Board of Governors and the Legislature; providing an effective date.

—as amended February 23, was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 468**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Margolis
Abruzzo	Galvano	Montford
Altman	Garcia	Negron
Bean	Gibson	Richter
Benacquisto	Grimsley	Ring
Bradley	Hays	Sachs
Brandes	Hukill	Simmons
Braynon	Hutson	Simpson
Dean	Joyner	Smith
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	

Nays—5

Bullard	Flores	Thompson
Clemens	Sobel	

CS for CS for SB 954—A bill to be entitled An act relating to electronic monitoring devices; creating s. 843.23, F.S.; defining the term “electronic monitoring device”; prohibiting a person from removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device being worn or used pursuant to any court order or an order by the Florida Commission on Offender Review; prohibiting a person from requesting, authorizing, or soliciting another person to perform such an act; providing criminal penalties; amending s. 948.11, F.S.; specifying that the Department of Corrections may electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control; deleting a provision imposing criminal penalties on persons who intentionally alter, tamper with, damage, or destroy electronic monitoring equipment; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 954**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 75** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Simmons, by two-thirds vote—

CS for CS for HB 75—A bill to be entitled An act relating to electronic monitoring devices; creating s. 843.23, F.S.; defining the term “electronic monitoring device”; prohibiting a person from removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device being worn or used pursuant to a court order or an order by the Florida Commission on Offender Review; prohibiting the request, authorization, or solicitation of a person to perform such an act; providing criminal penalties; amending s. 948.11, F.S.; specifying that the Department of Corrections may electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control; deleting a provision imposing criminal penalties on persons who intentionally alter, tamper with, damage, or destroy electronic monitoring equipment; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 954**, and by two-thirds vote was read the second time by title.

On motion by Senator Simmons, by two-thirds vote, **CS for CS for HB 75** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 1416—A bill to be entitled An act relating to public records; amending s. 624.4212, F.S.; providing an exemption from public records requirements for certain reports and documents submitted to the Office of Insurance Regulation related to an own-risk and solvency assessment by an insurer or insurance group; providing an exemption from public records requirements for a corporate governance annual disclosure and supporting documents submitted to the office; revising the actuarial board to which the office may disclose certain information; providing for and revising future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 1416** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson

Nays—None

Consideration of **CS for SB 1288** was deferred.

CS for CS for SB 1386—A bill to be entitled An act relating to insurance agents; amending s. 626.593, F.S.; revising a prohibition against a licensed insurance agent from receiving a specified fee or commission for examining any health insurance or any health benefit plan, rather than any group health insurance or any group health benefit plan, for certain purposes; amending s. 626.785, F.S.; revising amounts of coverage of certain life insurance policies that may be sold by specified persons; revising the version of the Annual Consumer Price Index used as a basis for calculating certain annual percentage increases in specified policies; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 1386** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 784—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; revising the definition of the term “sexual abuse of a child” to delete a reference to a child being arrested or prosecuted for specified offenses; amending s. 782.04, F.S.; including human trafficking as a predicate offense for felony murder; amending s. 787.06, F.S.; creating an increased penalty for causing great bodily harm, permanent disability, or permanent disfigurement; prohibiting permanently branding, or directing the permanent branding, of a victim of human trafficking with specified intent; amending s. 456.074, F.S.; requiring the Department of Health to issue an emergency order suspending the license of a massage therapist or massage establishment if the therapist or a specified person connected to the establishment is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 480.041, F.S.; providing that a licensed massage therapist may not receive a new or renewal license if the applicant is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with a massage establishment; correcting a cross-reference; amending s. 480.043, F.S.; providing that a licensed massage establishment may not receive a new or renewal license if specified persons connected to the establishment are convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 796.06, F.S.; increasing criminal penalties for the offense of renting space to be used for lewdness, assignation, or prostitution; amending s. 796.07, F.S.; providing that minors may not be charged with specified prostitution offenses; specifying that certain educational programs may be offered by faith-based providers; providing for the reclassification of the offense of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution if the offense is committed in conjunction with a massage establishment; amending ss. 775.21 and 943.0435, F.S.; requiring a person convicted of specified racketeering offenses to register as a sexual predator or sexual offender under certain circumstances; amending ss. 944.606 and 944.607, F.S.; revising the definition of the term “sexual offender” for purposes of offender notification to include a person convicted of specified racketeering offenses if the court makes specified findings; reenacting s. 394.495(4)(p), F.S., relating to the child and adolescent mental health system of care, s. 409.1678(1)(c) and (6)(a) and (b), F.S., relating to specialized residential options for children who are victims of sexual exploitation, and s. 960.065(5), F.S., relating to eligibility for awards, to incorporate the amendment made by the act to s. 39.01, F.S., in references thereto; reenacting s. 39.806(1)(d) and (n), F.S., relating to grounds for termination of parental rights, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 63.089(4)(b), F.S., relating to proceedings to terminate parental rights pending adoption, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 95.11(10), F.S., relating to limitations other than for the recovery of real property, s. 775.082(1)(b) and (3)(a), (b), and (c), F.S., relating to penalties, s. 782.065, F.S., relating to murder of specified officers, s. 921.16(1), F.S., relating to when sentences should be concurrent and when they should be consecutive, s.

948.062(1)(a), F.S., relating to reviewing and reporting serious offenses committed by offenders placed on probation or community control, s. 985.265(3)(b), F.S., relating to detention transfer and release, and s. 1012.315(1)(d), F.S., relating to disqualification from employment, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 1012.467(2)(g), F.S., relating to non-instructional contractors who are permitted access to school grounds when students are present, to incorporate the amendments made by the act to ss. 782.04 and 943.0435, F.S., in references thereto; reenacting s. 775.0823(1) and (2), F.S., relating to violent offenses committed against certain officers, attorneys, and judges, s. 921.0022(3)(i), F.S., relating to the offense severity ranking chart, s. 947.146(3)(i), F.S., relating to the Control Release Authority, and s. 394.912(9)(a), F.S., relating to definitions relating to involuntary civil commitment of sexually violent predators, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 775.15(19), F.S., relating to time limitations, to incorporate the amendment made by the act to s. 787.06, F.S., in a reference thereto; reenacting s. 60.05(4), F.S., relating to abatement of nuisances, s. 775.0877(1)(m), F.S., relating to criminal transmission of HIV, s. 796.08(2) and (3), F.S., relating to screening for HIV and sexually transmissible diseases, s. 796.09(2), F.S., relating to certain civil causes of action, s. 895.02(1)(a), F.S., relating to definitions for the Florida RICO Act, and s. 948.16(1)(a), F.S., relating to specified misdemeanor pretrial intervention programs, to incorporate the amendment made by the act to s. 796.07, F.S., in references thereto; reenacting s. 39.0139(3)(a), F.S., relating to visitation or other contact, s. 39.509(6)(b), F.S., relating to grandparents rights, s. 63.092(3), F.S., relating to a report to the court of intended placement by an adoption entity, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 68.07(3)(i) and (6), F.S., relating to change of name, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 322.141(3), F.S., relating to color or markings of certain licenses or identification cards, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 397.4872(2)(a) and (c), F.S., relating to exemption from disqualification, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 775.13(4)(e) and (f), F.S., relating to registration of convicted felons, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to this act by ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.261(3)(b), F.S., relating to The Florida Career Offender Registration Act, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 794.075(1), F.S., relating to sexual predators and erectile dysfunction drugs, and s. 903.0351(1)(c), F.S., relating to restrictions on pretrial release pending probation-violation hearing or community-control-violation hearing, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 903.046(2)(m), F.S., relating to purpose of and criteria for bail determination, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.141(5)(o), F.S., relating to sentence of death or life imprisonment for capital felonies, to incorporate the amendment made by the act to s. 775.21, F.S., in a reference thereto; reenacting s. 938.10(1), F.S., relating to additional court cost imposed in cases of certain crimes, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 943.0435(3), (4), and (5), F.S., relating to sexual offenders required to register with the department, to incorporate the amendments made by this act to ss. 775.21, 944.606, and 944.607, F.S., in references thereto; reenacting s. 944.607(4)(a) and (9), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 944.608(7), F.S., relating to notification to the Department of Law Enforcement of information on career offenders, to incorporate the amendments made by this act to ss. 775.21 and 944.607, F.S., in references thereto; reenacting s. 944.609(4), F.S., relating to career offenders and notification upon release, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 947.1405(2)(c), (10), and (12), F.S., relating to the conditional release program, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.06(4) and (8)(b), (c), and (d), F.S., relating to violation of probation or community control, to incorporate the amendments made by this act

to ss. 782.04, 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.063, F.S., relating to violations of probation or community control by designated sexual offenders and sexual predators, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.064(4), F.S., relating to notification of status as a violent felony offender of special concern, and s. 948.12(3), F.S., relating to intensive supervision for postprison release of violent offenders, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 948.30(3)(b) and (4), F.S., relating to additional terms and conditions of probation or community control for certain sex offenses, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.31, F.S., relating to evaluation and treatment of sexual predators and offenders on probation or community control, and s. 985.04(6)(b), F.S., relating to oaths, records, and confidential information, to incorporate the amendments made by the act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 985.4815(9), F.S., relating to notification to the Department of Law Enforcement of information on juvenile sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 92.55(1)(b), F.S., relating to judicial or other proceedings involving certain victims, witnesses, and persons, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 394.9125(2)(a), F.S., relating to state attorney authority to refer a person for civil commitment, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; reenacting s. 775.21(5)(d) and (10)(c), F.S., relating to the Florida Sexual Predators Act, to incorporate the amendments made by this act to ss. 943.0435 and 944.607, F.S., in references thereto; reenacting s. 775.24(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 943.0436(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.0862(2), F.S., relating to reclassification of sexual offenses against students by authority figures, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 784**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 545** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Flores, by two-thirds vote—

CS for CS for HB 545—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; revising the definition of the term “sexual abuse of a child” to delete a reference to a child being arrested or prosecuted for specified offenses; amending s. 782.04, F.S.; including human trafficking as a predicate offense for felony murder; amending s. 787.06, F.S.; creating an increased penalty for causing great bodily harm, permanent disability, or permanent disfigurement; prohibiting permanently branding, or directing the permanent branding, of a victim of human trafficking with specified intent; amending s. 456.074, F.S.; requiring the Department of Health to issue an emergency order suspending the license of a massage therapist or massage establishment if the therapist or a specified person connected to the establishment is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 480.041, F.S.; providing that a licensed massage therapist may not receive a new or renewal license if the applicant is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with a massage establishment; correcting a cross-reference; amending s. 480.043, F.S.; providing that a licensed massage establishment may not receive a new or renewal license if specified persons connected to the establishment are convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 796.06, F.S.; increasing criminal penalties for the offense of renting space to be used for lewdness, assignation, or prostitution; amending s.

796.07, F.S.; providing that minors may not be charged with specified prostitution offenses; specifying that certain educational programs may be offered by faith-based providers; providing for the reclassification of the offense of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution if the offense is committed in conjunction with a massage establishment; amending ss. 775.21 and 943.0435, F.S.; requiring a person convicted of specified racketeering offenses to register as a sexual predator or sexual offender under certain circumstances; amending ss. 944.606 and 944.607, F.S.; revising the definition of the term “sexual offender” for purposes of offender notification to include a person convicted of specified racketeering offenses if the court makes specified findings; reenacting s. 394.495(4)(p), F.S., relating to the child and adolescent mental health system of care, s. 409.1678(1)(c) and (6)(a) and (b), F.S., relating to specialized residential options for children who are victims of sexual exploitation, and s. 960.065(5), F.S., relating to eligibility for awards, to incorporate the amendment made by the act to s. 39.01, F.S., in references thereto; reenacting s. 39.806(1)(d) and (n), F.S., relating to grounds for termination of parental rights, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 63.089(4)(b), F.S., relating to proceedings to terminate parental rights pending adoption, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 95.11(10), F.S., relating to limitations other than for the recovery of real property, s. 775.082(1)(b) and (3)(a), (b), and (c), F.S., relating to penalties, s. 782.065, F.S., relating to murder of specified officers, s. 921.16(1), F.S., relating to when sentences should be concurrent and when they should be consecutive, s. 948.062(1)(a), F.S., relating to reviewing and reporting serious offenses committed by offenders placed on probation or community control, s. 985.265(3)(b), F.S., relating to detention transfer and release, and s. 1012.315(1)(d), F.S., relating to disqualification from employment, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 1012.467(2)(g), F.S., relating to non-instructional contractors who are permitted access to school grounds when students are present, to incorporate the amendments made by the act to ss. 782.04 and 943.0435, F.S., in references thereto; reenacting s. 775.0823(1) and (2), F.S., relating to violent offenses committed against certain officers, attorneys, and judges, s. 921.0022(3)(i), F.S., relating to the offense severity ranking chart, s. 947.146(3)(i), F.S., relating to the Control Release Authority, and s. 394.912(9)(a), F.S., relating to definitions relating to involuntary civil commitment of sexually violent predators, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 775.15(19), F.S., relating to time limitations, to incorporate the amendment made by the act to s. 787.06, F.S., in a reference thereto; reenacting s. 60.05(4), F.S., relating to abatement of nuisances, s. 775.0877(1)(m), F.S., relating to criminal transmission of HIV, s. 796.08(2) and (3), F.S., relating to screening for HIV and sexually transmissible diseases, s. 796.09(2), F.S., relating to certain civil causes of action, s. 895.02(1)(a), F.S., relating to definitions for the Florida RICO Act, and s. 948.16(1)(a), F.S., relating to specified misdemeanor pretrial intervention programs, to incorporate the amendment made by the act to s. 796.07, F.S., in references thereto; reenacting s. 39.0139(3)(a), F.S., relating to visitation or other contact, s. 39.509(6)(b), F.S., relating to grandparents rights, s. 63.092(3), F.S., relating to a report to the court of intended placement by an adoption entity, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 68.07(3)(i) and (6), F.S., relating to change of name, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 322.141(3), F.S., relating to color or markings of certain licenses or identification cards, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 397.4872(2)(a) and (c), F.S., relating to exemption from disqualification, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 775.13(4)(e) and (f), F.S., relating to registration of convicted felons, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to this act by ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.261(3)(b), F.S., relating to The Florida Career Offender Registration Act, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 794.075(1), F.S., relating to sexual predators and erectile dysfunction drugs, and s. 903.0351(1)(c), F.S., relating to restrictions on pretrial release pending probation-violation

hearing or community-control-violation hearing, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 903.046(2)(m), F.S., relating to purpose of and criteria for bail determination, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.141(5)(o), F.S., relating to sentence of death or life imprisonment for capital felonies, to incorporate the amendment made by the act to s. 775.21, F.S., in a reference thereto; reenacting s. 938.10(1), F.S., relating to additional court cost imposed in cases of certain crimes, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 943.0435(3), (4), and (5), F.S., relating to sexual offenders required to register with the department, to incorporate the amendments made by this act to ss. 775.21, 944.606, and 944.607, F.S., in references thereto; reenacting s. 944.607(4)(a) and (9), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 944.608(7), F.S., relating to notification to the Department of Law Enforcement of information on career offenders, to incorporate the amendments made by this act to ss. 775.21 and 944.607, F.S., in references thereto; reenacting s. 944.609(4), F.S., relating to career offenders and notification upon release, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 947.1405(2)(c), (10), and (12), F.S., relating to the conditional release program, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.06(4) and (8)(b), (c), and (d), F.S., relating to violation of probation or community control, to incorporate the amendments made by this act to ss. 782.04, 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.063, F.S., relating to violations of probation or community control by designated sexual offenders and sexual predators, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.064(4), F.S., relating to notification of status as a violent felony offender of special concern, and s. 948.12(3), F.S., relating to intensive supervision for postprison release of violent offenders, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 948.30(3)(b) and (4), F.S., relating to additional terms and conditions of probation or community control for certain sex offenses, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.31, F.S., relating to evaluation and treatment of sexual predators and offenders on probation or community control, and s. 985.04(6)(b), F.S., relating to oaths, records, and confidential information, to incorporate the amendments made by the act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 985.4815(9), F.S., relating to notification to the Department of Law Enforcement of information on juvenile sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 92.55(1)(b), F.S., relating to judicial or other proceedings involving certain victims, witnesses, and persons, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 394.9125(2)(a), F.S., relating to state attorney authority to refer a person for civil commitment, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; reenacting s. 775.21(5)(d) and (10)(c), F.S., relating to the Florida Sexual Predators Act, to incorporate the amendments made by this act to ss. 943.0435 and 944.607, F.S., in references thereto; reenacting s. 775.24(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 943.0436(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.0862(2), F.S., relating to reclassification of sexual offenses against students by authority figures, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 784**, and by two-thirds vote was read the second time by title.

On motion by Senator Flores, by two-thirds vote, **CS for CS for HB 545** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson

Nays—None

CS for CS for SB 708—A bill to be entitled An act relating to the Arthur G. Dozier School for Boys; requiring certain historical resources, records, archives, artifacts, researches, medical records, and human remains to remain in the custody of the University of South Florida; providing exceptions; requiring the Department of State to contract with the university for the identification and location of eligible next of kin of certain children; requiring the department to notify the next of kin of certain payment or reimbursement provisions; requiring the department to reimburse the next of kin of children whose bodies are buried and exhumed at the Dozier School or to pay directly to a provider for the costs associated with funeral services, reinterment, and grave marker expenses; providing a process for reimbursement or payment by the department; providing that a charitable donation made toward funeral, reinterment, and grave marker expenses is not eligible for reimbursement; requiring the department to submit a report; establishing a task force to make recommendations regarding a memorial and a location of a site for the reinterment of unidentified or unclaimed remains; providing membership of the task force; requiring the task force to submit its recommendation to the department by a certain date; requiring the task force to submit its recommendations to the Governor and Cabinet and to the Legislature; authorizing the department to adopt rules; providing appropriations; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **CS for CS for SB 708** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 422—A bill to be entitled An act relating to health insurance coverage for opioids; creating s. 627.64194, F.S.; defining terms; providing that a health insurance policy that covers abuse-deterrent opioid analgesic drug products may impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the insurer imposes the same requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim; prohibiting such health insurance policy from requiring use of an opioid analgesic drug product

without an abuse-deterrence labeling claim before authorizing the use of an abuse-deterrent opioid analgesic drug product; providing an effective date.

—as amended February 23, was read the third time by title.

On motion by Senator Benacquisto, **SB 422**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 242—A bill to be entitled An act relating to an infectious disease elimination pilot program; creating the “Miami-Dade Infectious Disease Elimination Act (IDEA)”; amending s. 381.0038, F.S.; authorizing the University of Miami and its affiliates to establish a sterile needle and syringe exchange pilot program in Miami-Dade County; establishing the pilot program criteria; providing that the possession, distribution, or exchange of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member, volunteer, or participant may be prosecuted; requiring the pilot program to collect certain data for reporting purposes; prohibiting the collection of personal identifying information from program participants; requiring the university and its affiliates to submit quarterly and annual reports to the Department of Health; requiring the university and its affiliates to submit a final report containing certain information and summaries to the department; prohibiting state, county, or municipal funds from being used to operate the pilot program; requiring the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; providing for severability; providing an effective date.

—as amended February 23, was read the third time by title.

On motion by Senator Braynon, **CS for CS for SB 242**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Gaetz	Ring
Bean	Galvano	Sachs
Benacquisto	Garcia	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Margolis	
Diaz de la Portilla	Montford	

Nays—2

Hukill	Legg
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Vote preference:

February 25, 2016: Yea—Latvala

CS for CS for CS for SB 1602—A bill to be entitled An act relating to elevators; creating s. 399.031, F.S.; providing a short title; providing clearance requirements for elevators installed in private residences; requiring certain doors and gates to withstand a specified amount of force; requiring certain doors to reject a sphere of a specified size under certain circumstances; requiring all such elevators to be equipped with a certain device; providing requirements for the device; providing applicability; directing the Florida Building Commission to adopt the provisions of the act into the Florida Building Code by a certain date; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for CS for CS for SB 1602** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for HB 7053—A bill to be entitled An act relating to the Child Care and Development Block Grant Program; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; amending s. 402.3025, F.S.; conforming a cross-reference; repealing s. 402.3057, F.S., relating to persons not required to be fingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; providing an effective date.

—as amended February 23, was read the third time by title.

On motion by Senator Legg, **CS for HB 7053**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 286—A bill to be entitled An act relating to merger and acquisition brokers; amending s. 517.061, F.S.; providing an exemption from certain registration requirements with the Office of Financial Regulation for a specified offer or sale of securities; amending s. 517.12, F.S.; defining terms; requiring a merger and acquisition broker to receive certain written assurances from a specified person prior to the completion of specified securities transactions; providing an exemption from certain registration requirements with the office for a merger and acquisition broker under certain circumstances; specifying disqualifying conditions for the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 286** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 966—A bill to be entitled An act relating to unclaimed property; amending s. 717.107, F.S.; revising a presumption of when funds held or owing under a matured or terminated life or endowment insurance policy or annuity contract are unclaimed; revising a condition of when certain insurance policies or annuity contracts are deemed matured and the proceeds are due and payable; requiring an insurer to compare records of certain insurance policies, annuity contracts, and retained asset accounts of its insureds against the United States Social Security Administration Death Master File or a certain database or service to determine if a death is indicated; providing requirements for the comparison; providing for a presumption of death for certain individuals; providing an exception; requiring an insurer to account for certain variations in data and partial information; providing the circumstances under which a policy, a contract, or an account is deemed to be in force; providing applicability; defining a term; requiring an insurer to follow certain procedures after learning of a death through a specified

comparison; authorizing an insurer to disclose certain personal information to specified persons for certain purposes; prohibiting an insurer and specified entities from charging fees and costs associated with certain activities; conforming provisions to changes made by the act; providing retroactive applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 966** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 1110—A bill to be entitled An act relating to the Central Florida Expressway Authority; amending s. 348.753, F.S.; requiring the chairs of the boards of specified county commissions each to appoint one member from his or her respective county who is a commission member or chair or the county mayor to serve on the governing body of the authority; requiring Senate confirmation of members appointed to the authority by the Governor; providing that the Senate's refusal or failure to confirm a member appointed by the Governor creates a vacancy; specifying that the terms of members appointed by the Governor end on a specified date; removing the requirement that the authority elect one of its members as secretary; amending s. 348.754, F.S.; specifying that the Central Florida Expressway Authority is a party to a certain lease-purchase agreement between the Department of Transportation and the Orlando-Orange County Expressway Authority; amending s. 348.757, F.S.; removing the requirement that title in fee simple absolute to the former Orlando-Orange County Expressway System be transferred to the state upon the completion of the faithful performance and termination of a specified lease-purchase agreement; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **SB 1110** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 1288—A bill to be entitled An act relating to emergency management; amending s. 252.34, F.S.; defining the term “activate” for purposes of part I of ch. 252, F.S.; amending ss. 163.360, 474.2125, and 627.659, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for SB 1288** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson

Nays—None

SPECIAL ORDER CALENDAR

SENATOR RICHTER PRESIDING

Consideration of **SM 1642** was deferred.

On motion by Senator Diaz de la Portilla—

CS for SB 1176—A bill to be entitled An act relating to dredge and fill activities; amending s. 373.4144, F.S.; revising the acreage of wetlands and other surface waters subject to impact by dredge and fill activities under a state programmatic general permit; providing that seeking to use such a permit consents to specified federal wetland jurisdiction criteria; authorizing the Department of Environmental Protection to delegate federal permitting programs for the discharge of dredged or fill material; deleting certain conditions limiting when the department may assume federal permitting programs for the discharge of dredged or fill material; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1176** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clemens—

SB 206—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; providing that certain persons permanently incapable of caring for themselves may be permanently excused from jury service upon request; providing requirements for such a request; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 206** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for CS for SB 260—A bill to be entitled An act relating to financial transactions; amending s. 501.0117, F.S.; providing that a convenience fee imposed upon a student or family paying certain fees by credit card to a private school is not considered a surcharge; amending s. 516.07, F.S.; revising the grounds for denial of an application for a license to make consumer finance loans; amending s. 670.108, F.S.; revising applicability; providing that ch. 670, F.S., governs certain funds transfers that are remittance transfers; providing

that the federal Electronic Fund Transfer Act governs any inconsistency between a funds transfer made under the federal act and a funds transfer made under ch. 670, F.S.; amending s. 701.03, F.S.; reducing the time limit for a mortgagee or an assignee to cancel a mortgage, except in cases where the loan is an open-end mortgage; authorizing an open-end mortgage to be canceled within a specified timeframe if the borrower provides written notice of his or her intent to close the open-end mortgage; providing that a requirement that certain mortgages be cancelled within a specified timeframe does not apply to an open-ended mortgage existing before a certain date if the loan agreement contained procedures for cancelling the mortgage; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for CS for SB 260**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 145** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Rules.

On motion by Senator Smith—

CS for CS for HB 145—A bill to be entitled An act relating to financial transactions; amending s. 501.0117, F.S.; exempting a private school from the prohibition against charging certain convenience fees to a student or family paying tuition, fees, or other student account charges by credit card under certain circumstances; amending s. 516.07, F.S., prohibiting a licensee from making payments to a person as compensation, inducement, or reward for referring loan applications to the licensee under certain circumstances; amending s. 670.108, F.S.; revising applicability; providing that chapter 670, F.S., governs certain funds transfers that are remittance transfers; providing that the federal Electronic Fund Transfer Act governs any inconsistency between a funds transfer under chapter 670, F.S.; amending s. 701.03, F.S.; reducing the time limit for a mortgagee or an assignee to cancel a mortgage, except in cases where the loan is an open-end mortgage; authorizing an open-end mortgage to be canceled within a specified timeframe if the borrower provides written notice of his or her intent to close the open-end mortgage; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for CS for SB 260** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 145** was placed on the calendar of Bills on Third Reading.

SB 284—A bill to be entitled An act relating to commercial transactions in fresh produce markets; defining terms; authorizing owners or operators of certain farmers’ markets, community farmers’ markets, flea markets, and other open-air markets to allow certain Food and Nutrition Service groups, associations, or third-party organizations to implement and operate an electronic benefits transfer system in such markets for the purpose of accepting SNAP benefits; requiring the owners or operators of such markets to reasonably accommodate such groups in the implementation and operation of an electronic benefits transfer system in the market; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 284**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 103** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Thompson—

CS for HB 103—A bill to be entitled An act relating to transactions in fresh produce markets; creating s. 414.456, F.S.; providing definitions; authorizing certain owners and operators of farmers’ markets, community farmers’ markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing restrictions on the use of Supplemental Nutrition Assistance Program benefits in such markets; providing applicability; providing an effective date.

—a companion measure, was substituted for **SB 284** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 103** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

SB 444—A bill to be entitled An act relating to the Small Community Sewer Construction Assistance Act; amending s. 403.1838, F.S.; redefining the term “financially disadvantaged small community” to include counties and special districts; defining the term “special district”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 444** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for SB 580—A bill to be entitled An act relating to reimbursement to health access settings for dental hygiene services for children; amending s. 409.906, F.S.; authorizing reimbursement for children’s dental services provided by licensed dental hygienists in certain circumstances; providing an effective date.

—was read the second time by title.

Senator Grimsley moved the following amendment which was adopted:

Amendment 1 (926724)—Delete line 40 and insert:
s. 466.003 for the remediable tasks that a licensed dental

Pursuant to Rule 4.19, **CS for SB 580**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SM 1642—A memorial to the Congress of the United States, urging Congress to review and revise the Cuban Adjustment Act of 1966.

—was read the second time by title.

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (404648)—

In title, delete lines 10-22 and insert: entitling them to become legal permanent residents after 1 year, and

WHEREAS, this law provides Cuban immigrants with an advantage that immigrants of other nationalities do not have, and

WHEREAS, at the time the law was enacted, the Cuban government was not recognized by the United States, the countries did not maintain diplomatic relations, travel between the countries was severely restricted, and Cuban immigrants were refugees from political oppression during the Cold War, and

On motion by Senator Garcia, **SM 1642**, as amended, was adopted, ordered engrossed, and then certified to the House.

On motion by Senator Grimsley—

CS for SB 620—A bill to be entitled An act relating to medical examiners; amending s. 382.011, F.S.; providing that a member of the public may not be charged for certain examinations, investigations, or autopsies; authorizing a county to charge a medical examiner approval fee under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 620** was placed on the calendar of Bills on Third Reading.

SB 878—A bill to be entitled An act relating to medical faculty certification; amending s. 458.3145, F.S.; revising the list of schools at which certain faculty members are eligible to receive a medical faculty certificate; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 878**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 173** was withdrawn from the Committees on Health Policy; Higher Education; and Rules.

On motion by Senator Sachs—

CS for HB 173—A bill to be entitled An act relating to medical faculty certification; amending s. 458.3145, F.S.; revising the list of schools at which certain faculty members are eligible to receive a medical faculty certificate; providing an effective date.

—a companion measure, was substituted for **SB 878** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 173** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 894—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing, rather than requiring, the department to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating certain State Board of Education rule-making authority related to teacher assignment; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 894**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 719** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Detert—

CS for CS for HB 719—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating State Board of Education rule-making authority for certain teacher assignments; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.75, F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 894** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 719** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

CS for SB 922—A bill to be entitled An act relating to solid waste management; amending s. 403.709, F.S.; providing for the funding of a waste tire abatement program from the Solid Waste Management Trust Fund up to a specified percentage of total funds; establishing a solid waste landfill closure account within the Solid Waste Management Trust Fund; specifying the purpose of the account; authorizing the Department of Environmental Protection to use account funds to contract with a third party for the closing and long-term care of solid waste management facilities under specified circumstances; requiring the department to deposit certain funds into the solid waste landfill closure account; authorizing the department to use funds from the Solid Waste Management Trust Fund to pay for or reimburse specified expenses under certain circumstances; deleting a solid waste landfill closure account within the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; authorizing waste tire abatement programs under the small county consolidated grant program; removing the waste tire abatement program supported by the solid waste management grant program; removing distribution requirements; deleting an obsolete provision; reenacting ss. 403.413(6)(a) and 403.7032(5)(h), F.S., relating to the Florida Litter Law and recycling, respectively, to incorporate the amendments made to s. 403.7095, F.S., in references thereto; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 922** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 940—A bill to be entitled An act relating to title insurance; amending s. 625.111, F.S.; revising the reserves that certain title insurers must set aside after a certain date; revising the manner in which reserves must be released; revising premium reserve requirements and calculations for a title insurer who transfers domicile to this state; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 940**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 695** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Fiscal Policy.

On motion by Senator Bradley—

CS for HB 695—A bill to be entitled An act relating to title insurance; amending s. 625.111, F.S.; revising the reserves that certain title insurers must set aside after a certain date; revising the manner in which reserves must be released; revising reserve requirements for a title insurer who transfers domicile to this state; requiring the calculation of an adjusted statutory premium reserve; requiring increases to statutory premium reserves under certain circumstances; authorizing the release of reserves to surplus in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 940** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 695** was placed on the calendar of Bills on Third Reading.

CS for SB 1120—A bill to be entitled An act relating to motor vehicle service agreement companies; amending s. 634.011, F.S.; revising and providing definitions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1120**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 875** was withdrawn from

the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Abruzzo—

CS for HB 875—A bill to be entitled An act relating to motor vehicle service agreement companies; amending s. 634.011, F.S.; revising and providing definitions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1120** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 875** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for CS for CS for SB 1220—A bill to be entitled An act relating to public records; amending s. 119.12, F.S.; revising the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce ch. 119, F.S.; prohibiting a court from assessing and awarding the reasonable costs of enforcement against an agency if certain conditions exist; specifying circumstances under which a complainant is not required to provide certain written notice of a public record request; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1220** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

SB 1300—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors such a vessel or allows it to occupy waters of this state commits a noncriminal infraction; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1300** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for CS for SB 1318—A bill to be entitled An act relating to shellfish harvesting; amending s. 597.010, F.S.; revising provisions directing the Department of Agriculture and Consumer Services, in cooperation with the Fish and Wildlife Conservation Commission and the Department of Environmental Protection, to protect specified shellfish beds, grounds, and reefs; defining the terms “dredge or mechanical harvesting devices” and “shellfish”; providing for the harvesting of shellfish from sovereign submerged land leases; providing for the Board of Trustees of the Internal Improvement Trust Fund to authorize the use of dredges or mechanical harvesting devices as special lease conditions of sovereign submerged land leases under certain circumstances; limiting the number of such dredges or mechanical harvesting devices per lease; prohibiting certain use and possession of such dredges or mechanical harvesting devices; providing penalties; removing provisions relating to shellfish harvesting seasons and removal of oysters, clams, or mussels from natural reefs; authorizing the department, rather than requiring, to designate areas for the taking of oysters and clams to be planted on public lands; deleting a provision allowing such takings to be planted on leases and grants; specifying that the commission, rather than the department, shall establish the amount of oysters, clams, and mussels that may be relayed or transplanted; re-

moving provisions relating to dredging of dead shells and oyster culture; making technical changes; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 1318** was placed on the calendar of Bills on Third Reading.

MOMENT OF SILENCE

At the request of Senator Bullard, the Senate observed a moment of silence for King Carter, a six-year-old child who passed away on February 20, 2016, in Miami-Dade County as a result of gun violence.

MOTIONS

On motion by Senator Simmons, by two-thirds vote, all bills passed this day were ordered immediately certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Hutson, by two-thirds vote, **SB 874** and **SB 982** were withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, February 24, 2016: **CS for CS for CS for CS for SB 260**, **SB 284**, **SB 444**, **CS for SB 580**, **CS for SB 620**, **SB 878**, **CS for CS for SB 894**, **CS for SB 922**, **CS for CS for SB 940**, **CS for SB 1120**, **CS for CS for CS for SB 1220**, **SB 1300**, **CS for CS for SB 1318**.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Fiscal Policy recommends the following pass: **CS for SB 46**; **CS for SB 124**; **CS for SB 126**; **SB 418**; **CS for SB 706**; **SB 764**; **CS for CS for SB 938**; **CS for SB 1126**; **CS for SB 1160**; **SB 1226**; **SB 1402**; **CS for SB 1490**; **SB 1498**

The Committee on Rules recommends the following pass: **CS for SB 342**; **SB 612**; **CS for CS for SB 776**; **CS for SB 960**; **CS for SB 1034**; **CS for SB 1156**; **SJR 1424**; **CS for CS for SB 1652**; **SB 7022**

The bills were placed on the Calendar.

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: **CS for SB 324**

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

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: **SB 840**

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Communications, Energy, and Public Utilities; and Finance and Tax; and Senators Legg and Simpson—

CS for CS for SB 324—A bill to be entitled An act relating to utility projects; providing a short title; defining terms; authorizing certain local governmental entities to finance the costs of a utility project by issuing utility cost containment bonds upon application by a local agency; specifying application requirements; requiring a successor entity of a local agency to assume and perform the obligations of the local agency with respect to the financing of a utility project; providing procedures for local agencies to use when applying to finance a utility project using utility cost containment bonds; authorizing an authority to issue utility cost containment bonds for specified purposes related to utility projects; authorizing an authority to form alternate entities to finance utility projects; requiring the governing body of the authority to adopt a financing resolution and impose a utility project charge on customers of a publicly owned utility as a condition of utility project financing; specifying required and optional provisions of the financing resolution; specifying powers of the authority; requiring the local agency or its publicly owned utility to assist the authority in the establishment or adjustment of the utility project charge; requiring that customers of the public utility specified in the financing resolution pay the utility project charge; providing for adjustment of the utility project charge; establishing ownership of the revenues of the utility project charge; requiring the local agency or its publicly owned utility to collect the utility project charge; conditioning a customer's receipt of public utility services on payment of the utility project charge; authorizing a local agency or its publicly owned utility to use available remedies to enforce collection of the utility project charge; providing that the pledge of the utility project charge to secure payment of bonds issued to finance the utility project is irrevocable and cannot be reduced or impaired except under certain conditions; providing that a utility project charge constitutes utility project property; providing that utility project property is subject to a lien to secure payment of costs relating to utility cost containment bonds; establishing payment priorities for the use of revenues of the utility project property; providing for the issuance and validation of utility cost containment bonds; securing the payment of utility cost containment bonds and related costs; providing that utility cost containment bonds do not obligate the state or any political subdivision and are not backed by their full faith and credit and taxing power; requiring that certain disclosures be printed on utility cost containment bonds; providing that financing costs related to utility cost containment bonds are an obligation of the authority only; providing limitations on the state's ability to alter financing costs or utility project property under certain circumstances; prohibiting an authority with outstanding payment obligations on utility cost containment bonds from becoming a debtor under certain federal or state laws; providing for construction; endowing public entities with certain powers; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senator Simpson—

CS for SB 840—A bill to be entitled An act relating to municipal power regulation; amending s. 163.01, F.S.; requiring certain entities created under the Interlocal Cooperation Act of 1969 to submit independently prepared financial statements for certain electric power projects to specified public entities; providing statement requirements; providing eligibility requirements for membership on the governing body of certain entities created under the Interlocal Cooperation Act of 1969; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for CS for SB 130**, **CS for SB 158**, **CS for SB 180**, **CS for CS for SB 182**, **CS for SB 228**, **SB 1030**, **CS for SB 1032**, **CS for SB 1038**, and **SB 1040** which he approved on February 24, 2016.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 75 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Torres, Plakon, Stark, Watson, C.—

CS for CS for HB 75—A bill to be entitled An act relating to electronic monitoring devices; creating s. 843.23, F.S.; defining the term "electronic monitoring device"; prohibiting a person from removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device being worn or used pursuant to a court order or an order by the Florida Commission on Offender Review; prohibiting the request, authorization, or solicitation of a person to perform such an act; providing criminal penalties; amending s. 948.11, F.S.; specifying that the Department of Corrections may electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control; deleting a provision imposing criminal penalties on persons who intentionally alter, tamper with, damage, or destroy electronic monitoring equipment; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 545 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Spano, Artiles, Baxley, Berman, Burton, Combee, Cruz, Diaz, M., Eagle, Edwards, Geller, Hager, Hill, Kerner, Latvala, Mayfield, Metz, Miller, Murphy, Perry, Peters, Pilon, Raburn, Raschein, Rehwinkel Vasilinda, Renner, Rodrigues, R., Stevenson, Stone, Van Zant, Watson, C., Williams, A.—

CS for CS for HB 545—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; revising the definition of the term "sexual abuse of a child" to delete a reference to a child being arrested or prosecuted for specified offenses; amending s. 782.04, F.S.; including human trafficking as a predicate offense for felony murder; amending s. 787.06, F.S.; creating an increased penalty for causing great bodily harm, permanent disability, or permanent disfigurement; prohibiting permanently branding, or directing the permanent branding, of a victim of human trafficking with specified intent; amending s. 456.074, F.S.; requiring the Department of Health to issue an emergency order suspending the license of a massage therapist or massage establishment if the therapist or a specified person connected to the establishment is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 480.041, F.S.; providing that a licensed massage therapist may not receive a new or renewal license if the applicant is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with a massage establishment; correcting a cross-reference; amending s. 480.043, F.S.; providing that a licensed massage establishment may not receive a new or renewal license if specified persons connected to the establishment are convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 796.06, F.S.; increasing criminal penalties for the offense of renting space to be used for lewdness, assignation, or prostitution; amending s. 796.07, F.S.; providing that minors may not be charged with specified

prostitution offenses; specifying that certain educational programs may be offered by faith-based providers; providing for the reclassification of the offense of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution if the offense is committed in conjunction with a massage establishment; amending ss. 775.21 and 943.0435, F.S.; requiring a person convicted of specified racketeering offenses to register as a sexual predator or sexual offender under certain circumstances; amending ss. 944.606 and 944.607, F.S.; revising the definition of the term "sexual offender" for purposes of offender notification to include a person convicted of specified racketeering offenses if the court makes specified findings; reenacting s. 394.495(4)(p), F.S., relating to the child and adolescent mental health system of care, s. 409.1678(1)(c) and (6)(a) and (b), F.S., relating to specialized residential options for children who are victims of sexual exploitation, and s. 960.065(5), F.S., relating to eligibility for awards, to incorporate the amendment made by the act to s. 39.01, F.S., in references thereto; reenacting s. 39.806(1)(d) and (n), F.S., relating to grounds for termination of parental rights, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 63.089(4)(b), F.S., relating to proceedings to terminate parental rights pending adoption, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 95.11(10), F.S., relating to limitations other than for the recovery of real property, s. 775.082(1)(b) and (3)(a), (b), and (c), F.S., relating to penalties, s. 782.065, F.S., relating to murder of specified officers, s. 921.16(1), F.S., relating to when sentences should be concurrent and when they should be consecutive, s. 948.062(1)(a), F.S., relating to reviewing and reporting serious offenses committed by offenders placed on probation or community control, s. 985.265(3)(b), F.S., relating to detention transfer and release, and s. 1012.315(1)(d), F.S., relating to disqualification from employment, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 1012.467(2)(g), F.S., relating to non-instructional contractors who are permitted access to school grounds when students are present, to incorporate the amendments made by the act to ss. 782.04 and 943.0435, F.S., in references thereto; reenacting s. 775.0823(1) and (2), F.S., relating to violent offenses committed against certain officers, attorneys, and judges, s. 921.0022(3)(i), F.S., relating to the offense severity ranking chart, s. 947.146(3)(i), F.S., relating to the Control Release Authority, and s. 394.912(9)(a), F.S., relating to definitions relating to involuntary civil commitment of sexually violent predators, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 775.15(19), F.S., relating to time limitations, to incorporate the amendment made by the act to s. 787.06, F.S., in a reference thereto; reenacting s. 60.05(4), F.S., relating to abatement of nuisances, s. 775.0877(1)(m), F.S., relating to criminal transmission of HIV, s. 796.08(2) and (3), F.S., relating to screening for HIV and sexually transmissible diseases, s. 796.09(2), F.S., relating to certain civil causes of action, s. 895.02(1)(a), F.S., relating to definitions for the Florida RICO Act, and s. 948.16(1)(a), F.S., relating to specified misdemeanor pretrial intervention programs, to incorporate the amendment made by the act to s. 796.07, F.S., in references thereto; reenacting s. 39.0139(3)(a), F.S., relating to visitation or other contact, s. 39.509(6)(b), F.S., relating to grandparents rights, s. 63.092(3), F.S., relating to a report to the court of intended placement by an adoption entity, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 68.07(3)(i) and (6), F.S., relating to change of name, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 322.141(3), F.S., relating to color or markings of certain licenses or identification cards, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 397.4872(2)(a) and (c), F.S., relating to exemption from disqualification, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 775.13(4)(e) and (f), F.S., relating to registration of convicted felons, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to this act by ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.261(3)(b), F.S., relating to The Florida Career Offender Registration Act, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 794.075(1), F.S., relating to sexual predators and erectile dysfunction drugs, and s. 903.0351(1)(c), F.S., relating to restrictions on pretrial release pending probation-violation hearing or community-control-violation hearing, to incorporate the

amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 903.046(2)(m), F.S., relating to purpose of and criteria for bail determination, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.141(5)(o), F.S., relating to sentence of death or life imprisonment for capital felonies, to incorporate the amendment made by the act to s. 775.21, F.S., in a reference thereto; reenacting s. 938.10(1), F.S., relating to additional court cost imposed in cases of certain crimes, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 943.0435(3), (4), and (5), F.S., relating to sexual offenders required to register with the department, to incorporate the amendments made by this act to ss. 775.21, 944.606, and 944.607, F.S., in references thereto; reenacting s. 944.607(4)(a) and (9), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 944.608(7), F.S., relating to notification to the Department of Law Enforcement of information on career offenders, to incorporate the amendments made by this act to ss. 775.21 and 944.607, F.S., in references thereto; reenacting s. 944.609(4), F.S., relating to career offenders and notification upon release, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 947.1405(2)(c), (10), and (12), F.S., relating to the conditional release program, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.06(4) and (8)(b), (c), and (d), F.S., relating to violation of probation or community control, to incorporate the amendments made by this act to ss. 782.04, 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.063, F.S., relating to violations of probation or community control by designated sexual offenders and sexual predators, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.064(4), F.S., relating to notification of status as a violent felony offender of special concern, and s. 948.12(3), F.S., relating to intensive supervision for postprison release of violent offenders, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 948.30(3)(b) and (4), F.S., relating to additional terms and conditions of probation or community control for certain sex offenses, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.31, F.S., relating to evaluation and treatment of sexual predators and offenders on probation or community control, and s. 985.04(6)(b), F.S., relating to oaths, records, and confidential information, to incorporate the amendments made by the act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto;

reenacting s. 985.4815(9), F.S., relating to notification to the Department of Law Enforcement of information on juvenile sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 92.55(1)(b), F.S., relating to judicial or other proceedings involving certain victims, witnesses, and persons, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 394.9125(2)(a), F.S., relating to state attorney authority to refer a person for civil commitment, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; reenacting s. 775.21(5)(d) and (10)(c), F.S., relating to the Florida Sexual Predators Act, to incorporate the amendments made by this act to ss. 943.0435 and 944.607, F.S., in references thereto; reenacting s. 775.24(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 943.0436(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.0862(2), F.S., relating to reclassification of sexual offenses against students by authority figures, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; providing an effective date.

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 23 was corrected and approved.

CO-INTRODUCERS

Senator Smith—CS for CS for SB 708

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:58 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, March 2 or upon call of the President.



Journal of the Senate

Number 17—Regular Session

Tuesday, March 1, 2016

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REPORTS OF COMMITTEES

The Committee on Fiscal Policy recommends the following pass: CS for SB 1190

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

The Committee on Appropriations recommends the following pass: SB 356; CS for SB 432; SB 442; SB 572; SB 850; SB 944; CS for SB 970; CS for SB 984; CS for SB 986; CS for SB 1196; CS for SB 1256; SB 1312; CS for SB 1370; CS for SB 1508; CS for SB 1538; CS for CS for SB 1630

The Committee on Fiscal Policy recommends the following pass: SB 858; CS for CS for SB 862; CS for SB 1152; CS for CS for SB 1164; CS for SB 1260; CS for SB 1470; CS for SB 1570; CS for SB 1692

The Committee on Rules recommends the following pass: SM 600; CS for CS for SB 794; CS for SB 1298; CS for SB 1306; CS for SB 1322; SB 1412; CS for SB 1420; CS for SM 1710; SB 7070; SB 7076

The bills were placed on the Calendar.

The Committee on Appropriations recommends a committee substitute for the following: SB 1322

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 408

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

The Committee on Appropriations recommends committee substitutes for the following: SB 152; CS for SB 212; SB 234; CS for SB 400; CS for SB 434; CS for SB 436; CS for SB 524; CS for SB 718; CS for SB 748; SB 886; CS for SB 918; CS for SB 1010; CS for SB 1050; CS for SB 1052; SB 1060; SB 1166; CS for SB 1170; SB 1282; CS for SB 1422; CS for CS for SB 1442; SB 1496; CS for SB 1528; SB 1534; CS for SB 1604; SB 1638; CS for SB 1686; CS for SB 1714; SB 7068

The Committee on Fiscal Policy recommends committee substitutes for the following: SB 20; SB 268; CS for SB 332; CS for SB 360; SB 556; CS for CS for SB 562; CS for SB 704; CS for CS for SB 768; CS for SB 964; CS for SB 1192; CS for SB 1274; CS for SB 1378; CS for SB 1454; SB 1664; SB 1722

The Committee on Rules recommends committee substitutes for the following: CS for SB 298; CS for CS for SB 408; CS for CS for SB 912; CS for CS for SB 948; CS for SB 1104; CS for SB 1432; CS for SB 7000

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 668; SB 1662

The Appropriations Subcommittee on Education recommends the following pass: SB 16; SB 50; CS for SB 830; SB 1078; CS for SB 1088; CS for SB 1462

The Appropriations Subcommittee on General Government recommends the following pass: CS for SB 1248

The Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 1138

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 14; SB 32; CS for SB 64; CS for SB 696; CS for SB 1216

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 360; CS for SB 1470; CS for SB 1692

The Appropriations Subcommittee on General Government recommends the following pass: CS for SB 1152

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 1260; CS for SB 1570

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 1298

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

The Appropriations Subcommittee on Criminal and Civil Justice recommends a committee substitute for the following: SB 1352

The Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 58; SB 824; SB 1068; SB 1356

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: SB 1106; CS for SB 1168; SB 1290; CS for SB 1430; SB 1504

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for SB 750; CS for SB 1250

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: CS for SB 1390 and SB 7062

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

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for SB 1192; CS for SB 1274

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: SB 236; CS for SB 1378

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: SB 556

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Fiscal Policy; and Senator Diaz de la Portilla—

CS for SB 20—A bill to be entitled An act for the relief of Rafael Zaldivar and Kyoko Zaldivar, parents of Alex Zaldivar, deceased, individually and as co-personal representatives of the Estate of Alex Zaldivar, and Brienna Campos and Remington Campos by Orange County; providing for an appropriation to compensate Rafael Zaldivar and Kyoko Zaldivar for the death of Alex Zaldivar and to compensate Brienna Campos and Remington Campos for the injuries and damages they sustained as a result of the negligence of Orange County; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Appropriations; and Senator Grimsley—

CS for SB 152—A bill to be entitled An act relating to the ordering of medication; amending ss. 458.347 and 459.022, F.S.; revising the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for a patient at a licensed nursing home facility; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to order medication for administration to patients in specialized facilities; amending s. 465.003, F.S.; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.02, F.S.; revising the term “administer” to include the term “administration”; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.04, F.S.; conforming provisions to changes made by act; amending s. 893.05, F.S.; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for administration to patients in specified facilities under certain circumstances; reenacting ss. 400.462(26), 401.445(1), 409.906(18), and 766.103(3), F.S., to incorporate the amendments made to ss. 458.347 and 459.022, F.S., in references thereto; reenacting ss. 401.445(1) and 766.103(3), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting ss. 409.9201(1)(a), 458.331(1)(pp), 459.015(1)(rr), 465.014(1), 465.015(2)(c), 465.016(1)(s), 465.022(5)(j), 465.023(1)(h), 465.1901, 499.003(43), and 831.30(1), F.S., to incorporate the amendment made to s. 465.003, F.S., in references thereto; reenacting ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l), 458.331(1)(pp), 459.015(1)(rr), 465.015(3), 465.016(1)(s), 465.022(5)(j), 465.023(1)(h), 499.0121(14), 768.36(1)(b), 810.02(3)(f), 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1), 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., to incorporate the amendment made to s. 893.02, F.S., in references thereto; reenacting s. 893.0551(3)(e), F.S., to incorporate the amendment made to s. 893.04, F.S., in a reference thereto; reenacting s. 893.0551(3)(d), F.S., to incorporate the amendment made to s. 893.05, F.S., in a reference thereto; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Gaetz—

CS for CS for SB 212—A bill to be entitled An act relating to health care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; requiring the department to distribute state funds to accounts, subject to legislative appropriations; authorizing the department to accept contributions from a local source for deposit in a designated account; limiting the number of years that an account may remain open; providing for the immediate closing of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank dental health professional shortage areas and medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; amending s. 395.002, F.S.; revising the definition of the term “ambulatory surgical center” or “mobile surgical facility”; amending s. 395.003, F.S.; requiring, as a condition of licensure and license renewal, that ambulatory surgical centers provide services to specified patients in at least a specified amount; requiring ambulatory surgical centers to report certain data; defining a term; requiring ambulatory surgical centers to comply with certain building and lifesafety codes in certain circumstances; creating s. 624.27, F.S.; defining terms; specifying that a direct primary care agreement does not constitute insurance and is not subject to ch. 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations, or any other chapter of the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to ch. 636, F.S., or any other chapter of the code; providing that certain certificates of authority and licenses are not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing a short title; amending s. 409.967, F.S.; requiring a managed care plan to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; creating s. 627.42392, F.S.; requiring an insurer to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 641.31, F.S.; prohibiting a health maintenance organization from requiring that a health care provider use a clinical decision support system or a laboratory benefits management program in certain circumstances; defining terms; providing for construction; creating s. 641.394, F.S.; requiring a health maintenance organization to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient’s representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a

health care provider as it applies to immunity from personal liability in certain actions; providing effective dates.

By the Committee on Appropriations; and Senators Gaetz, Hays, Abruzzo, Ring, Clemens, and Soto—

CS for SB 234—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; limiting the number of new accounts that may be established per fiscal year; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; requiring the department to distribute state funds to accounts, subject to legislative appropriations; authorizing the department to accept contributions from a local source for deposit in a designated account; limiting the number of years that an account may remain open; providing for the immediate closing of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank dental health professional shortage areas and medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; providing an effective date.

By the Committee on Fiscal Policy; and Senator Ring—

CS for SB 268—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing an effective date.

By the Committees on Rules; and Criminal Justice; and Senator Evers—

CS for CS for SB 298—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; revising exceptions to a prohibition on the installation of tracking devices or tracking applications to specify that the exception applies only to private investigators under certain circumstances; deleting a provision concerning persons engaged in private investigation; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

By the Committees on Fiscal Policy; and Transportation; and Senator Altman—

CS for CS for SB 332—A bill to be entitled An act relating to highway safety; amending s. 316.003, F.S.; providing definitions; amending s. 316.027, F.S.; deleting the definition of the term "vulnerable road user"; conforming provisions to changes made by the act; amending s. 316.083, F.S.; revising provisions relating to the passing of a vehicle; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amend-

ing s. 316.084, F.S.; exempting bicycles from provisions for passing a vehicle on the right under certain circumstances; amending s. 316.0875, F.S.; revising exceptions to provisions for designated no-passing zones; amending s. 316.151, F.S.; revising provisions for turning at intersections; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.1925, F.S.; revising provisions relating to careless driving; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.2065, F.S.; revising provisions for operation of a bicycle; requiring motor vehicle operators to allow a group of bicycles to travel through an intersection under certain circumstances; creating s. 318.142, F.S.; providing penalties for specified infractions contributing to bodily injury of a vulnerable user; amending s. 318.19, F.S.; requiring a hearing for specified offenses; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 322.0261, F.S., relating to driver improvement courses; revising the definition of "vulnerable road users"; amending ss. 212.05, 316.1303, 316.235, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031, 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; reenacting ss. 316.072(4)(b), 316.1923(5), 318.14(2), and 318.18(1)(b), F.S., relating to obedience to and effect of traffic laws, aggressive careless driving, noncriminal traffic infractions, and amount of penalties, respectively, to incorporate amendments made by the act in references thereto; providing an effective date.

By the Committees on Fiscal Policy; and Criminal Justice; and Senator Clemens—

CS for CS for SB 360—A bill to be entitled An act relating to criminal justice; amending ss. 784.078, 800.09, 947.002, and 947.02, F.S.; conforming provisions to changes made by chapter 2014-191, Laws of Florida; repealing s. 947.021, F.S., relating to expedited appointments to the Florida Commission on Offender Review; amending s. 947.10, F.S.; conforming provisions to changes made by chapter 2014-191, Laws of Florida; deleting an applicability provision; amending s. 947.172, F.S.; conforming provisions to changes made by chapter 2014-191, Laws of Florida; deleting a provision requiring the assigning of cases on a random basis; amending ss. 947.16, 947.174, 947.1745, and 947.22, F.S.; conforming provisions to changes made by chapter 2014-191, Laws of Florida; amending s. 960.001, F.S.; requiring a law enforcement agency to provide specified instructions to a victim; requiring a law enforcement agency to promptly make reasonable efforts to provide the victim with specified information under certain circumstances; amending s. 20.32, F.S.; conforming provisions to changes made by the act; providing effective dates.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Hays—

CS for CS for SB 400—A bill to be entitled An act relating to the organizational structure of the Department of Environmental Protection; amending s. 20.255, F.S.; deleting a provision requiring certain offices within the department; establishing the Office of the Secretary; authorizing the secretary to establish offices within divisions or the Office of the Secretary as necessary to promote the efficient and effective operation of the department; requiring the appointment of a general counsel; providing an exemption for certain managers and directors from part II of ch. 110, F.S.; establishing the Division of Water Restoration Assistance within the department; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Criminal Justice; and Senators Altman, Negron, Joyner, Clemens, Flores, Sachs, Sobel, and Soto—

CS for CS for SB 408—A bill to be entitled An act relating to juvenile civil citation and similar diversion programs; amending s. 985.12, F.S.; requiring the establishment of civil citation or similar diversion programs for juveniles; providing definitions; specifying program eligibility, participation, and implementation requirements; providing exceptions; providing applicability; amending ss. 943.051 and 985.11, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Rules; Children, Families, and Elder Affairs; and Criminal Justice; and Senators Altman, Negron, Joyner, Clemens, Flores, Sachs, Sobel, and Soto—

CS for CS for CS for SB 408—A bill to be entitled An act relating to juvenile civil citation and similar diversion programs; amending s. 985.12, F.S.; requiring the establishment of civil citation or similar diversion programs for juveniles; providing definitions; specifying program eligibility, participation, and implementation requirements; providing exceptions; providing applicability; amending ss. 943.051 and 985.11, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Education Pre-K - 12; and Senators Garcia and Gaetz—

CS for CS for SB 434—A bill to be entitled An act relating to the Principal Autonomy Pilot Program Initiative; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a procedure for a school district to participate in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to complete a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; providing an effective date.

By the Committees on Appropriations; and Criminal Justice; and Senators Simpson and Dean—

CS for CS for SB 436—A bill to be entitled An act relating to relating to the crime of making threats of terror or violence; amending ss. 790.163 and 790.164, F.S.; creating the crime of falsely reporting the use of firearms in a violent manner against a person or persons; creating s. 836.12, F.S.; defining the terms “family member of a person” and “law enforcement officer”; providing a criminal penalty for a violation of specified provisions under certain circumstances; requiring payment of restitution; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; reenacting ss. 1006.07(2)(m) and 1006.13(3)(b), F.S., relating to district school board duties relating to student discipline and school safety and a policy of zero tolerance for crime and victimization, respectively, to incorporate the amendment made to s. 790.163, F.S., in references thereto; providing an effective date.

By the Committees on Appropriations; and Higher Education; and Senator Gaetz—

CS for CS for SB 524—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution’s incentive under certain circumstances; requiring the Commissioner of Education to withhold certain disbursements under certain circumstances; providing for reporting and rulemaking; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets specified requirements as an “emerging preeminent state research university”; requiring an emerging preeminent state research university to submit a certain plan to the board and meet

specified expectations to receive certain funds; providing for the distribution of certain funding increases; deleting provisions relating to the preeminent state research university enhancement initiative and special course requirement authorization; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state’s threshold from eligibility for a share of the state’s investment performance funding; requiring the board to adopt regulations; deleting an expiration; amending s. 1002.391, F.S.; requiring a school district to add a specified number of points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program; amending s. 1002.53, F.S.; revising eligibility for the Voluntary Prekindergarten Education Program; amending s. 1003.4282, F.S.; revising the online course requirement; authorizing a district school board or a charter school governing board to offer certain additional options to meet the requirement; amending s. 1011.62, F.S.; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a purpose for the pilot program; providing a procedure for a school district to in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to complete a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, and eligibility requirements for certain funding and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.731, F.S.; providing legislative intent; establishing the Florida Best and Brightest Teacher Scholarship Program; providing eligibility criteria; requiring a school district to annually submit the number of eligible teachers to the Department of Education; providing for funding and the disbursement of funds; defining the term “school district”; amending s. 1012.75, F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; amending s. 1013.62, F.S.; deleting provisions relating to priorities for charter school capital outlay funding; deleting provisions relating to a charter school’s allocation; providing that a charter school is not eligible for funding unless it meets certain requirements; defining the term “affiliated party of the charter school”; revising the funding allocation calculation; requiring the Department of Education to calculate and periodically recalculate, as necessary, the eligible charter school funding allocations; deleting provisions relating to certain duties of the Commissioner of Education; amending s. 1013.64, F.S.; providing that a school district may not receive funds from the Special Facility Construction Account under certain circumstances; revising the criteria for a request for funding; authorizing the request for a preapplication review to take place at any time; providing exceptions; revising the timeframe for completion of the review; providing that certain capital outlay full-time equivalent student enrollment estimates be determined by specified estimating conferences; requiring surveys to be cooperatively prepared by certain entities and approved by the Department of Education; prohibiting certain consultants from specified employment and compensation; providing an exception to prohibiting the cost per student station from exceeding a certain amount; requiring a school district to levy the maximum millage against certain property value under certain circumstances; reducing the required millage to be budgeted for a project; requiring certain plans to be finalized by a specified date; requiring a representative of the department to chair the Special Facility Construction Committee; requiring school districts to maintain accurate documentation related to specified costs; requiring the Auditor General to review such documentation; providing that the Auditor General makes final determinations on compliance; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study, in consultation with the department, on cost per student station amounts and on the State Requirements for Education Facilities; requiring reports to the Governor and the Legislature by a specified date; prohibiting a district school board from using funds for specified purposes for certain projects; providing sanctions for school

districts that exceed certain costs; providing for the creation of a district capital outlay oversight committee; providing for membership of the oversight committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending s. 1013.74, F.S.; authorizing a university board of trustees to expend reserve or carry-forward balances for certain projects; establishing a competency-based innovation pilot program within the Department of Education; defining the term “competency-based education”; authorizing certain schools to apply to the department for approval of a competency-based innovation pilot program; specifying information to be included in the application; authorizing certain waivers; providing reporting and funding requirements for students participating in the pilot program at participating schools; requiring the department to compile certain information and provide access to statewide, standardized assessments; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; specifying the contents of the annual report; providing for expiration of the pilot program; amending s. 1002.33, F.S.; conforming cross-references; providing an effective date.

By the Committee on Fiscal Policy; and Senator Altman—

CS for SB 556—A bill to be entitled An act relating to the Florida Council on Poverty; establishing the council within the Department of Economic Opportunity; specifying the membership of the council; providing for organization of the council; authorizing reimbursement for per diem and travel expenses; prescribing the scope of the council’s activities; requiring the council to annually submit a report to the Governor and Legislature; requiring the council’s abolition by a specific date; providing an effective date.

By the Committees on Fiscal Policy; Commerce and Tourism; and Banking and Insurance; and Senators Stargel and Gaetz—

CS for CS for CS for SB 562—A bill to be entitled An act relating to consumer debt collection; amending s. 559.72, F.S.; specifying methods by which a debtor, represented by an attorney, may notify a creditor of such representation; specifying methods by which an attorney representing a debtor may notify a creditor of such representation; requiring a creditor to identify the manner by which a debtor may communicate notice of representation; providing that a creditor must cease direct communication with the debtor under certain circumstances; providing an effective date.

By the Committees on Fiscal Policy; and Community Affairs; and Senator Hutson—

CS for CS for SB 704—A bill to be entitled An act relating to building codes; amending s. 468.609, F.S.; revising the certification examination requirements for building code inspectors, plans examiners, and building code administrators; requiring the Florida Building Code Administrators and Inspectors Board to provide for issuance of certain provisional certificates; amending s. 489.103, F.S.; providing an exemption for certain employees who make minor repairs to existing electric water heaters and to existing electric heating, venting, and air-conditioning systems under specified circumstances; providing that the exemption does not limit the authority of a municipality or county to adopt or enforce certain ordinances, rules, or regulations; amending s. 489.105, F.S.; revising the definition of the term “plumbing contractor”; amending s. 489.1401, F.S.; revising legislative intent with respect to the purpose of the Florida Homeowners’ Construction Recovery Fund; providing legislative intent that Division II contractors set apart funds to participate in the fund; amending s. 489.1402, F.S.; revising definitions; amending s. 489.141, F.S.; authorizing certain claimants to make a claim against the recovery fund for certain contracts entered into before a specified date; amending s. 489.1425, F.S.; revising a notification provided by contractors to certain residential property owners to state that payment from the recovery fund is limited; amending s. 489.143, F.S.; revising provisions concerning payments from the recovery fund; specifying claim amounts for certain contracts entered into before or after specified dates; providing aggregate caps for payments; amending s. 489.503, F.S.; exempting certain low-voltage landscape lighting from licensed electrical contractor installation requirements; amending s. 514.011, F.S.; revising

the definition of the term “private pool”; amending s. 514.0115, F.S.; prohibiting a temporary pool from being regulated as a public pool in certain circumstances; amending s. 514.031, F.S.; providing that a temporary pool may not be used as a public pool unless it is exempt under s. 514.0115, F.S.; amending s. 515.27, F.S.; adding swimming pool alarms as a safety feature that satisfies requirements for final inspection and issuance of a certificate of completion; amending s. 553.512, F.S.; revising the membership of the Accessibility Advisory Council; amending s. 553.721, F.S.; directing the Florida Building Code Compliance and Mitigation Program to fund, from existing resources, the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup; providing a limitation; requiring that a specified amount of funds from the surcharge be used to fund certain Florida Fire Prevention Code informal interpretations; requiring the State Fire Marshal to adopt specified rules; amending s. 553.73, F.S.; authorizing local boards created to address specified issues to combine the appeals boards to create a single, local board; authorizing the local board to grant alternatives or modifications through specified procedures; requiring that at least one member of a board to be a fire protection contractor, a fire protection design professional, a fire department operations professional, or a fire code enforcement professional in order to meet a specified quorum requirement; authorizing the appeal to a local administrative board of specified decisions made by a local fire official; specifying the decisions of the local building official and the local fire official which are subject to review; prohibiting an agency or local government from requiring that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the Florida Building Code under certain circumstances; requiring the Florida Building Code to require two fire service access elevators in certain buildings; providing that a 1-hour fire-rated fire service access elevator lobby is not required in certain circumstances; requiring a 1-hour fire-related fire service access elevator lobby in certain circumstances; amending s. 553.775, F.S.; revising the membership of a panel that hears requests to review decisions of local building officials; amending s. 553.79, F.S.; providing that failure of a plans reviewer or building code administrator to provide a reason for denial or revocation of a building permit must result in disciplinary action; authorizing a building official to issue a permit for the construction of the foundation or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; providing that the holder of such a permit may begin building at the holder’s own risk with the building operation and without assurance that a permit for the entire structure will be granted; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; requiring the owner, lessee, or occupant, or an authorized representative thereof, of a property to register an alarm system under certain circumstances; requiring a contractor to provide written notice to an owner, lessee, or occupant, or an authorized representative thereof, that an obligation to register the alarm system may exist; requiring alarm system monitoring companies to provide written or verbal notice, in certain circumstances, to an owner, lessee, or occupant, or an authorized representative thereof, that an obligation to register the alarm system may exist; providing that a contractor or alarm system monitoring company is not liable for specified fines and penalties; prohibiting local governmental entities from requiring notarization of an alarm system registration form; providing for preemption; amending s. 553.80, F.S.; prohibiting a local enforcement agency from charging additional fees related to the recording of a contractor’s license or workers’ compensation insurance; amending s. 553.842, F.S.; providing that Underwriters Laboratories, LLC, and Intertek Testing Services NA, Inc., are approved evaluation entities; amending s. 553.844, F.S.; excluding work associated with the prevention of degradation of a residence from certain building permit requirements; deleting an obsolete provision providing for expiration of requirements for the adoption of certain mitigation techniques by the Florida Building Code Commission within the Florida Building Code for certain structures and revising the requirements; amending s. 553.883, F.S.; exempting certain devices from certain smoke alarm battery requirements; amending s. 553.908, F.S.; providing for the amendment of portions of the Florida Building Code, Energy Conservation, related to certain buildings and dwelling units after a specified date; delaying the effective date of certain portions of the Florida Building Code, Energy Conservation, related to blower door testing; providing for the amendment of portions of the Florida Building Code, Mechanical, related to air filtration rates for dwelling units after a specified date; amending s. 553.993, F.S.; revising the definition of the term “building energy-efficiency rating system” to require that oversight is performed using evaluation materials from

certain identified entities; amending s. 633.202, F.S.; requiring all new and existing high-rise buildings to maintain a minimum radio signal strength for fire department communications; providing a transitory period for compliance; requiring existing buildings and existing apartment buildings that are not in compliance to initiate an application for an appropriate permit by a specified date; requiring areas of refuge as determined by the Florida Building Code, Accessibility; amending s. 633.208, F.S.; authorizing fire officials to consider certain systems acceptable for identifying low-cost alternatives; amending s. 633.336, F.S.; authorizing a licensed fire protection contractor to subcontract for advanced technical services under certain circumstances; creating the Calder Sloan Swimming Pool Electrical-Safety Task Force within the Florida Building Commission; specifying the purpose of the task force; requiring a report to the Governor and the Legislature by a specified date; providing for membership; requiring the Florida Building Commission to provide staff, information, and other assistance to the task force; providing that members of the task force serve without compensation; authorizing the task force to meet as often as necessary; providing for expiration of the task force; creating the Construction Industry Workforce Task Force within the University of Florida M.E. Rinker, Sr., School of Construction Management; specifying the goals of the task force; providing for membership; requiring the University of Florida Rinker School of Construction to provide assistance to the task force; providing for meetings; requiring a report to the Governor and Legislature by a specified date; providing an appropriation from specified funds available to the Department of Business and Professional Regulation; providing for expiration of the task force; requiring the Florida Building Commission to amend the Florida Building Code to define the term “fire separation distance,” to specify openings and roof overhang projection requirements, to adopt a specific energy rating index as an option for compliance, to provide for Climate Zone indices, to provide exceptions to the shower lining requirements, and to provide minimum fire separation distances; requiring a restaurant, cafeteria, or similar dining facility to have sprinklers only under specified circumstances; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senator Sobel—

CS for CS for SB 718—A bill to be entitled An act relating to identification cards; amending s. 322.051, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue an identification card exhibiting a special designation for a person who has a developmental disability under certain circumstances; requiring payment of an additional fee and proof of diagnosis by a licensed physician; requiring the fee to be deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund; authorizing issuance of a replacement identification card that includes the special designation without payment of a specified fee; requiring the department to develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards; providing applicability; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Flores—

CS for CS for SB 748—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; deleting provisions related to examination by the Department of Health; amending s. 459.022, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; providing an effective date.

By the Committees on Fiscal Policy; Community Affairs; and Regulated Industries; and Senator Flores—

CS for CS for CS for SB 768—A bill to be entitled An act relating to alarm systems; amending s. 489.518, F.S.; exempting certain persons

from initial training for burglar alarm system agents; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; providing a uniform process for the registration of home and business alarm systems under certain circumstances; requiring the owner, lessee, or occupant, or an authorized representative thereof, of a property to register an alarm system within 20 days after occupancy or after installation of the alarm system; authorizing the applicable local governmental entity to charge a registration fee; specifying the requirements of the application form; requiring the owner, lessee, or occupant, or an authorized representative thereof, to notify the applicable local governmental agency of a change in the information provided in the application form within 30 days; authorizing the applicable local governmental entity to assess or impose fines or penalties for a failure to register an alarm system or for excessive false alarms; providing that fines and penalties are the responsibility of the owner, lessee, or occupant of the property; providing an effective date.

By the Committee on Appropriations; and Senator Benacquisto—

CS for SB 886—A bill to be entitled An act relating to parent and student rights; amending s. 1002.20, F.S.; revising public school educational choice options available to students throughout the state to include CAPE Digital Tool certificates, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; providing the right of a parent to know an estimated amount of money expended for the education of his or her child; requiring the Department of Education to provide each school district with such information; requiring the school districts to provide notification to parents; authorizing the information to be published in the student handbook or a similar publication; amending s. 1002.31, F.S.; deleting the definition of and provisions relating to the term “controlled open enrollment”; requiring each school district to establish a public school parental choice policy that authorizes parents to choose to enroll their child in and transport their child to any public school that has not reached capacity in the state; authorizing a school district to provide transportation to students who participate in the public school parental choice; prohibiting the displacement of certain students who participate in public school parental choice; authorizing a student participating in the public school parental choice to remain at a school until a certain time; revising requirements for the public school parental choice plan; requiring a district school board to incorporate certain information in its determination of the capacity of each school; authorizing a parent to enroll and transport his or her child to a public school that has not reached capacity by a specified date; requiring the school district to report a student for purposes of the school district’s funding; amending s. 1002.33, F.S.; requiring a charter school with space available to be open to any student in the state; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher’s field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending ss. 1002.38, 1002.451, and 1006.15, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Rules; Fiscal Policy; and Criminal Justice; and Senators Flores, Soto, and Montford—

CS for CS for CS for SB 912—A bill to be entitled An act relating to fraudulent activities associated with payment systems; amending s. 316.80, F.S.; revising the felony classification for unlawful conveyance of fuel; amending s. 525.07, F.S.; specifying requirements for managers of petroleum fuel measuring devices with respect to accurate measurement; requiring retail petroleum fuel measuring devices fitted with scanning devices to have certain security measures; providing requirements for such measures; requiring the owner or operator of a device to have certain security measures in place within a specified timeframe upon notice from the Department of Agriculture and Consumer Ser-

vices; authorizing the department, under certain circumstances, to prohibit use of or to remove from service such devices that are non-compliant; defining terms; providing applicability; amending s. 817.58, F.S.; revising the definition of “traffic”; amending s. 817.611, F.S.; defining the term “related document”; revising the prohibition against trafficking in or possession of counterfeit credit cards; revising penalties; amending s. 921.0022, F.S.; revising the ranking of unlawful conveyance or fraudulent acquisition of fuel on the offense severity ranking chart; ranking trafficking in or possession of counterfeit credit cards; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Richter—

CS for CS for SB 918—A bill to be entitled An act relating to the Department of Health; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research Program; revising the reporting requirements for entities that perform or are associated with cancer research or care and that receive a specific appropriation; amending s. 381.0034, F.S.; revising the requirements for certain license applications; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer’s Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; amending s. 381.922, F.S.; requiring the Biomedical Research Advisory Council under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program to submit a report to the Legislature; providing reporting requirements; amending s. 384.23, F.S.; requiring the department to designate by rule sexually transmissible diseases; deleting references to specific diseases that may be considered sexually transmissible diseases; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide expedited partner therapy under certain circumstances; authorizing licensed pharmacists to dispense medication to a person diagnosed with a sexually transmissible disease under a prescription written for his or her partner, regardless of whether the person for whom the prescription was written has been physically examined by the prescribing practitioner; requiring that a pharmacist or a health care practitioner check for allergies before dispensing a prescription or providing medication; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time a certificate may remain in an inactive status; clarifying the process for reactivating and renewing a certificate in an inactive status; authorizing emergency medical technicians or paramedics that are trained in the military to apply for certification; deleting a requirement that emergency medical technicians or paramedics who are trained outside the state or are trained in the military successfully complete a certification examination; amending s. 456.013, F.S.; revising course requirements for obtaining a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for certain members of the Armed Forces of the United States and their spouses to obtain licensure to practice as a health care practitioner in this state; authorizing the spouse of an active duty military member to be licensed as a health care practitioner in this state if he or she meets specified criteria; creating s. 456.0241, F.S.; establishing a temporary certificate for active duty health care practitioners; defining terms; authorizing the department to issue a temporary certificate to active duty military health care practitioners to allow them to practice in specified professions; providing eligibility requirements; requiring the department to verify information submitted in support of establishing eligibility; providing for the automatic expiration of the temporary certificate within a specified time frame; providing for renewal of the temporary certificate if certain conditions are met; providing an exemption from specified requirements to military practitioners who apply for a temporary certificate; providing circumstances under which an applicant is ineligible to receive a temporary certificate; requiring the department to adopt by rule application and renewal fees, which may not exceed a specified amount; requiring the department to adopt necessary rules; amending s. 456.025, F.S.; deleting the requirement for an annual meeting of chairpersons of Division of Medical Quality Assurance boards and councils; deleting the requirement that certain recommendations be included in a report to the Legislature; deleting a requirement that the Department of Health set license fees and recommend fee cap increases in certain circumstances; providing that a profession may operate at a deficit for a certain time period; deleting a provision authorizing the

department to advance funds under certain circumstances; deleting a requirement that the department implement an electronic continuing education tracking system; authorizing the department to waive specified costs under certain circumstances; revising legislative intent; deleting a prohibition against the expenditure of funds by the department from the account of a profession to pay for the expenses of another profession; deleting a requirement that the department include certain information in an annual report to the Legislature; amending s. 456.031, F.S.; providing that certain licensing boards must require specified licensees to complete a specified continuing education course that includes a section on human trafficking as a condition of relicensure or recertification; providing requirements and procedures related to the course; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; revising a provision for a person or an entity appointed by the board to be approved by the department; authorizing the department to contract with a third party to provide record custodian services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain documentation from applicants; amending ss. 458.347 and 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; making technical changes; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; deleting a rulemaking requirement; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists in the department; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; deleting references to specific accrediting agencies; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit for certain information; amending ss. 499.028 and 921.0022, F.S.; conforming cross-references; providing effective dates.

By the Committees on Rules; Fiscal Policy; and Commerce and Tourism; and Senator Richter—

CS for CS for CS for SB 948—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photos of the items; specifying what may be used as a serial number; requiring a different method of identification when certain numbers are not available; requiring secondhand dealers to notify a law enforcement official under certain circumstances; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term “antique”; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold

secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official's jurisdiction, subject to certain conditions; providing an effective date.

By the Committees on Fiscal Policy; and Health Policy; and Senator Grimsley—

CS for CS for SB 964—A bill to be entitled An act relating to the prescription drug monitoring program; amending s. 893.055, F.S.; providing that certain acts of dispensing controlled substances in specified facilities are not required to be reported to the prescription drug monitoring program; authorizing the designee of a pharmacy, prescriber, or dispenser to have access to a patient's record in the prescription drug monitoring program's database for a specified purpose; authorizing an impaired practitioner consultant to access an impaired practitioner program participant's or referral's record in the prescription drug monitoring program's database; amending s. 893.0551, F.S.; authorizing the designee of a health care practitioner, pharmacist, pharmacy, prescriber, or dispenser or an impaired practitioner consultant to receive certain information from the prescription drug monitoring program; providing an effective date.

By the Committees on Appropriations; and Agriculture; and Senator Montford—

CS for CS for SB 1010—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; creating s. 15.0521, F.S.; designating tupelo honey as the official state honey; amending s. 482.111, F.S.; specifying the requirements for original certification as a pest control operator; specifying the fee for the renewal of a certificate; amending s. 482.1562, F.S.; specifying the deadline for recertification of persons who wish to apply urban landscape commercial fertilizer; providing a grace period for recertification; amending s. 500.03, F.S.; revising the definition of the term "food" to include dietary supplements; defining the term "vehicle"; amending s. 500.10, F.S.; providing additional conditions under which food may be deemed adulterated; amending s. 500.11, F.S.; including failure to comply with labeling relating to major food allergens as a criterion for use in determining whether food has been misbranded; creating s. 500.90, F.S.; preempting to the department the regulation of the use or sale of polystyrene products by entities regulated under the Florida Food Safety Act; providing applicability; amending s. 570.07, F.S.; revising the department's functions, powers, and duties; amending s. 570.30, F.S.; revising the powers and duties of the Division of Administration; amending s. 570.441, F.S.; authorizing the use of funds in the Pest Control Trust Fund for activities of the Division of Agricultural Environmental Services; providing for expiration; amending s. 570.53, F.S.; revising the powers and duties of the Division of Marketing and Development to remove the enforcement provisions relating to the dealers in agricultural products law; amending s. 570.544, F.S.; revising the duties of the director of the Division of Consumer Services to include enforcement provisions relating to the dealers in agricultural products law; creating s. 570.68, F.S.; authorizing the Commissioner of Agriculture to create an Office of Agriculture Technology Services; providing duties of the office; amending s. 570.681, F.S.; revising the legislative findings relating to the Florida Agriculture Center and Horse Park; amending s. 570.685, F.S.; authorizing, rather than requiring, the department to provide administrative and staff support services, meeting space, and record storage for the Florida Agriculture Center and Horse Park Authority; amending s. 571.24, F.S.; clarifying the intent that the Florida Agricultural Promotional Campaign serve as a marketing program; removing an obsolete provision relating to the designation of a division employee as a member of the Advertising Interagency Coordinating Council; amending s. 571.27, F.S.; removing obsolete provisions relating to the authority of the department to adopt rules for entering into contracts with advertising agencies for services that are directly related to the Florida Agricultural Promotional Campaign; amending s. 571.28, F.S.; revising the composition of the Florida Agricultural Promotional Campaign Advisory Council; amending s. 576.041, F.S.; revising the frequency with which tonnage reports of fertilizer sales must be made; revising the timeframe for submission of such reports; creating s. 580.0365, F.S.; providing for the preemption of commercial feed and feedstuff regulation; amending s. 581.181, F.S.; providing applicability of provisions requiring treatment or destruction of infested or infected

plants and plant products; creating s. 581.189, F.S.; creating the Grove Removal or Vector Elimination (GROVE) Program; specifying the purpose of the program; defining terms; requiring the department to adopt rules for reviewing and ranking applications for cost-share funding to remove or destroy abandoned citrus groves; establishing per applicant award maximums; specifying that the total funds awarded in a fiscal year cannot exceed the amount specifically appropriated for the program; specifying application requirements; specifying how the department must process applications; specifying that noncompliance will result in forfeiture of cost-share funds; requiring the department to rank and review applications and to conduct a certain inspection; specifying grounds for denial of an application; requiring applicants selected for funding to timely initiate and complete the removal of identified citrus trees in accordance with their respective applications; providing the process for making payments to applicants; authorizing the department to adopt rules; specifying that funding for the program is contingent upon specific appropriation by the Legislature; amending s. 582.01, F.S.; redefining terms relating to soil and water conservation; amending s. 582.02, F.S.; providing legislative intent and findings relating to soil and water conservation districts; providing a statement of purpose; amending s. 582.055, F.S.; revising the powers and duties of the department; authorizing the department to adopt rules; amending s. 582.06, F.S.; requiring the Soil and Water Conservation Council to accept and review requests for creating or dissolving soil and water conservation districts and to make recommendations to the commissioner; requiring the council to provide recommendations to the commissioner relating to the removal of supervisors under certain circumstances; amending s. 582.16, F.S.; revising how district boundaries may be changed; amending s. 582.20, F.S.; revising the powers and duties of districts and supervisors; amending s. 582.29, F.S.; revising the terms under which certain state agencies must cooperate; amending s. 595.402, F.S.; defining terms relating to the school food and nutrition service program; amending s. 595.404, F.S.; revising the powers and duties of the department with regard to the school food and nutrition service program; directing the department to collect and annually publish data on food purchased by sponsors through the Florida Farm to School Program and other school food and nutrition service programs; amending s. 595.405, F.S.; clarifying requirements for the school nutrition program; requiring breakfast meals to be available to all students in schools that serve any combination of grades kindergarten through 5; amending s. 595.406, F.S.; renaming the "Florida Farm Fresh Schools Program" as the "Florida Farm to School Program"; authorizing the department to establish by rule a recognition program for certain sponsors; amending s. 595.407, F.S.; revising provisions of the children's summer nutrition program to include certain schools that serve any combination of grades kindergarten through 5; revising provisions relating to the duration of the program; authorizing school districts to exclude holidays and weekends; amending s. 595.408, F.S.; conforming provisions to changes made by the act; amending s. 595.501, F.S.; requiring certain entities to complete corrective action plans required by the department or a federal agency to be in compliance with school food and nutrition service programs; amending s. 595.601, F.S.; revising a cross-reference; amending s. 601.31, F.S.; specifying that certain citrus inspectors must be licensed by the state Department of Agriculture rather than the United States Department of Agriculture; amending s. 604.21, F.S.; deleting a requirement relating to complaints filed by electronic transmission or facsimile; amending s. 604.33, F.S.; deleting provisions requiring grain dealers to submit monthly reports; authorizing, rather than requiring, the department to make at least one spot check annually of each grain dealer; repealing s. 582.03, F.S., relating to the consequences of soil erosion; repealing s. 582.04, F.S., relating to appropriate corrective methods; repealing s. 582.05, F.S., relating to legislative policy for conservation; repealing s. 582.08, F.S., relating to additional powers of the department; repealing s. 582.09, F.S., relating to an administrative officer of soil and water conservation; repealing s. 582.17, F.S., relating to the presumption as to establishment of a district; repealing s. 582.21, F.S., relating to adoption of land use regulations; repealing s. 582.22, F.S., relating to district regulations and contents; repealing s. 582.23, F.S., relating to performance of work under the regulations by the supervisors; repealing s. 582.24, F.S., relating to the board of adjustment; repealing s. 582.25, F.S., relating to rules of procedure of the board; repealing s. 582.26, F.S., relating to petitioning the board to vary from regulations; repealing s. 582.331, F.S., relating to the authorization to establish watershed improvement districts within soil and water conservation districts; repealing s. 582.34, F.S., relating to petitions for establishment of watershed improvement districts; repealing s. 582.35, F.S., relating to notice and

hearing on petitions, determinations of need for districts, and boundaries; repealing s. 582.36, F.S., relating to determination of feasibility of proposed districts and referenda; repealing s. 582.37, F.S., relating to consideration of results of referendums and declaration of organization of districts; repealing s. 582.38, F.S., relating to the organization of districts, certification to clerks of circuit courts, and limitation on tax rates; repealing s. 582.39, F.S., relating to establishment of watershed improvement districts situated in more than one soil and water conservation district; repealing s. 582.40, F.S., relating to change of district boundaries or names; repealing s. 582.41, F.S., relating to boards of directors of districts; repealing s. 582.42, F.S., relating to officers, agents, and employees, surety bonds, and annual audits; repealing s. 582.43, F.S., relating to status and general powers of districts; repealing s. 582.44, F.S., relating to the levy of taxes and taxing procedures; repealing s. 582.45, F.S., relating to fiscal powers of a governing body; repealing s. 582.46, F.S., relating to additional powers and authority of districts; repealing s. 582.47, F.S., relating to the coordination between watershed improvement districts and flood control districts; repealing s. 582.48, F.S., relating to the discontinuance of watershed improvement districts; repealing s. 582.49, F.S., relating to the discontinuance of soil and water conservation districts; repealing s. 589.26, F.S., relating to the dedication of state park lands for public use; providing effective dates.

By the Committees on Appropriations; and Regulated Industries; and Senator Brandes—

CS for CS for SB 1050—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 326.004, F.S.; deleting a requirement that yacht and ship brokers maintain a separate license for each branch office and related fees; amending s. 447.02, F.S.; deleting a definition; repealing s. 447.04, F.S., relating to business agents, licenses, and permits; repealing s. 447.041, F.S., relating to hearings; repealing s. 447.045, F.S., relating to certain confidential information; repealing s. 447.06, F.S., relating to the required registration of labor organizations; amending s. 447.09, F.S.; deleting prohibitions against specified actions; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to the applicability of ch. 447, F.S.; amending s. 468.401, F.S.; deleting the definitions of the terms “department,” “license,” and “licensee”; repealing s. 468.402, F.S., relating to the duties of the Department of Business and Professional Regulation; repealing s. 468.403, F.S., relating to licensure and application requirements for owners and operators of talent agencies; repealing s. 468.404, F.S., relating to fees and renewal of talent agency licenses; repealing s. 468.405, F.S., relating to qualification for talent agency licenses; amending s. 468.406, F.S.; deleting the requirement for talent agencies to file with the department an itemized schedule of certain fees and an amended or supplemental schedule under certain circumstances; repealing s. 468.407, F.S., relating to license contents and posting; amending s. 468.408, F.S.; deleting a requirement that a talent agency file a bond for each talent agency license; deleting a departmental requirement to approve talent agency bonds; requiring that a bonding company notify the talent agency, rather than the department, of certain claims; amending s. 468.409, F.S.; deleting provisions requiring talent agencies to make specified records readily available for inspection by the department; amending s. 468.410, F.S.; deleting a reference to the department in talent agency contracts; amending s. 468.412, F.S.; revising the information that talent agencies are required to enter on records; revising the requirements for talent agencies to post certain laws and rules; revising the information required in talent agency publications; amending s. 468.413, F.S.; deleting provisions relating to criminal violations for failing to obtain or maintain licensure with the department; deleting provisions authorizing the court to suspend or revoke a license; deleting a provision authorizing the court to bring certain actions; repealing s. 468.414, F.S., relating to collection and deposit of fines, fees, and penalties by the department; amending s. 468.415, F.S.; deleting a provision authorizing the department to revoke a license; amending s. 468.451, F.S.; revising legislative intent related to the regulation of athlete agents; reordering and amending s. 468.452, F.S.; deleting the term “department”; repealing s. 468.453, F.S., relating to the licensure of athlete agents; repealing s. 468.4536, F.S., relating to renewal of such licenses; amending s. 468.454, F.S.; revising the information that must be stated in agent contracts; deleting a condition under which an agent contract is void and unenforceable; amending s. 468.456, F.S.; providing that certain actions are grounds for civil causes of action and remedies;

deleting a provision authorizing the department to impose certain penalties and fines; deleting the requirement that the department suspend or revoke an athlete agent’s license for certain violations; repealing s. 468.4561, F.S., relating to unlicensed activity and penalties for violations; amending s. 468.45615, F.S.; conforming provisions to changes made by the act; amending s. 468.4565, F.S.; deleting provisions authorizing the department to access and inspect certain records of athlete agents and related disciplinary actions and subpoena powers; repealing s. 468.457, F.S., relating to rulemaking authority; amending s. 469.006, F.S.; requiring that a license be in the name of a qualifying agent rather than the name of a business organization; requiring the qualifying agent, rather than the business organization, to report certain changes in information; conforming provisions to changes made by the act; amending s. 469.009, F.S.; deleting the authority of the department to reprimand, censure, or impose probation on certain business organizations; amending s. 477.0135, F.S.; providing that a license or registration is not required for a person whose occupation or practice is confined solely to adding polish to nails; amending s. 481.203, F.S.; defining the term “business organization”; deleting the definition of the term “certificate of authorization”; amending s. 481.219, F.S.; revising the process by which a business organization obtains the requisite license to perform architectural services; requiring that a licensee or an applicant apply to qualify a business organization under certain circumstances; specifying application requirements; authorizing the Board of Architecture and Interior Design to deny an application under certain circumstances; requiring that a qualifying agent be a registered architect or a registered interior designer under certain circumstances; requiring that a qualifying agent notify the department when she or he ceases to be affiliated with a business organization; prohibiting a business organization from engaging in certain practices until it is qualified by a qualifying agent; authorizing the executive director or the chair of the board to authorize a certain registered architect or interior designer to temporarily serve as the business organization’s qualifying agent for a specified timeframe under certain circumstances; requiring the qualifying agent to give written notice to the department before engaging in practice under her or his own name or in affiliation with another business organization; requiring the board to certify an applicant to qualify one or more business organizations or to operate using a fictitious name under certain circumstances; conforming provisions to changes made by the act; amending s. 481.221, F.S.; requiring a business organization to include the license number of a certain registered architect or interior designer in any advertising; providing an exception; conforming provisions to changes made by the act; amending s. 481.229, F.S.; conforming provisions to changes made by the act; reordering and amending s. 481.303, F.S.; deleting the term “certificate of authorization”; amending s. 481.321, F.S.; revising provisions that require persons to display certificate numbers under certain circumstances; conforming provisions to changes made by the act; amending ss. 481.311, 481.317, and 481.319, F.S.; conforming provisions to changes made by the act; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.503, F.S.; revising an exemption from regulation for certain persons; exempting a person who installs certain low-voltage landscape lighting from specified requirements; amending s. 489.518, F.S.; exempting certain persons from initial training for burglar alarm system agents; amending ss. 718.111 and 719.104, F.S.; deleting provisions requiring certain associations to file a financial report; amending s. 720.303, F.S.; deleting a provision authorizing a certain association to prepare a specified report; providing an effective date.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Hays—

CS for CS for SB 1052—A bill to be entitled An act relating to environmental control; amending s. 373.323, F.S.; revising eligibility requirements for taking the water well contractor licensure examination; repealing s. 373.245, F.S., relating to violations of consumptive use permit conditions; amending s. 378.209, F.S.; exempting certain constructed clay settling areas from reclamation rate and financial responsibility requirements; amending s. 403.067, F.S.; authorizing the use of land set-asides and land use modifications in water quality credit trading; amending s. 403.201, F.S.; providing applicability of prohibited variances concerning discharges of waste into waters of the state and hazardous waste management; amending s. 403.709, F.S.; establishing a solid waste landfill closure account within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste facilities; authorizing the department to contract with a

third party for such closing and long-term care under certain conditions; requiring the department to deposit certain funds in the solid waste landfill closure account; authorizing the department to use funds from the solid waste landfill closure account to pay for facility closing and long-term care under certain circumstances; deleting an expiration date; amending s. 403.814, F.S.; requiring that a Florida registered professional certify that certain projects meet additional requirements; requiring such certification to be submitted to the department before, rather than after, construction of a stormwater management system begins; reenacting s. 373.414(17), F.S., relating to variances for activities in surface waters and wetlands, to incorporate the amendment made by the act to s. 403.201, F.S., in a reference thereto; providing an effective date.

By the Committee on Appropriations; and Senator Legg—

CS for SB 1060—A bill to be entitled An act relating to education; amending s. 446.021, F.S.; redefining and reordering terms; conforming provisions to changes made by the act; amending s. 446.032, F.S.; conforming provisions to changes made by the act; amending s. 446.045, F.S.; revising the membership requirements for the State Apprenticeship Advisory Council; amending s. 446.081, F.S.; providing for construction; amending s. 446.091, F.S.; conforming provisions to changes made by the act; amending s. 446.092, F.S.; revising the attributes that characterize apprenticeable occupations; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments or examinations to earn course credit; amending s. 1004.015, F.S.; revising the membership of the Higher Education Coordinating Council; amending s. 1004.92, F.S.; revising the Department of Education's responsibility for the development of program standards for career, adult, and community education programs; providing for rulemaking; amending s. 1004.93, F.S.; revising provisions relating to adult general education; providing that adult education programs may only provide academic services to specified students under certain circumstances; deleting duties of the State Board of Education relating to adult general education programs; deleting a requirement that specific expenditures be reported separately; revising allocation requirements for developmental education; amending s. 1007.273, F.S.; providing additional options for students participating in a structured high school acceleration program; prohibiting a district school board from limiting the number of public school students who may enroll in a structured high school acceleration program; revising requirements relating to contracts establishing structured high school acceleration programs; requiring each district school board to notify students in certain grades about the program; revising provisions relating to program funding; providing reporting requirements; amending s. 1008.44, F.S.; increasing the maximum number of certain CAPE Digital Tool certificates that the Commissioner of Education may recommend be added to the CAPE Industry Certification Funding List; deleting the requirement that certain digital tool certificates be updated solely by the Chancellor of Career and Adult Education; amending s. 1009.42, F.S.; expanding the financial aid appeals process to other school entities; amending s. 1011.80, F.S.; conforming provisions; requiring school districts and Florida College System institutions to maintain certain records; revising operational and performance funding calculation and allocation for workforce education programs; deleting provisions relating to a program to assist in responding to the needs of new and expanding businesses and a requirement that the State Board of Education and CareerSource Florida, Inc., provide the Legislature with certain formulas and mechanisms for distributing performance funds; creating s. 1011.802, F.S.; creating the Florida Apprenticeship Grant (FLAG) program; providing for the purpose, requirements, and administration of the program; requiring certain career centers and Florida College System institutions to provide quarterly reports; creating s. 1011.803, F.S.; creating the Rapid Response Grant program; providing for the purpose, requirements, and administration of the program; requiring certain career centers and Florida College System institutions to provide quarterly reports; requiring the department to administer the program and conduct an annual program analysis; providing an effective date.

By the Committees on Rules; and Banking and Insurance; and Senator Flores—

CS for CS for SB 1104—A bill to be entitled An act relating to service of process on financial institutions; creating s. 48.092, F.S.; requiring service on financial institutions to be made in accordance with s. 655.0201, F.S.; amending s. 655.0201, F.S.; revising applicability of provisions of law governing service of process on financial institutions; authorizing certain financial institutions to designate with the Department of State a place or registered agent within the state as the sole location or agent for service of process, notice, levy, or demand; providing that service of process, notice, levy, or demand may be made at specified time periods; providing exceptions if the financial institution has no registered agent, if service cannot be made at the sole location, and for service made by the Office of Financial Regulation; providing an effective date.

By the Committee on Appropriations; and Senator Gaetz—

CS for SB 1166—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district's funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemp-

tion from certain administrative fees; amending s. 1002.37, F.S.; revising the calculation of “full-time equivalent student”; conforming a cross-reference; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider’s contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the “Adults with Disabilities Workforce Education Program”; amending s. 1006.15, F.S.; defining the term “eligible to participate”; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition in which a student who was recruited by specified adults participated; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending s. 1009.893, F.S.; changing the name of the “Florida National Merit Scholar Incentive Program” to the “Benacquisto Scholarship Program”; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of “full-time equivalent student”; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; deleting a provision prohibiting a teacher’s bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher’s field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education to incorporate training in youth suicide awareness and prevention into certain instructional personnel continuing education or inservice training requirements; requiring the department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for the training; specifying requirements for training materials; requiring the training to be included in the existing continuing education or inservice training requirements; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending ss. 1012.795 and 1012.796, F.S.; conforming provisions to changes made by the act; providing effective dates.

By the Committees on Appropriations; and Banking and Insurance; and Senator Detert—

CS for CS for SB 1170—A bill to be entitled An act relating to health plan regulatory administration; amending s. 112.08, F.S.; authorizing local governmental units to contract for certain group insurance with a corporation not for profit whose membership consists of specified local governmental units; adding such a corporation not for profit as an alternative entity that a local governmental unit must contract with to administer certain insurance plans; amending s. 408.909, F.S.; redefining the terms “health care coverage” and “health flex plan coverage”; amending s. 409.817, F.S.; deleting a provision authorizing group insurance plans to impose a certain preexisting condition exclusion; amending s. 624.123, F.S.; conforming a cross-reference; amending s. 626.88, F.S.; revising the definition of the term “administrator”; amending s. 627.402, F.S.; redefining the term “nongrandfathered health plan”; amending s. 627.411, F.S.; deleting a provision relating to a minimum loss ratio standard for specified health insurance coverage; deleting provisions specifying certain incurred claims; amending s. 627.6011, F.S., conforming a cross-reference; amending s. 627.602, F.S.; conforming a cross-reference; amending s. 627.642, F.S.; revising the policies to which certain outline of coverage requirements apply; amending s. 627.6425, F.S.; redefining the term “individual health insurance”; revising applicability; amending s. 627.6487, F.S.; redefining terms; repealing s. 627.64871, F.S., relating to certification of coverage; amending s. 627.6512, F.S.; revising a provision specifying that certain sections of the Florida Insurance Code do not apply to a group health insurance policy as that policy relates to specified benefits, under certain circumstances; amending s. 627.6513, F.S.; excluding applicability as to certain types of benefits or coverages; amending s. 627.6561, F.S.; conforming a cross-reference; revising conditions under which an insurer may impose a preexisting condition exclusion; deleting the definition of the term “creditable coverage”; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 627.6562, F.S.; redefining the term “creditable coverage”; providing exceptions and applicability; amending s. 627.65626, F.S.; conforming a cross-reference; amending s. 627.6699, F.S.; redefining terms; deleting a provision that requires a certain health benefit plan to comply with specified preexisting condition provisions; amending s. 627.6741, F.S.; conforming cross-references; conforming a provision to changes made by the act; amending s. 641.31, F.S.; deleting a provision specifying that a law restricting or limiting deductibles, coinsurance, copayments, or annual or lifetime maximum payments may not apply to a certain health maintenance organization contract; conforming a cross-reference; amending s. 641.31071, F.S.; conforming a cross-reference; deleting the definition of the term “creditable coverage”; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 641.31074; requiring a health maintenance organization that issues a health insurance contract, rather than a group health insurance contract, to renew or continue in force such coverage at the contract holder’s option; revising conditions under which a health maintenance organization may discontinue offering a particular contract form; adding to the conditions under which a health maintenance organization may, at the time of coverage renewal, modify coverage for a product offered; amending s. 641.312, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Fiscal Policy; and Environmental Preservation and Conservation; and Senator Hays—

CS for CS for SB 1192—A bill to be entitled An act relating to waste management; creating s. 403.70491, F.S.; prohibiting a local government from preventing a private company from listing separately on an invoice for solid waste collection, disposal, or recycling any governmental taxes and fees; amending s. 403.70605, F.S.; revising provisions relating to solid waste collection services to include disposal and recycling services; revising definitions; creating s. 812.0141, F.S.; defining a term; establishing the crime of theft of recyclable property; providing penalties; providing for a civil remedy; providing for attorney fees and costs under certain conditions; providing an effective date.

By the Committees on Fiscal Policy; and Banking and Insurance; and Senator Latvala—

CS for CS for SB 1274—A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; speci-

fying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing applicability; providing a limitation of coverage; authorizing a specified limitation of coverage subject to a certain condition; authorizing certain policy terms; requiring an insurance agent to obtain a specified signed acknowledgement from an applicant before issuing a policy; authorizing insurer forms and exempting forms from approval; authorizing an insurer to establish and use rates in accordance with specified rate standards; requiring an insurer to provide a specified notice of changes to rates within a specified timeframe to the Office of Insurance Regulation; requiring an insurer to maintain certain actuarial data for a specified timeframe; authorizing the office to require an insurer to incur the costs associated with examining such data; providing factors for the office in determining whether a rate is excessive, inadequate, or unfairly discriminatory; authorizing a surplus lines agent to export a contract or endorsement for sinkhole coverage to a surplus lines insurer without meeting certain requirements; requiring the insurer to notify the office before writing sinkhole insurance and to file a plan of operation with the office; providing an effective date.

By the Committee on Appropriations; and Senator Dean—

CS for SB 1282—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 379.2223, F.S.; revising penalties for violations of commission rules relating to control and management of state game lands; amending s. 379.2257, F.S.; revising penalties for violations of commission rules relating to cooperative agreements with the United States Forest Service; amending s. 379.2425, F.S.; authorizing exceptions to the prohibition on spearfishing; specifying penalties for violating the prohibition; amending s. 379.2431, F.S.; prohibiting certain possession of any marine turtle species or hatchling or parts thereof; providing penalties; amending s. 379.29, F.S.; revising penalties related to the contamination of fresh waters; amending s. 379.295, F.S.; specifying penalties associated with the prohibition on the use of explosives and other substances injurious to fish; amending s. 379.33, F.S.; deleting penalty provisions associated with the general enforcement of commission rules; amending s. 379.3502, F.S.; deleting a provision regarding the alteration of licenses or permits; specifying penalties for the unlawful transfer of a license or permit; amending s. 379.3503, F.S.; specifying penalties for swearing or affirming a false statement in an application for a license or permit; amending s. 379.3504, F.S.; specifying penalties for entering false information on an application for a license or permit; amending s. 379.3511, F.S.; revising penalties for violations related to subagent sales of hunting, fishing, and trapping licenses and permits; amending s. 379.354, F.S.; specifying penalties for violations related to recreational licenses, permits, and authorization numbers; amending s. 379.357, F.S.; providing that the purchase of a tarpon tag does not accord the purchaser with certain rights; revising penalties related to the tarpon license program; amending s. 379.359, F.S.; authorizing, rather than requiring, the commission to retain a portion of voluntary contributions for Southeastern Guide Dogs, Inc.; amending s. 379.363, F.S.; specifying penalties for violations related to freshwater fish dealer licenses; amending s. 379.364, F.S.; specifying penalties for violations related to the licensure of fur and hide dealers; amending s. 379.365, F.S.; revising penalties for violations related to stone crabs; amending s. 379.3751, F.S.; specifying penalties for violations related to the taking and possession of alligators; amending s. 379.3752, F.S.; specifying penalties for violations of requirements related to tagging of alligators and alligator hides; amending s. 379.401, F.S.; revising the penalties associated with the violation of commission rules related to the filing of documentation; specifying penalties for the violation of commission rules or orders related to the return of unused Convention on the International Trade on Endangered Species (CITES) tags; authorizing the imposition of a modified penalty for a specified offense if certain conditions are met; specifying that persons who commit certain Level One violations may be required to provide proof of a license or permit to satisfy a citation; providing that violations of commission rules or orders regarding all traps are Level Two violations unless otherwise specified; providing that violations of rules or orders of the commission relating certain alligator-related programs are Level Two violations; providing that certain specified unclassified violations are Level Two violations;

revising the levels to which specified violations are assigned; revising penalty provisions for Level Four violations; specifying penalties for certain violations while engaged in trespass; specifying that certain fines collected for trespass violations be deposited in the State Game Trust Fund; repealing s. 379.403, F.S., relating to the illegal killing, taking, possessing, or selling of wildlife or game and related fines; amending s. 379.409, F.S.; revising penalties for the illegal killing, possessing, or capturing of alligators or other crocodilia or crocodilian eggs; amending s. 379.411, F.S.; revising penalties for the unlawful intentional killing or wounding of any species designated as endangered, threatened, or of special concern; amending s. 379.4115, F.S.; revising penalties for the killing of Florida or wild panthers; providing an effective date.

By the Committee on Appropriations; and Senator Latvala—

CS for SB 1322—A bill to be entitled An act relating to juvenile detention costs; amending s. 985.686, F.S.; defining a term; revising the annual contributions by certain counties for the costs of detention care for juveniles; revising the methodology by which the Department of Juvenile Justice determines the percentage share for each county; requiring the state to pay all costs of detention care for juveniles residing out of state and for juveniles residing in state detention centers in counties that provide their own detention care for juveniles; deleting a requirement that the Department of Revenue and the counties provide certain technical assistance to the Department of Juvenile Justice; revising the applicability of specified provisions; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Fiscal Policy; and Health Policy; and Senator Garcia—

CS for CS for SB 1378—A bill to be entitled An act relating to drug safety; providing a short title; amending s. 893.055, F.S.; requiring pharmacies to offer for sale prescription lock boxes; requiring pharmacies to display a certain sign; defining the term “prescription lock box”; authorizing the Department of Health to develop and distribute a pamphlet containing certain information; providing for the distribution of the pamphlet by pharmacists in certain circumstances; prohibiting a pharmacy from charging a fee for the pamphlet; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 1422—A bill to be entitled An act relating to insurer regulatory reporting; creating s. 628.8015, F.S.; defining terms; requiring an insurer to maintain a risk management framework; requiring certain insurers and insurance groups to conduct an own-risk and solvency assessment; providing requirements for the preparation and submission of an own-risk and solvency assessment summary report; providing exemptions and waivers; requiring certain insurers and members of an insurance group to prepare and submit a corporate governance annual disclosure; requiring the initial corporate governance annual disclosure to be submitted to the Office of Insurance Regulation by a specified date; authorizing the office to require an insurer or insurance group to provide a corporate governance annual disclosure before such date under certain circumstances; specifying requirements for preparing and annually filing the corporate governance annual disclosure; specifying privilege requirements and prohibitions for certain filings and related documents; authorizing the office to retain third-party consultants for certain purposes; authorizing the Financial Services Commission to adopt rules; amending s. 628.803, F.S.; revising provisions relating to penalties to conform to the act; providing for contingent repeal of the act; providing a contingent effective date.

By the Committees on Rules; and Judiciary; and Senator Stargel—

CS for CS for SB 1432—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; expanding the locations at which substitute service of process may be made when such location is the only discoverable address for the person to be served; defining the terms “virtual office” and “executive office or mini suite”; amending s.

48.193, F.S.; providing that orders issued by agencies of other states are not enforceable under certain circumstances; amending s. 48.081, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Appropriations; Banking and Insurance; and Health Policy; and Senator Garcia—

CS for CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

By the Committees on Fiscal Policy; and Environmental Preservation and Conservation; and Senator Hutson—

CS for CS for SB 1454—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising provisions relating to careless operation of a vessel; amending s. 327.70, F.S.; requiring the issuance and use of a safety inspection decal under certain circumstances; prohibiting law enforcement officers from stopping a vessel for a specified purpose under certain circumstances; providing an exception; providing an effective date.

By the Committee on Appropriations; and Senators Bradley and Gaetz—

CS for SB 1496—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under ch. 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; providing an exemption; requiring a licensed facility to make available on its website certain information on payments made to that facility for defined bundles of services and procedures and other information for consumers and patients; requiring that facility websites provide specified information and notify and inform patients or prospective patients of certain information; requiring a facility to provide a written, good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding financial assistance from the facility which may be available to a patient or a prospective patient; providing a penalty for failing to provide an estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized statement or bill within a certain timeframe; revising the information that must be included on a patient's statement or

bill; requiring that certain records be made available through electronic means that comply with a specified law; reducing the response time for certain patient requests for information; amending s. 395.107, F.S.; providing a definition; making technical changes; creating s. 395.3012, F.S.; authorizing the Agency for Health Care Administration to impose penalties based on certain findings of an investigation as determined by the consumer advocate; amending ss. 400.487 and 400.934, F.S.; requiring home health agencies and home medical equipment providers to provide upon request certain written estimates of charges within a certain timeframe; amending s. 408.05, F.S.; revising requirements for the collection and use of health-related data by the agency; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes; requiring potential vendors to have certain qualifications; prohibiting the agency from establishing a certain database under certain circumstances; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; requiring submitted information considered a trade secret to be clearly designated; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a patient upon his or her request a written, good faith estimate of anticipated charges within a certain timeframe; setting a maximum amount for total fines assessed in certain disciplinary actions; amending s. 456.072, F.S.; providing that the failure to comply with fair billing practices by a health care practitioner is grounds for disciplinary action; amending s. 627.0613, F.S.; providing that the consumer advocate must represent the general public before other state agencies; authorizing the consumer advocate to report findings relating to certain investigations to the agency and the Department of Health; authorizing the consumer advocate to have access to files, records, and data of the agency and the department necessary for certain investigations; authorizing the consumer advocate to maintain a process to receive and investigate complaints from patients relating to compliance with certain billing and notice requirements by licensed health care facilities and practitioners; defining a term; authorizing the consumer advocate to provide mediation between providers and consumers relating to certain matters; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain methods that a policyholder can use to make estimates of certain costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to make available on its website a hyperlink to certain health information; requiring a health insurer to include certain notice; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency; excluding from the contributed claims data certain types of coverage; amending s. 641.54, F.S.; revising a requirement that a health maintenance organization make certain information available to its subscribers; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency; excluding from the contributed claims data certain types of coverage; amending s. 409.967, F.S.; requiring managed care plans to provide all claims data to a contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to provide certain data to the contracted vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to provide claims data to the vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 408.07, 408.18, and 465.0244, F.S.; conforming provisions to changes made by the act; providing legislative intent; providing an effective date.

By the Committees on Appropriations; and Regulated Industries; and Senator Simpson—

CS for CS for SB 1528—A bill to be entitled An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition; revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term "substantially similar"; deleting the term "potential for abuse"; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing,

or delivering or for possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for possession of a certain amount of specified controlled substances; deleting certain exclusions from the definition of the term “cannabis”; creating a criminal penalty for possession of specified controlled substances; correcting a cross-reference; amending s. 893.135, F.S.; revising a dosage unit to include a gelatin capsule for the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance; amending s. 893.138, F.S.; authorizing a place or premises that has been used on two or more occasions for specified violations within a certain time period to be declared a public nuisance; amending s. 893.145, F.S.; revising the definition of the term “drug paraphernalia”; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity”; amending s. 921.0022, F.S.; adding an adult delivering controlled substances to a minor, using or hiring a minor to sell controlled substances, or using a minor to avoid detection or apprehension to level 3 of the offense severity ranking chart of the Criminal Punishment Code; making technical changes; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3), 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a), 465.0276(1)(b), 499.0121(14) and (15)(a), 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a), 817.563(1), 831.31, 893.0301, 893.035(7)(a), 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b), (c), and (d), and 944.474(2), F.S., to incorporate the amendment made to s. 893.03, F.S., in references thereto; reenacting s. 893.149(4), F.S., to incorporate the amendment made to s. 893.033, F.S., in a reference thereto; reenacting ss. 397.451(4)(b), 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3), 812.014(2), 831.311(1), 893.1351(1), 893.138(3), 893.15, 903.133, and 921.187(1)(l), F.S., to incorporate the amendment made to s. 893.13, F.S., in references thereto; reenacting ss. 893.12(2)(a) and 893.147(6)(a), F.S., to incorporate the amendment made to s. 893.145, F.S., in references thereto; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., to incorporate the amendment made to s. 895.02, F.S., in references thereto; providing an effective date.

By the Committee on Appropriations; and Senator Simmons—

CS for SB 1534—A bill to be entitled An act relating to housing assistance; amending s. 420.503, F.S.; redefining the term “service provider”; amending s. 420.507, F.S.; revising the powers that the Florida Housing Finance Corporation may exercise in developing and administering the State Apartment Incentive Loan Program; deleting a specified timeframe in which the corporation may preclude certain applicants or affiliates of an applicant from further participation in any of the corporation’s programs; authorizing the corporation to reserve a specified minimum percentage of its annual appropriation from the State Housing Trust Fund for certain housing projects, subject to certain requirements; amending s. 420.5087, F.S.; requiring that State Apartment Incentive Loan Program funds be made available through a competitive solicitation process, subject to certain requirements; requiring program funds be made available for use by certain sponsors during the first 6 months of loan or loan guarantee availability, subject to certain requirements; revising requirements related to all state apartment incentive loans, with the exception of certain loans made to housing communities for the elderly; deleting provisions related to the reservation of funds related to certain tenant groups; conforming a cross-reference; amending s. 420.511, F.S.; deleting a requirement that the corporation’s business plan and annual report recognize certain fiscal periods; amending s. 420.622, F.S.; requiring that the State Office on Homelessness coordinate among certain agencies and providers to produce a statewide consolidated inventory for the state’s entire system of homeless programs which incorporates regionally developed plans; requiring the office, in consultation with the designated lead agencies for a local homeless continuum of care and with the Council on Homelessness, to develop the system and process of data collection from all lead agencies, subject to certain requirements; deleting the requirement that the Council on Homelessness explore the potential of creating a statewide Homeless Management Information System and encourage future participation of certain award or grant recipients; requiring the State Office on Homelessness to accept and administer moneys appro-

riated to it to provide annual Challenge Grants to certain lead agencies of homeless assistance continuums of care; removing the requirement that levels of grant awards be based upon the total population within the continuum of care catchment area and reflect the differing degrees of homelessness in the respective areas; revising the requirement that a lead agency document the commitment of local government and private organizations to provide matching funds or in-kind support in an amount equal to the grant requested; authorizing expenditures of leveraged funds or resources only for eligible activities, subject to certain requirements; revising the preference given to certain lead agencies that have demonstrated the ability to leverage federal homeless-assistance funding under the Stewart B. McKinney Act; requiring the State Office on Homelessness, in conjunction with the Council on Homelessness, to establish specific objectives by which it may evaluate the outcomes of certain lead agencies; requiring that certain funding through the State Office on Homelessness be distributed to lead agencies based on their performance and achievement of specified objectives; revising the factors that may be included as criteria for evaluating the performance of lead agencies; authorizing the State Office on Homelessness to administer moneys appropriated to it for distribution among certain local homeless continuums of care; amending s. 420.624, F.S.; revising requirements for the local homeless assistance continuum of care plan; providing that the components of a continuum of care plan should include Rapid ReHousing; requiring that specified components of a continuum of care plan be coordinated and integrated with other specified services and programs; creating s. 420.6265, F.S.; providing legislative findings and intent relating to Rapid ReHousing; providing a Rapid ReHousing methodology; amending s. 420.9071, F.S.; redefining the terms “local housing incentive strategies” and “rent subsidies”; conforming cross-references; amending s. 420.9072, F.S.; increasing the number of days within which a review committee is required to review a local housing assistance plan or plan revision after receiving it; prohibiting a county or an eligible municipality from expending its portion of the local housing distribution to provide ongoing rent subsidies; specifying exceptions; amending s. 420.9075, F.S.; providing that a certain partnership process of the State Housing Initiatives Partnership Program should involve lead agencies of local homeless assistance continuums of care; encouraging counties and eligible municipalities to develop a strategy within their local housing assistance plans which provides program funds for reducing homelessness; authorizing local governments to create certain regional partnerships to address homeless housing needs identified in local housing assistance plans; revising criteria and administrative procedures governing each local housing assistance plan; revising the criteria that apply to awards made to sponsors or persons for the purpose of providing housing; requiring that a specified report submitted by counties and municipalities include a description of efforts to reduce homelessness; revising the manner in which a certain share that the corporation distributes directly to a participating eligible municipality is calculated; conforming cross-references; amending s. 420.9076, F.S.; revising requirements related to the creation and appointment of members of affordable housing advisory committees; revising requirements related to a report submitted by each advisory committee to the local governing body on affordable housing incentives; requiring the corporation, after issuance of a notice of termination, to distribute directly to a participating eligible municipality a county’s share under certain circumstances calculated in a specified manner; creating s. 420.9089, F.S.; providing legislative findings and intent; amending s. 421.04, F.S.; prohibiting a housing authority from applying to the Federal Government to seize projects, units, or vouchers of another established housing authority; amending s. 421.05, F.S.; exempting authorities from s. 215.425, F.S.; amending s. 421.091, F.S.; requiring a full financial accounting and audit of public housing agencies to be submitted to the Federal Government pursuant to certain requirements; exempting housing authorities from specified reporting requirements; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Grimsley—

CS for CS for SB 1604—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending s. 499.003, F.S.; providing, revising, and deleting definitions for purposes of the Florida Drug and Cosmetic Act; requiring rulemaking; specifying a default rule until the Department of Business and Professional Regulation adopts a rule; amending s. 499.005, F.S.; revising prohibited acts related to the distribution of prescription drugs; conforming a cross-reference; amending s. 499.0051,

F.S.; prohibiting the distribution of prescription drugs without delivering a transaction history, transaction information, and transaction statement; providing penalties; deleting provisions and revising terminology related to pedigree papers, to conform to changes made by the act; amending s. 499.006, F.S.; conforming provisions; amending s. 499.01, F.S.; requiring nonresident prescription drug repackagers to obtain an operating permit; authorizing a manufacturer to engage in the wholesale distribution of prescription drugs; providing for the issuance of virtual prescription drug manufacturer permits and virtual nonresident prescription drug manufacturer permits to certain persons; providing exceptions from certain virtual manufacturer requirements; requiring a nonresident prescription drug repackager permit for certain persons; deleting surety bond requirements for prescription drug wholesale distributors; requiring that certain persons obtain an out-of-state prescription drug wholesale distributor permit; providing that a restricted prescription drug distributor permit is not required for distributions between certain pharmacies; requiring the Department of Business and Professional Regulation to establish by rule when such distribution constitutes regular and systematic supplying of a prescription drug; requiring certain third party logistic providers to be licensed; requiring research and development labeling on certain prescription drug active pharmaceutical ingredient packaging; requiring certain manufacturers to create and maintain certain records; requiring certain prescription drug distributors to provide certain information to health care entities for which they repackage prescription drugs; requiring the department to adopt rules concerning repackaged prescription drug safety and integrity; amending s. 499.012, F.S.; providing for issuance of a prescription drug manufacturer permit or retail pharmacy drug wholesale distributor permit when an applicant at the same address is a licensed nuclear pharmacy or community pharmacy; providing for the expiration of deficient permit applications; requiring trade secret information submitted by an applicant to be maintained as a trade secret; authorizing the quadrennial renewal of permits; providing for calculation of fees for such permit renewals; revising procedures and application requirements for permit renewals; providing for late renewal fees; allowing a permittee who submits a renewal application to continue operations; removing certain application requirements for renewal of a permit; requiring bonds or other surety of a specified amount; requiring proof of inspection of establishments used in wholesale distribution; authorizing the Department of Business and Professional Regulation to contract for the collection of electronic fingerprints under certain circumstances; providing information that may be submitted in lieu of certain application requirements for specified permits and certifications; removing provisions relating to annual renewal and expiration of permits; conforming cross-references; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; revising prescription drug recordkeeping requirements; specifying recordkeeping requirements for manufacturers and repackagers of medical devices, over-the-counter drugs, and cosmetics; increasing the quantity of unit doses of a controlled substance that may be ordered in any given month by a customer without triggering a requirement that a wholesale distributor perform a reasonableness assessment; conforming provisions; amending s. 499.015, F.S.; providing for the expiration, renewal, and issuance of certain drug, device, and cosmetic product registrations; providing for product registration fees; amending ss. 499.03, 499.05, and 499.051, F.S.; conforming provisions to changes made by the act; amending s. 499.066, F.S.; authorizing the issuance of non-disciplinary citations; authorizing the department to adopt rules designating violations for which a citation may be issued; authorizing the department to recover investigative costs pursuant to the citation; specifying a time limitation for issuance of a citation; providing for service of a citation; amending s. 499.82, F.S.; revising the definition of "wholesale distribution" for purposes of medical gas requirements; amending s. 499.89, F.S.; conforming provisions; repealing s. 499.01212, F.S., relating to pedigree papers; amending ss. 409.9201, 499.067, 794.075, and 921.0022, F.S.; conforming cross-references; providing an effective date.

By the Committee on Appropriations; and Senator Lee—

CS for SB 1638—A bill to be entitled An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; specifying individuals who are eligible for college credit for college-level military training and education; amending s. 1007.27, F.S.; expanding the list of examinations for which the department is required to establish college credit equivalencies; amending s. 1009.26, F.S.; revising the residency

requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

By the Committee on Fiscal Policy; and Senator Stargel—

CS for SB 1664—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing exceptions to the prohibition, subject to certain requirements; defining the term "agricultural pole barn"; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senators Bean and Joyner—

CS for CS for SB 1686—A bill to be entitled An act relating to telehealth; creating s. 408.61, F.S.; creating the Telehealth Task Force within the Agency for Health Care Administration; requiring the agency to use existing and available resources to administer and support the task force; providing for the membership of the task force; requiring the task force to compile and analyze certain data and to conduct a comparative analysis of health insurance coverage available for telehealth services and for in-person treatment; providing meeting requirements; requiring the task force to submit a report to the Governor and Legislature by a certain date; providing for the repeal of the section; creating s. 456.51, F.S.; authorizing certain licensed or certified health care professionals to provide telehealth services; defining the term "telehealth"; amending s. 636.202, F.S.; excluding telehealth products from the definition of "discount medical plan"; providing an effective date.

By the Committees on Appropriations; and Education Pre-K - 12; and Senator Brandes—

CS for CS for SB 1714—A bill to be entitled An act relating to the competency-based innovation pilot program; establishing a competency-based innovation pilot program within the Department of Education; defining the term "competency-based education"; authorizing certain schools to apply to the department for approval of a competency-based innovation pilot program; specifying information to be included in the application; authorizing certain waivers; providing reporting and funding requirements for students participating in the pilot program at participating schools; requiring the department to compile certain information and provide access to statewide, standardized assessments; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; specifying the contents of the annual report; providing for expiration of the pilot program; providing an effective date.

By the Committee on Fiscal Policy; and Senator Stargel—

CS for SB 1722—A bill to be entitled An act relating to termination of pregnancies; amending s. 390.011, F.S.; defining the term "gestation" and revising the term "third trimester"; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of certain hospitals and physicians' offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules that require certain clinics to have written agreements with local hospitals for certain contingencies; specifying that the rules must require physicians who perform abortions at a clinic that performs abortions in

the first trimester of pregnancy to have admitting privileges at a hospital within reasonable proximity of the clinic; specifying for clinics that perform or claim to perform abortions after the first trimester of pregnancy that the rules must require all physicians performing abortions at the clinic to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with such a hospital and the agreement includes certain provisions; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing effective dates.

By the Committees on Rules; Fiscal Policy; and Community Affairs—

CS for CS for SB 7000—A bill to be entitled An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; providing an effective date.

By the Committees on Appropriations; and Criminal Justice—

CS for SB 7068—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made to s. 921.142, F.S., in references thereto; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 79, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Artiles, Avila, Rogers, Van Zant—

CS for CS for HB 79—A bill to be entitled An act relating to property insurance appraisers and property insurance appraisal umpires; amending s. 624.04, F.S.; revising the definition of the term "person"; amending s. 624.303, F.S.; exempting certificates issued to property insurance appraisal umpires from the requirement to bear a seal of the Department of Financial Services; amending s. 624.311, F.S.; providing a schedule for destruction of property insurance appraisal umpire licensing files and records; amending s. 624.317, F.S.; authorizing the department to investigate property insurance appraisal umpires for violations of the insurance code; amending s. 624.501, F.S.; authorizing specified licensing fees for property insurance appraisal umpires; amending s. 624.523, F.S.; requiring fees associated with property insurance appraisal umpires' appointments to be deposited into the Insurance Regulatory Trust Fund; amending s. 626.015, F.S.; providing a definition; amending s. 626.016, F.S.; revising the scope of the Chief Financial Officer's powers and duties and the department's enforcement jurisdiction to include umpires; amending s. 626.022, F.S.; including property insurance appraisal umpire licensing in the scope of part I of chapter 626, F.S., relating to licensing procedures; amending s. 626.112, F.S.; requiring umpires to be licensed and appointed; requiring licensure as an adjuster when serving as an appraiser under certain conditions; amending s. 626.171, F.S.; requiring applicants for licensure as an umpire to submit fingerprints to the department; amending s. 626.207, F.S.; excluding applicants for licensure as umpires from application of s. 112.011, F.S., relating to disqualification from license or public employment; amending s. 626.2815, F.S.; requiring specified continuing education for licensure as an umpire; amending s. 626.451, F.S.; providing requirements relating to the appointment of an umpire; amending s. 626.461, F.S.; providing that an umpire appointment continues in effect, subject to renewal or earlier written notice of termination, until the person's license is revoked or otherwise terminated; amending s. 626.521, F.S.; authorizing the department to obtain a credit and character report for certain umpire applicants; amending s. 626.541, F.S.; requiring an umpire to provide certain information to the department when doing business under a different business name or when information in the licensure application changes; amending s. 626.601, F.S.; authorizing the department to investigate improper conduct of any licensed umpire; amending s. 626.611, F.S.; requiring the department to refuse, suspend, or revoke an umpire's license under certain circumstances; amending s. 626.621, F.S.; authorizing the department to refuse, suspend, or revoke an umpire's license under certain circumstances; amending s. 626.641, F.S.; prohibiting an umpire from owning, controlling, or being employed by other licensees during the period the umpire's license is suspended or revoked; amending ss. 626.7845, 626.8305, and 626.8411, F.S.; conforming provisions to changes made by the act; amending s. 626.8443, F.S.; prohibiting a title insurance agent from owning, controlling, or being employed by an umpire during the period the agent's license is suspended or revoked; amending s. 626.854, F.S.; providing limitations on fees charged by a public adjuster during an appraisal; creating s. 626.8791, F.S.; establishing required notice in a contract for appraisal services; amending s. 626.9957, F.S.; conforming a cross-reference; creating part XIV of chapter 626, F.S., relating to property insurance appraisal umpires; creating s. 626.9961, F.S.; providing a short title; creating s. 626.9962, F.S.; providing legislative findings; creating s. 626.9963, F.S.; providing that the part supplements part I of chapter 626, F.S., the "Licensing Procedure Law; creating s. 626.9964, F.S.; providing definitions; creating s. 626.9965, F.S.; providing qualifications for licensure as an umpire; creating s. 626.9966, F.S.; authorizing the department to refuse, suspend, or revoke an umpire's license under certain circumstances; creating s. 626.9967, F.S.; providing ethical standards for property insurance appraisal umpires; creating s. 626.9968, F.S.; providing for disqualification of an umpire under certain circumstances; repealing s. 627.70151, F.S., relating to appraisal conflicts of interest; providing an appropriation and authorizing positions; providing applicability; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 111 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Combee, Gonzalez, Passidomo, Perry, Watson, C.—

HB 111—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; providing that certain persons incapable of caring for themselves may be permanently excluded from jury service upon request; providing requirements for such a request; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 183 and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Government Operations Appropriations Subcommittee, Rulemaking Oversight & Repeal Subcommittee and Representative(s) Adkins—

CS for CS for CS for HB 183—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; providing procedures for agencies to follow when initiating rulemaking after certain public hearings; limiting reliance upon an unadopted rule in certain circumstances; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing for additional notice of rule development, proposals, and adoptions in the Florida Administrative Register; requiring certain agencies to provide additional e-mail notifications concerning specified rulemaking and rule development activities; providing that failure to follow certain provisions does not constitute grounds to challenge validity of a rule; amending s. 120.56, F.S.; clarifying language; amending s. 120.57, F.S.; conforming proceedings that oppose agency action based on an invalid or unadopted rule to proceedings used for challenging rules; authorizing the administrative law judge to make certain findings on the validity of certain alleged unadopted rules; authorizing a petitioner to file certain collateral challenges regarding the validity of a rule; authorizing the administrative law judge to consolidate proceedings in such rule challenges; providing that agency action may not be based on an invalid or unadopted rule; amending s. 120.68, F.S.; specifying legal authority to file a petition challenging an agency rule as an invalid exercise of delegated legislative authority; amending s. 120.695, F.S.; removing obsolete provisions with respect to required agency review and designation of minor violations; requiring agency review and certification of minor violation rules by a specified date; requiring minor violation certification for all rules adopted after a specified date; requiring public notice; providing applicability; amending s. 403.8141, F.S.; requiring administrative challenges to proposed regulatory permits related to special events to follow certain summary hearing provisions; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HJR 197 by the required constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Wood, Sullivan, Combee, Gaetz, Hill, Metz, Tobia—

CS for HJR 197—A joint resolution proposing an amendment to Section 8 of Article V and the creation of a new section in Article XII of the State Constitution to create term limits for Supreme Court justices and judges of the district courts of appeal; limiting applicability to justices and judges appointed after the effective date of the amendment.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 293, as amended, by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Pritchett, Bracy, Campbell, Fitzenhagen, Jones, M., Perry, Pilon, Rogers, Stafford, Watson, C.—

CS for CS for HB 293—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing public records custodians to choose not to electronically publish specified arrest or booking photographs of juveniles; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by the act; reenacting s. 110.1127(4), F.S., relating to employee background screening and investigations, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 373.6055(3)(a), F.S., relating to criminal history checks for certain water management district employees and others, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 408.809(6), F.S., relating to background screening, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.046(1), F.S., relating to notification of criminal offender information, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.05(2)(h), F.S., relating to the Criminal Justice Information Program, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0542(2)(c), F.S., relating to access to criminal history information provided by the Department of Law Enforcement to qualified entities, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0543(5), F.S., relating to the National Crime Prevention and Privacy Compact, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 985.045(2), F.S., relating to court records, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; reenacting s. 985.11(1)(b), F.S., relating to fingerprinting and photographing juveniles, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; providing a statement of public necessity; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 303 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Burton, Wood—

HB 303—A bill to be entitled An act relating to unlicensed activity fees; amending s. 455.2281, F.S.; prohibiting the Department of Business and Professional Regulation from imposing a specified fee in certain circumstances; providing for applicability of the waiver; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 387 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Stevenson, Rooney, Van Zant—

HB 387—A bill to be entitled An act relating to offenses evidencing prejudice; providing a short title; amending s. 775.085, F.S.; deleting provisions relating to reclassification of offenses committed while evidencing prejudice based on a mental or physical disability of the victim; creating s. 775.0863, F.S.; providing for reclassification of offenses committed while evidencing prejudice based on a mental or physical disability of the victim; defining the term "mental or physical disability"; providing for a civil cause of action for violations; providing for recovery of treble damages, costs, and attorney fees; specifying an essential element of the offense; amending s. 921.0022, F.S.; revising references to offense reclassification provisions; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 427 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Transportation & Economic Development Appropriations Subcommittee, Highway & Waterway Safety Subcommittee and Representative(s) Magar, Kerner, Moraitis, Powell, Renner—

CS for CS for HB 427—A bill to be entitled An act relating to recreational vessel registration; amending s. 328.72, F.S.; providing definitions; providing a reduced recreational vessel registration fee schedule for vessels registered during a specified period which are equipped with an emergency position indicating radio beacon or for which the owner of the vessel owns a personal locator beacon; limiting application to one vessel per owner; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules relating to proof of qualification; providing for certain funds to supplement the reduced amounts collected; providing for expiration of the reduced fee schedule; amending s. 328.76, F.S., relating to the Marine Resources Conservation Trust Fund; providing for use of the supplemental funds; amending s. 328.66, F.S., relating to county and municipality optional registration fees; specifying that the reduced fees do not apply to the limitation on registration fees charged by a county; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 431 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Raburn, Combee, Beshears, Raulerson, Wood—

CS for CS for HB 431—A bill to be entitled An act relating to fire safety; amending s. 633.202, F.S.; providing definitions; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; providing criteria for such classifications; providing that certain structures are

subject to annual inspection; specifying applicable fire prevention standards; requiring the State Fire Marshal to adopt rules; revising certain dimensions of a tent that is exempt from the code; requiring that the State Fire Marshal adopt rules; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 439, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Appropriations Committee, Children, Families & Seniors Subcommittee and Representative(s) McBurney, Artiles, Campbell, Cruz, Eagle, Edwards, Gaetz, Harrell, Kerner, La Rosa, Pilon, Pritchett, Raschein, Renner, Rogers, Steube, Watson, C., Williams, A.—

CS for CS for CS for HB 439—A bill to be entitled An act relating to mental health services in the criminal justice system; amending ss. 39.001, 39.507, and 39.521, F.S.; conforming provisions to changes made by the act; amending s. 394.4655, F.S.; defining the terms "court" and "criminal county court" for purposes of involuntary outpatient placement; conforming provisions to changes made by act; amending ss. 394.4599 and 394.463, F.S.; conforming provisions to changes made by act; conforming cross-references; amending s. 394.455 and 394.4615, F.S.; conforming cross-references; amending s. 394.47891, F.S.; expanding eligibility for military veterans and servicemembers court programs; creating s. 394.47892, F.S.; authorizing the creation of treatment-based mental health court programs; providing for eligibility; providing program requirements; providing for an advisory committee; amending s. 790.065, F.S.; conforming a provision to changes made by this act; amending s. 910.035, F.S.; revising the definition of the term "problem-solving court"; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; authorizing the department to request specified budget amendments; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending s. 948.001, F.S.; defining the term "mental health probation"; amending ss. 948.01 and 948.06, F.S.; authorizing courts to order certain offenders on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into a pretrial mental health court program; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; requiring the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending ss. 948.01 and 948.06, F.S.; providing for courts to order certain defendants on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into pretrial mental health court program; amending s. 948.16, F.S.; expanding eligibility of veterans for a misdemeanor pretrial veterans' treatment intervention program; providing eligibility of misdemeanor defendants for a misdemeanor pretrial mental health court program; amending s. 948.21, F.S.; expanding veterans' eligibility for participating in treatment programs while on court-ordered probation or community control; amending s. 985.345, F.S.; authorizing delinquency pretrial mental health court intervention programs for certain juvenile offenders; providing for disposition of pending charges after completion of the program; authorizing expunction of specified criminal history records after successful completion of the program; reenacting s. 397.334(3)(a) and (5), F.S., relating to treatment-based drug court programs, to incorporate the

amendments made by the act to ss. 948.01 and 948.06, F.S., in references thereto; reenacting s. 948.012(2)(b), F.S., relating to split sentence probation or community control and imprisonment, to incorporate the amendment made by the act to s. 948.06, F.S., in a reference thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 525 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Beshears, Broxson, Drake, Renner—

HB 525—A bill to be entitled An act relating to the Small Community Sewer Construction Assistance Act; amending s. 403.1838, F.S.; redefining the term "financially disadvantaged small community" to include counties and special districts; defining the term "special district"; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 549 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Burton—

HB 549—A bill to be entitled An act relating to offenses concerning racketeering and illegal debts; reordering and amending s. 895.02, F.S.; specifying the earliest date that incidents constituting a pattern of racketeering activity may have occurred; conforming a cross-reference; amending s. 895.05, F.S.; authorizing an investigative agency to institute a civil proceeding for forfeiture in a circuit court in certain circumstances; adding diminution in value as a ground for an action under certain circumstances; removing certain grounds for an action; authorizing a court to order the forfeiture of other property of the defendant up to the value of unavailable property in certain circumstances; authorizing the Department of Legal Affairs to bring an action for certain violations to obtain specified relief, fees, and costs for certain purposes; providing for civil penalties for natural persons and other persons who commit certain violations; providing for deposit of moneys received for certain violations; authorizing a party to a specific civil action to petition the court for entry of a consent decree or for approval of a settlement agreement; providing requirements for such decrees or agreements; amending s. 895.06, F.S.; deleting the definition of "investigative agency" for purposes of provisions relating to civil investigative subpoenas; providing that a subpoena must be confidential for a specified time; restricting to whom the subpoenaed person or entity may disclose the existence of the subpoena; requiring certain information be included in the subpoena; authorizing the investigative agency to apply for an order extending the amount of time the subpoena remains confidential rather than having it extended by the court for a specified period; providing that the investigative agency has the authority to stipulate to protective orders with respect to documents and information submitted in response to a subpoena; amending s. 895.09, F.S.; conforming a cross-reference; providing for distribution of forfeiture proceeds to victims; amending ss. 16.56 and 905.34, F.S.; conforming cross-references; reenacting and amending s. 16.53, F.S., relating to the Department of Legal Affairs Trust Fund, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; conforming a cross-reference; reenacting ss. 27.345(1) and 92.142(3), F.S., relating to the State Attorney RICO Trust Fund and witness pay, respectively, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 633 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Raulerson, Combee, Pilon, Wood—

HB 633—A bill to be entitled An act relating to public food service establishments; amending s. 509.013, F.S.; revising the definition of the term "public food service establishment" to exclude certain events; amending s. 509.032, F.S.; clarifying that a food service license is not required to be obtained if an event is excluded under the definition of the term "public food service establishment"; providing an effective date.

—was referred to the Committees on Health Policy; Regulated Industries; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 703, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Highway & Waterway Safety Subcommittee and Representative(s) Workman, Perry, Raschein, Tobia, Wood—

CS for HB 703—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S., relating to the reckless or careless operation of a vessel; providing that vessel overloading or excessive speed constitutes careless operation of a vessel; amending s. 327.70, F.S.; providing for issuance and display of vessel safety inspection decals; prohibiting law enforcement officers from stopping certain vessels solely to inspect for compliance with specified safety requirements; providing an exception; providing applicability; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 791, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local & Federal Affairs Committee, Local Government Affairs Subcommittee and Representative(s) Ingoglia—

CS for CS for HB 791—A bill to be entitled An act relating to local tax referenda; amending s. 212.055, F.S.; prohibiting local government discretionary sales surtax referenda from being held during special elections; specifying the varying percentage of electors voting in a referendum which is required, depending on the type of election at which the referendum is held, to adopt or amend a local government discretionary sales surtax; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 793, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee and Representative(s) O'Toole, Adkins, Cortes, B., Harrell—

CS for HB 793—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified programs and degree programs; amending ss. 1009.534 and 1009.535, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; creating the Florida Gold Seal CAPE Scholars award within the Florida Bright Futures Scholarship Program; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal CAPE Scholars award; providing that certain students may receive an award for a specified number of credits toward specified programs and degree programs; providing an appropriation; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 819, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Diaz, J., Berman, Burton, Campbell, Clarke-Reed, Cortes, J., Costello, Hager, Harrell, Hill, Jones, S., Magar, Mayfield, Pafford, Rader, Raschein, Slosberg, Steube—

HB 819—A bill to be entitled An act relating to the sunset review of Medicaid Dental Services; amending s. 409.973, F.S.; providing for the future removal of dental services as a minimum benefit of managed care plans; requiring the Office of Program Policy Analysis and Government Accountability to provide a report to the Governor and Legislature; specifying requirements for the report; providing for use of the report's findings; requiring the Agency for Health Care Administration to implement a statewide Medicaid prepaid dental health program upon the occurrence of certain conditions; specifying requirements for the program and the selection of providers; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 821 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Rooney—

CS for HB 821—A bill to be entitled An act relating to reimbursement of assessments; creating s. 295.24, F.S.; prohibiting an agent or attorney representing a claimant from directly or indirectly requesting, receiving, or obtaining reimbursement from the claimant for assessments charged to the agent or attorney by the United States Department of Veterans Affairs; providing penalties; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 965, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Appropriations Committee and Representative(s) Harrison—

CS for CS for HB 965—A bill to be entitled An act relating to fire-safety; amending s. 429.41, F.S.; requiring the State Fire Marshal to establish uniform firesafety standards for assisted living facilities; revising provisions relating to the minimum standards that must be adopted by the Department of Elderly Affairs for firesafety in assisted living facilities; clarifying the fees a utility may charge for the installation and maintenance of an automatic fire sprinkler system; providing an exemption from uniform firesafety code requirements for certain assisted living facilities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Children, Families, and Elder Affairs; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 967 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Stevenson—

HB 967—A bill to be entitled An act relating to family law; providing a short title; providing a directive to the Division of Law Revision and Information; providing legislative findings; creating s. 61.55, F.S.; providing a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process begins when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 971 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Sullivan—

CS for HB 971—A bill to be entitled An act relating to community development districts; amending s. 190.005, F.S.; amending the acreage

threshold for the establishment, by rule or ordinance, of a community development district; revising criteria for requiring a petition for a proposed district to be filed with the Florida Land and Water Adjudicatory Commission; amending s. 190.012, F.S.; authorizing a district to contract with a towing operator to remove vehicles or vessels from specified facilities or properties, subject to certain requirements; amending s. 190.046, F.S.; revising the criteria necessary for amending the boundaries of a district; authorizing up to a certain number of districts to merge into one surviving district, subject to certain requirements; providing for membership of the surviving merged district board; providing requirements of the merger agreement; providing for public hearings subject to certain requirements; prohibiting a petition to merge from being filed within a specified timeframe; conforming cross-references; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1147, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Latvala, Fitzenhagen, Ahern, Rehwinkel Vasilinda, Wood—

CS for HB 1147—A bill to be entitled An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character-development programs to provide certain instruction to students in grades 9-12; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1205 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Magar—

HB 1205—A bill to be entitled An act relating to fumigation; amending s. 482.051, F.S.; revising general fumigation notification requirements; authorizing the Department of Agriculture and Consumer Services to adopt safety procedures for the clearance of residential structures before reoccupation after fumigation; amending s. 487.051, F.S.; authorizing the department to establish certain conditions for the registration or continued registration of fumigants; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1233 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Insurance & Banking Subcommittee and Representative(s) Stevenson, Mayfield, Williams, A.—

CS for HB 1233—A bill to be entitled An act relating to Federal Home Loan Banks; amending s. 655.057, F.S.; authorizing the Office of Financial Regulation to furnish certain information relating to Federal Home Loan Banks pursuant to an information sharing agreement; requiring the office to execute such agreement by a specified date; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1297, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee and Representative(s) Cummings, Ray, Adkins, Fant, Jones, M., McBurney, Renner, Stevenson, Van Zant—

CS for HB 1297—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 112.64, F.S.; authorizing a county to apply proceeds of a pension liability surtax toward reducing the unfunded liability of a defined benefit retirement plan or system; specifying the method of determining the amortization schedule if a surtax is approved; amending s. 212.055, F.S.; authorizing a county to levy a pension liability surtax by ordinance if certain conditions are met; prescribing the form of the ballot statement; requiring the Department of Revenue to distribute the surtax proceeds, less administrative fees; specifying the manner in which a local government may use the surtax proceeds; prescribing requirements for the ordinance that provides for the imposition of the surtax; specifying conditions under which the surtax terminates; limiting the combined rate of specified discretionary sales surtaxes; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1325, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Transportation & Economic Development Appropriations Subcommittee and Representative(s) Boyd—

CS for HB 1325—A bill to be entitled An act relating to economic development; amending s. 163.3175, F.S.; providing that certain representatives of military installations are not required to file a statement of financial interest; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency within its jurisdiction under certain conditions; providing applicability; providing for expiration of the prohibition; amending s. 163.31801, F.S.; prohibiting a county, municipality, or special district from applying certain impact fees or other fees within its jurisdiction under certain conditions; providing applicability; amending s. 189.033, F.S.; conforming a cross-reference; amending s. 196.012, F.S.; conforming provisions to changes made by the act; amending s. 212.20, F.S.; conforming provisions to the repeal by the act of s. 288.1169, F.S.; amending s. 220.191, F.S.; revising the definition of the term "cumulative capital investment" for purposes of the capital investment tax credit; amending s. 220.196, F.S.; conforming a cross-reference; amending s. 288.0001, F.S.; revising required elements of specified analyses prepared by the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability; conforming provisions; amending s. 288.005, F.S.; revising and providing definitions; providing for expiration of the prohibition; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to prescribe the format for certain economic incentive applications; providing required elements of the applications; revising evaluation and contract requirements of the economic development incentive application process; revising a definition; providing and revising responsibilities of the department; amending s. 288.076, F.S.; revising definitions; creating s. 288.103, F.S.; providing requirements for economic development program incentive contracts with respect to a minimum residency period; providing applicability; amending s. 288.1045, F.S.; revising definitions; revising the application process for the qualified defense contractor and space flight business tax refund program; revising tax refund requirements; revising the expiration date of the program; amending s. 288.106, F.S.; revising

definitions; revising the application process for the tax refund program for qualified target industry businesses; revising tax refund requirements; removing provisions regarding economic recovery extensions of certain tax refund agreements; specifying that certain taxes paid serve as a limitation on the amount of incentive payments a business may receive; amending s. 288.108, F.S.; revising and providing definitions; revising application requirements and requiring the Department of Economic Opportunity to certify high-impact business grant applications; providing duties of the Governor and the department; amending s. 288.1088, F.S.; revising provisions relating to the Quick Action Closing Fund; redesignating the fund as the Florida Enterprise Fund; revising project eligibility requirements; providing limitations on, and authorizing waivers from, local financial support requirements; revising contract requirements for certain projects; revising approval requirements for amendments or modifications of contract requirements for such projects; revising duties of the Governor; providing for the carry-forward and subsequent release of specified funds; amending s. 288.1089, F.S.; revising definitions; revising application requirements for the Innovation Incentive Program; authorizing the department to waive certain wage requirements for projects in a rural area of opportunity or certified enterprise zone; revising duties of the Governor and the department; revising approval requirements for amendments or modifications of contract requirements for such projects; amending s. 288.11621, F.S.; conforming a provision to changes made by the act; repealing s. 288.1169, F.S., relating to state agency funding of the International Game Fish Association World Center facility; reviving, reenacting, and amending s. 288.1229, F.S., relating to the promotion and development of sports-related industries and amateur athletics; requiring the Department of Economic Opportunity to establish the Florida Sports Foundation for certain purposes; providing duties of the foundation; amending s. 288.901, F.S.; revising the purpose and duties of Enterprise Florida, Inc., with respect to fostering and encouraging high-technology startup and second-stage business development; revising membership requirements for the board of directors of Enterprise Florida, Inc.; amending s. 288.9015, F.S.; revising the powers of Enterprise Florida, Inc., to conform to changes made by the act; amending s. 288.904, F.S.; requiring that specified information be included in the department's incentive portal; creating s. 288.913, F.S.; creating the Innovation Florida Initiative; providing legislative findings; providing definitions; requiring the department to develop a statewide strategic plan for high-technology startup and second-stage business growth and development; providing requirements for the plan; providing marketing requirements; providing reporting requirements; amending s. 288.92, F.S.; revising the required divisions within Enterprise Florida, Inc., to conform; amending s. 288.9604, F.S.; providing for ratification of certain actions taken by the board of directors of the Florida Development Finance Corporation; providing requirements for meetings of the board of directors; amending s. 288.9605, F.S.; providing additional powers of the corporation; amending s. 288.980, F.S.; revising requirements for Military Base Protection Program grant applicants; making technical changes; amending s. 288.9937, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the Microfinance Loan Program; providing requirements for the evaluation; revising reporting requirements; amending ss. 288.11625 and 288.11631, F.S.; conforming cross-references; amending s. 320.08058, F.S.; revising uses of the proceeds of the Florida Professional Sports Team license plate; conforming provisions; reenacting s. 159.803(11), F.S., relating to definitions applicable to the Florida Private Activity Bond Allocation Act, to incorporate the amendment made by the act to s. 288.106, F.S., in a reference thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1347 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Criminal Justice Subcommittee and Representative(s) Ingram—

CS for CS for HB 1347—A bill to be entitled An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition;

revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term "substantially similar"; deleting the term "potential for abuse"; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for possession of a certain amount of specified controlled substances; deleting certain exclusions to the definition of the term "cannabis"; creating a criminal penalty for possession of specified controlled substances; correcting a cross-reference; amending s. 893.135, F.S.; revising a dosage unit to include a gelatin capsule for the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance; amending s. 893.138, F.S.; authorizing a place or premises that has been used on two or more occasions for specified violations within a certain time period to be declared a public nuisance; amending s. 893.145, F.S.; revising the definition of the term "drug paraphernalia"; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 921.0022, F.S.; adding an adult delivering controlled substances to a minor, using or hiring a minor to sell controlled substances, or using a minor to avoid detection or apprehension to level 3 of the offense severity ranking chart of the Criminal Punishment Code; making technical changes; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3), 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a), 465.0276(1)(b), 499.0121(14) and (15)(a), 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a), 817.563(1), 831.31, 893.0301, 893.035(7)(a), 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b), (c), and (d), and 944.474(2), F.S., to incorporate the amendment made to s. 893.03, F.S., in references thereto; reenacting s. 893.149(4), F.S., to incorporate the amendment made to s. 893.033, F.S., in a reference thereto; reenacting ss. 397.451(4)(b), 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3), 812.014(2), 831.311(1), 893.1351(1), 893.138(3), 893.15, 903.133, and 921.187(1)(1), F.S., to incorporate the amendment made to s. 893.13, F.S., in references thereto; reenacting ss. 893.12(2)(a) and 893.147(6)(a), F.S., to incorporate the amendment made to s. 893.145, F.S., in references thereto; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., to incorporate the amendment made to s. 895.02, F.S., in references thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 3509 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Nuñez—

CS for HB 3509—A bill to be entitled An act for the relief of Susana Castillo, as personal representative of the Estate of Andrea Castillo; providing for an appropriation to compensate the Estate of Andrea Castillo for her death as a result of the negligence of the City of Hialeah; providing a limitation on the payment of fees and costs; providing that the amounts awarded are intended to provide the sole compensation for all present and future claims related to the wrongful death of Andrea Castillo; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 3515, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Fitzenhagen—

CS for HB 3515—A bill to be entitled An act for the relief of Q.B. by the Palm Beach County School Board; providing for an appropriation and annuity to compensate Q.B. for injuries sustained as a result of the negligence of employees of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing that the appropriation settles all present and future claims related to the negligent act; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 3517 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Bracy, Miller, Plasencia—

CS for HB 3517—A bill to be entitled An act for the relief of Rafael Zaldivar and Kyoko Zaldivar, parents of Alex Zaldivar, deceased, individually and as co-personal representatives of the Estate of Alex Zaldivar, and Brienna Campos and Remington Campos by Orange County; providing for an appropriation to compensate Rafael Zaldivar and Kyoko Zaldivar for the death of Alex Zaldivar and to compensate Brienna Campos and Remington Campos for the injuries and damages they sustained as a result of the negligence of Orange County; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 3525 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Artilles—

CS for HB 3525—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, which occurred as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 4009 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Combee, Van Zant—

HB 4009—A bill to be entitled An act relating to slungshot; amending s. 790.09, F.S.; deleting provisions prohibiting the manufacture or sale of any instrument or weapon usually known as slungshot; amending s. 790.001, F.S.; revising the definition of the term "concealed weapon" to delete the inclusion of a slungshot; amending s. 790.18, F.S.; deleting a

provision prohibiting a dealer in arms from selling or transferring a slungshot to a minor; providing an effective date.

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

The Honorable Andy Gardiner, President

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

Bob Ward, Clerk

By Highway & Waterway Safety Subcommittee and Representative(s) Raschein, Mayfield—

HB 7025—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors or allows such a vessel to occupy waters of this state commits a noncriminal violation; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7105 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Veteran & Military Affairs Subcommittee and Representative(s) Smith, Santiago, Artilles, Avila, Costello, Harrell, Nuñez, Passidomo, Pilon, Renner—

HB 7105—A bill to be entitled An act relating to credit for relevant military service; amending s. 401.27, F.S.; revising the application requirements for emergency medical technician or paramedic certification; amending s. 456.024, F.S.; directing the Department of Health, or the applicable board pursuant to chapter 456, F.S., to issue health care practitioner licenses to eligible military health care practitioners and eligible health care practitioners who are spouses of active duty servicemembers; deleting provisions for the issuance of temporary professional licenses to the spouses of active duty servicemembers; creating s. 456.0241, F.S.; directing the Department of Health to issue temporary certificates to eligible active duty military health care practitioners; providing definitions; providing requirements for temporary certification; providing for expiration of such certification; providing exemptions; directing the department to set application and renewal fees, develop and furnish an application form, and adopt rules; creating s. 489.1131, F.S.; directing the Department of Business and Professional Regulation to provide a method by which honorably discharged veterans may apply for construction contracting licensure; authorizing the Construction Industry Licensing Board to adopt rules; directing the department, in conjunction with the board, to annually prepare and submit a specified report to the Governor and Legislature; amending s. 489.511, F.S.; revising eligibility criteria for taking the electrical or alarm system contractor certification examination; creating s. 489.5161, F.S.; directing the Department of Business and Professional Regulation to provide a method by which honorably discharged veterans may apply for electrical or alarm system contracting licensure; authorizing the Electrical Contractors' Licensing Board to adopt rules; directing the department, in conjunction with the board, to annually prepare and submit a specified report to the Governor and Legislature; creating s. 493.61035, F.S.; directing the Department of Agriculture and Consumer Services to provide a method by which honorably discharged veterans

may apply for private investigative, private security, and repossession services licensure; authorizing the department to adopt rules; directing the department to annually prepare and submit a specified report to the Governor and Legislature; directing the Department of Highway Safety and Motor Vehicles and the Department of Military Affairs to conduct a commercial motor vehicle driver license testing pilot program; specifying testing locations and funding; requiring the departments to submit a report to the Legislature by a specified date; providing for repeal of the program; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7107, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, State Affairs Committee and Representative(s) Caldwell, Articles—

CS for HB 7107—A bill to be entitled An act relating to public employees; amending s. 121.053, F.S.; authorizing renewed membership in the Florida Retirement System for retirees who are reemployed in a position eligible for the Elected Officers' Class under certain circumstances; amending s. 121.055, F.S.; providing for renewed membership in the retirement system for retirees of the Senior Management Service Optional Annuity Program who are reemployed on or after a specified date; amending s. 121.091, F.S.; conforming a provision to changes made by the act; amending s. 121.122, F.S.; requiring that certain retirees who are reemployed on or after a specified date be renewed members in the investment plan; providing exceptions; specifying that creditable service does not accrue for employment during a specified period; prohibiting certain funds from being paid into a renewed member's investment plan account for a specified period of employment; requiring the renewed member to satisfy vesting requirements; prohibiting a renewed member from receiving specified disability benefits; specifying limitations and requirements; requiring the employer and the retiree to make applicable contributions to the renewed member's investment plan account; providing for the transfer of contributions; authorizing a renewed member to receive additional credit toward the health insurance subsidy under certain circumstances; prohibiting participation in the pension plan; providing that a retiree reemployed on or after a specified date in a regularly established position eligible for the State University System Optional Retirement Program or State Community College System Optional Retirement Program is a renewed member of that program; specifying limitations and requirements; requiring the employer and the retiree to make applicable contributions; amending s. 121.4501, F.S.; revising definitions; revising a provision relating to acknowledgement of an employee's election to participate in the investment plan; enrolling certain employees in the pension plan from their date of hire until they are automatically enrolled in the investment plan or timely elect enrollment in the pension plan; providing certain members with a specified time to choose participation in the pension plan or the investment plan; conforming provisions to changes made by the act; amending s. 121.571, F.S.; conforming provisions to changes made by the act; amending s. 121.591, F.S.; authorizing payment of death benefits to the surviving spouse or surviving children of a member in the investment plan; establishing qualifications and eligibility requirements for receipt of such benefits; prescribing the method of calculating the benefit; specifying circumstances under which benefit payments are terminated; creating s. 121.5912, F.S.; providing legislative intent; requiring the State Board of Administration or the Division of Retirement of the Department of Management Services to take certain action upon receipt of notification of disqualification from the Internal Revenue Service; authorizing the state board and the department to adopt rules; amending s. 121.71, F.S.; conforming provisions to changes made by the act; creating s. 121.735, F.S.; providing for allocations for death benefits authorized by the act; amending ss. 121.74 and 121.75, F.S.; conforming provisions to changes made by the act; requiring the State Board of Administration to transfer moneys to fund survivor benefit payments under specified circumstances; adjusting employer contribution rates in order to fund changes made by the act;

providing a directive to the Division of Law Revision and Information; declaring that the act fulfills an important state interest; providing an appropriation; requiring the Legislature to appropriate funds for certain purposes; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 80.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 86.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 112.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 196 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 222.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 232.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 310.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 386.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 396.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 416.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 458.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 494.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 666.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7002.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7024.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7030.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 and passed CS/CS/HB 59, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 and passed CS/HB 479, as amended.

Bob Ward, Clerk

HOUSE CONFEREES APPOINTED

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the Speaker of the House of Representatives has made the following appointments to the Conference Committee on HB 5001, HB 5003, HB 5005, and HB 5007 to serve with Rep. Corcoran, Chair, and Rep. Boyd, Vice-Chair; Managers At-Large: Reps. Adkins, Albritton, Baxley, Cruz, Diaz, J., Gaetz, Jones, M., Moraitis, Oliva, O'Toole, Pafford, Raschein, Richardson, Stafford, Trujillo, Williams, A., Wood, Workman, and Young; House Agriculture & Natural Resources/Senate General Government—Rep. Albritton, Chair; Reps. Broxson, Combee, Cortes, J., Gonzalez, Goodson, Jacobs, Jones, S., Mayfield, Pilon, Powell, Raburn, Renner, and Smith; House Education/Senate Education—Rep. Fresen, Chair; Reps. Adkins, Clarke-Reed, Cortes, B., Costello, Fitzenhagen, Fullwood, Jones, M., Lee, O'Toole, Perry, Rodrigues, R., Slosberg, Stone, and Taylor; House Governmental Operations/Senate General Government—Rep. Nuñez, Chair; Reps. Antone, Caldwell, Campbell, Diaz, J., Gonzalez, Grant, Raulerson, Taylor, and Torres; House Healthcare/Senate Health and Human Services—Rep. Hudson, Chair; Reps. Brodeur, Cruz, Cummings, Harrell, Magar, Murphy, Pigman, Richardson, and Stevenson; HB 5101 House Justice/Senate Criminal and Civil Justice—Rep. Metz, Chair; Reps. Ahern, Dudley, Hill, Latvala, Miller, Rouson, Spano, and Watson, B.; House Transportation & Economic Development/Senate Transportation, Tourism, and Economic Development—Rep. Ingram, Chair; Reps. Artiles, Burton, Drake, Kerner, La Rosa, Moraitis, Narain, Passidomo, Peters, Ray, Rogers, Stark, and Torres.

Bob Ward, Clerk

CONFEREES APPOINTED

The President appointed the following conferees for **HB 5001, HB 5003, HB 5005, HB 5007, and HB 5101**: Appropriations Conference Committee: Senator Lee, Chair; Senator Benacquisto, Vice Chair; Senators Flores, Galvano, Grimsley, Joyner, Margolis, Richter, Simmons, and Smith, At Large; Appropriations Conference Committee on Criminal and Civil Justice: Senator Negron, Chair; Senators Bradley, Evers, Flores, Hutson, and Joyner; Appropriations Conference Committee on Education: Senator Gaetz, Chair; Senators Bullard, Galvano, Legg, Montford, Simmons, and Stargel; Appropriations Conference Committee on General Government: Senator Hays, Chair; Senators Altman, Braynon, Dean, Margolis, and Simpson; Appropriations Conference Committee on Health and Human Services: Senator Garcia, Chair; Senators Bean, Benacquisto, Grimsley, Richter, Smith, and Sobel; Appropriations Conference Committee on Transportation, Tour-

ism, and Economic Development: Senator Latvala, Chair; Senators Brandes, Clemens, Detert, Diaz de la Portilla, Gibson, Hukill, Sachs, and Thompson.

The action of the Senate was certified to the House.

CO-INTRODUCERS

Senators Altman—SB 1002; Bean—CS for SB 1044; Bullard—SB 1002; Gaetz—CS for SB 1420; Hays—CS for SB 966; Montford—CS for SB 520, CS for CS for SB 912; Sachs—CS for SB 784; Stargel—CS for SB 520

SENATE PAGES

February 29-March 4, 2016

Rebekka Behr, West Palm Beach; Emily Brockmeier, Tallahassee; John Brockmeier, Tallahassee; Trajan Forbes, Tallahassee; Emma King, Bradenton; Tip Ralston, Tallahassee; Savannah Sapp, Tallahassee; Zachary Smith, Dade City; John Spilker, Naples; Lauren Story, Apopka; Nia Sweet, Hialeah; Elizabeth Watson, Plant City; Avery Yeats, New Smyrna Beach



Journal of the Senate

Number 18—Regular Session

Wednesday, March 2, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—38:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Excused: Senator Lee periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Donny Bennett, an employee with the Office of the Senate Sergeant at Arms:

John 3:16 says, "For God so loved the world that he gave his only begotten son, that whosoever believeth in him should not perish but have everlasting life."

Heavenly Father, many of us are in battles that we feel we can't win. From broken marriages, lost loved ones, family sickness, loneliness, depression, the list goes on and on. Jesus, wrap your arms around us. Remind us that you are the creator of heaven and earth, and all we have to do is trust, believe, and have faith in you. There are no battles you can't win, there are no families you can't restore, and there is no sickness you can't heal. You said if we have faith as small as a mustard seed that we can say to the mountain, "Move from here to there," and it will move.

Lord, we pray that you will give us all humility so that we may remember the simplicity of true greatness and from where it comes, the open minds of mercy and the strength of wisdom and meekness. You see our tears, you feel our pain, and you always hear our prayers. Thank you for never leaving our side and always loving us. It is in your precious, holy name we pray. Amen.

PLEDGE

Senate Pages, Emma King of Bradenton; Lauren Story of Apopka; and Savannah Sapp of Tallahassee, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Yan Makeyev of Orange Park, sponsored by Senator Bradley, as the doctor of the day. Dr. Makeyev specializes in hematology/medical oncology.

ADOPTION OF RESOLUTIONS

At the request of Senator Montford—

By Senator Montford—

SR 1778—A resolution recognizing the critical mission of the American Red Cross in Florida and the lifesaving achievements of its Home Fire Campaign.

WHEREAS, the American Red Cross is a humanitarian organization founded in 1881 and originally chartered by Congress as a federal instrumentality in 1900, but today receives no federal funding, and

WHEREAS, 2016 marks the 135th anniversary of the founding of the American Red Cross, and

WHEREAS, the American Red Cross prevents and alleviates human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors, and

WHEREAS, American Red Cross disaster assistance is free, and 91 cents of every dollar donated goes directly to mission service delivery, and

WHEREAS, the American Red Cross has answered the call to assist and prepare Floridians before, during, and after disasters since 1901, and

WHEREAS, the three American Red Cross regions in Florida are participating in a nationwide campaign to reduce deaths caused by home fires by 25 percent over the next 4 years by assisting individuals and families in preparing a fire safety plan and installing free smoke alarms in homes, and

WHEREAS, the American Red Cross Home Fire Campaign in its first year has helped 18,536 individuals prepare personal fire safety plans and has installed more than 14,932 smoke alarms, helping to make Floridians better prepared and more resilient, and

WHEREAS, March is recognized as "American Red Cross Month" across this nation, and

WHEREAS, the preparedness goals of the American Red Cross and the organization's call for disaster preparedness will save lives, NOW, THEREFORE,

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

That we recognize the critical mission of the American Red Cross in Florida and the lifesaving achievements of its Home Fire Campaign.

—was introduced, read, and adopted by publication.

At the request of Senator Legg—

By Senators Legg and Simpson—

SR 1780—A resolution congratulating the players and coaches of the Land O’ Lakes High School Special Olympics Gray soccer team on their bronze medal win at the 2015 Special Olympics World Summer Games.

WHEREAS, the unified 7-a-side Land O’ Lakes High School Special Olympics Gray soccer team began training for the Special Olympics Florida State Games in January 2015, and

WHEREAS, the Land O’ Lakes High School Special Olympics Gray soccer team won gold at the Special Olympics Florida State Games and was invited to join more than 6,500 Special Olympics athletes from 165 countries to compete in the 2015 Special Olympics World Summer Games, and

WHEREAS, the 2015 Special Olympics World Summer Games were held July 25-August 2, 2015, in Los Angeles, where the Land O’ Lakes High School Special Olympics Gray soccer team represented the United States, competing for an international soccer gold medal, and

WHEREAS, Land O’ Lakes High School Special Olympics Gray soccer team members Andrew Ahearn, Haley Eckel, Samantha Frahm, Tommy Guglielmello, Chris Hale, Cameron Hilgenberg, Kyle Lufcy, Joseph Tramel, Hassan Shehab, Ordray Smith, Rufus Smith-jones, and Kyle Townsend took home the bronze medal after competing in the divisioning round and defeating China 2-1 in the bronze medal game, and

WHEREAS, the Land O’ Lakes High School Special Olympics Gray soccer bronze medal team was coached by Vicky King, Phyllis Crain, and Megan McLean, and

WHEREAS, the Land O’ Lakes High School Special Olympics Gray soccer team brought great pride and distinction to the United States and the Sunshine State, NOW, THEREFORE,

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

That the players and coaches of the Land O’ Lakes High School Special Olympics Gray soccer team are congratulated on their bronze medal win at the 2015 Special Olympics World Summer Games.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Land O’ Lakes High School as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committee on Appropriations was granted permission to meet Thursday, March 3, 2016, at 8:00 a.m.

MOTIONS

On motion by Senator Lee, Senate Rule 2.39 was waived and the deadline for filing amendments to any bill on the agenda of the Committee on Appropriations meeting was set for 5:00 p.m. this day.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

Dear President Gardiner:

The following Notaries Public were suspended by Executive Order of the Governor. Those Executive Orders were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. Each of these individuals was advised of his or her right to a hearing and that failure to request a hearing within 30 days would constitute a waiver of the right to a hearing. None of these individuals requested a hearing. Therefore, each of the individuals has waived his or her right to a hearing. The following is a list of the Notaries Public:

<u>Executive Order Number</u>	<u>Notary Public</u>
1) EO 2013-254	Baddorf, Doris
2) EO 2014-13	Candelario, Elsa
3) EO 2014-115	Chaves, David
4) EO 2014-114	Childs, Jenna R.
5) EO 2014-92	Gulden, Lori J.
6) EO 2014-116	Lee, Michael John
7) EO 2014-107	Smith, Cherie Shannon
8) EO 2014-112	Tommasello, Giancarlo

In light of the fact that each of the aforementioned Notaries Public waived his or her right to a hearing, it is my recommendation that, pursuant to Article IV, S. 7(b), of the State Constitution, the Senate vote to remove the foregoing Notaries Public.

Respectfully submitted,
Garrett Richter, Chair

On motion by Senator Richter, the report was adopted and the Senate removed from office the Notaries Public contained in the foregoing report of the committee.

The vote was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

Dear President Gardiner:

The following Notaries Public were suspended by Executive Order of the Governor. Those Executive Orders were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. Notaries Public are required by s. 117.01, F.S., to update the Florida Department of State with a change of address if they move. Failure to do so is a legal basis for removal. The Committee attempted to contact each of these individuals via certified

mail to advise each of his or her right to a hearing and that failure to request a hearing within 30 days would constitute a waiver of the right to a hearing. At least two certified mailings were sent to each individual. All attempts were unsuccessful and no further contact information is known. In light of the foregoing, in addition to the grounds for suspension alleged in each Executive Order, each of the individuals has neglected his or her public duties as a Notary Public. The following is a list of the Notaries Public:

<u>Executive Order Number</u>	<u>Notary Public</u>
1) EO 2013-134	Martinez, Mercedes
2) EO 2013-259	Owens, Sherri
3) EO 2013-274	Brown, Heather
4) EO 2013-330	Lollie, Tanya C.
5) EO 2014-63	Harris, Angela
6) EO 2014-64	Davidson, Angelic D.
7) EO 2014-71	Christensen, Lauri
8) EO 2014-72	Velez, Kesia
9) EO 2014-113	Horton, Erin M.

In light of the fact that each of the aforementioned Notaries Public has neglected his or her public duties as a Notary Public, it is my recommendation that, pursuant to Article IV, S. 7(b), of the State Constitution, the Senate vote to remove the foregoing Notaries Public.

Respectfully submitted,
Garrett Richter, Chair

On motion by Senator Richter, the report was adopted and the Senate removed from office the Notaries Public contained in the foregoing report of the committee.

The vote was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

SPECIAL GUESTS

Senator Legg introduced his children, Jack and Evangeline Legg, who were present in the chamber serving as honorary Senate Pages.

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

SPECIAL ORDER CALENDAR

On motion by Senator Richter—

SB 7076—A bill to be entitled An act relating to the Legislature; fixing the date for convening the 2018 Regular Session of the Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7076** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1534—A bill to be entitled An act relating to housing assistance; amending s. 420.503, F.S.; redefining the term “service provider”; amending s. 420.507, F.S.; revising the powers that the Florida Housing Finance Corporation may exercise in developing and administering the State Apartment Incentive Loan Program; deleting a specified timeframe in which the corporation may preclude certain applicants or affiliates of an applicant from further participation in any of the corporation’s programs; authorizing the corporation to reserve a specified minimum percentage of its annual appropriation from the State Housing Trust Fund for certain housing projects, subject to certain requirements; amending s. 420.5087, F.S.; requiring that State Apartment Incentive Loan Program funds be made available through a competitive solicitation process, subject to certain requirements; requiring program funds be made available for use by certain sponsors during the first 6 months of loan or loan guarantee availability, subject to certain requirements; revising requirements related to all state apartment incentive loans, with the exception of certain loans made to housing communities for the elderly; deleting provisions related to the reservation of funds related to certain tenant groups; conforming a cross-reference; amending s. 420.511, F.S.; deleting a requirement that the corporation’s business plan and annual report recognize certain fiscal periods; amending s. 420.622, F.S.; requiring that the State Office on Homelessness coordinate among certain agencies and providers to produce a statewide consolidated inventory for the state’s entire system of homeless programs which incorporates regionally developed plans; requiring the office, in consultation with the designated lead agencies for a local homeless continuum of care and with the Council on Homelessness, to develop the system and process of data collection from all lead agencies, subject to certain requirements; deleting the requirement that the Council on Homelessness explore the potential of creating a statewide Homeless Management Information System and encourage future participation of certain award or grant recipients; requiring the State Office on Homelessness to accept and administer moneys appropriated to it to provide annual Challenge Grants to certain lead agencies of homeless assistance continuums of care; removing the requirement that levels of grant awards be based upon the total population within the continuum of care catchment area and reflect the differing degrees of homelessness in the respective areas; revising the requirement that a lead agency document the commitment of local government and private organizations to provide matching funds or in-kind support in an amount equal to the grant requested; authorizing expenditures of leveraged funds or resources only for eligible activities, subject to certain requirements; revising the preference given to certain lead agencies that have demonstrated the ability to leverage federal homeless-assistance funding under the Stewart B. McKinney Act; requiring the State Office on Homelessness, in conjunction with the Council on Homelessness, to establish specific objectives by which it may evaluate the outcomes of certain lead agencies; requiring that certain funding through the State Office on Homelessness be distributed to lead agencies based on their performance and achievement of specified objectives; revising the factors that may be included as criteria for evaluating the performance of lead agencies; authorizing the State Office on Homelessness to administer moneys appropriated to it for distribution among certain local homeless continuums of care; amending s. 420.624, F.S.; revising requirements for the local homeless assistance continuum of care plan; providing that the components of a continuum of care plan should include Rapid ReHousing; requiring that specified components of a continuum of care plan be coordinated and integrated with other specified services and programs; creating s. 420.6265, F.S.; providing legislative findings and intent relating to Rapid ReHousing; providing a Rapid ReHousing methodology; amending s. 420.9071, F.S.; redefining the terms “local housing incentive strategies” and “rent subsidies”;

conforming cross-references; amending s. 420.9072, F.S.; increasing the number of days within which a review committee is required to review a local housing assistance plan or plan revision after receiving it; prohibiting a county or an eligible municipality from expending its portion of the local housing distribution to provide ongoing rent subsidies; specifying exceptions; amending s. 420.9075, F.S.; providing that a certain partnership process of the State Housing Initiatives Partnership Program should involve lead agencies of local homeless assistance continuums of care; encouraging counties and eligible municipalities to develop a strategy within their local housing assistance plans which provides program funds for reducing homelessness; authorizing local governments to create certain regional partnerships to address homeless housing needs identified in local housing assistance plans; revising criteria and administrative procedures governing each local housing assistance plan; revising the criteria that apply to awards made to sponsors or persons for the purpose of providing housing; requiring that a specified report submitted by counties and municipalities include a description of efforts to reduce homelessness; revising the manner in which a certain share that the corporation distributes directly to a participating eligible municipality is calculated; conforming cross-references; amending s. 420.9076, F.S.; revising requirements related to the creation and appointment of members of affordable housing advisory committees; revising requirements related to a report submitted by each advisory committee to the local governing body on affordable housing incentives; requiring the corporation, after issuance of a notice of termination, to distribute directly to a participating eligible municipality a county's share under certain circumstances calculated in a specified manner; creating s. 420.9089, F.S.; providing legislative findings and intent; amending s. 421.04, F.S.; prohibiting a housing authority from applying to the Federal Government to seize projects, units, or vouchers of another established housing authority; amending s. 421.05, F.S.; exempting authorities from s. 215.425, F.S.; amending s. 421.091, F.S.; requiring a full financial accounting and audit of public housing agencies to be submitted to the Federal Government pursuant to certain requirements; exempting housing authorities from specified reporting requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1534** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 514—A bill to be entitled An act relating to supervisor of elections salaries; amending s. 145.09, F.S.; revising the base salaries and group rates used to calculate additional compensation for a supervisor of elections based on population increments; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 514** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1034—A bill to be entitled An act relating to health care providers; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient's representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a health care provider; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (562598)—Delete lines 85-87 and insert:

15. Any other health care professional, practitioner, provider, or facility under contract with a governmental

Pursuant to Rule 4.19, **CS for SB 1034**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for CS for SB 938—A bill to be entitled An act relating to the retail sale of dextromethorphan; providing definitions; prohibiting a manufacturer, distributor, or retailer, or its employees and representatives, from knowingly or willfully selling a finished drug product containing dextromethorphan to a person younger than 18 years of age; prohibiting a person younger than 18 years of age from purchasing a finished drug product containing dextromethorphan; requiring an employee or representative of a retailer making a retail sale of a finished drug product containing any quantity of dextromethorphan to obtain certain proof of age from the purchaser; providing an exception; providing penalties; providing requirements for imposing or disputing civil citations; specifying information to be provided in such citations; providing applicability; preempting local government regulation of dextromethorphan; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 938** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 772** and **CS for SB 754** was deferred.

CS for SB 7068—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made to s. 921.142, F.S., in references thereto; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

An amendment was considered and failed to conform **CS for SB 7068** to **HB 7101**.

Pending further consideration of **CS for SB 7068**, pursuant to Rule 3.11(3), there being no objection, **HB 7101** was withdrawn from the Committees on Criminal Justice; and Appropriations.

On motion by Senator Evers—

HB 7101—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; requiring the notice to specify aggravating factors that state intends to prove; providing for amendment of notice; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made by the act to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made by the act to s. 921.142, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 7068** and read the second time by title.

Pursuant to Rule 4.19, **HB 7101** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for SB 754—A bill to be entitled An act relating to public records; creating s. 570.077, F.S.; providing an exemption from public records requirements for criminal or civil intelligence or investigative information or any other information held by the Department of Agriculture and Consumer Services as part of an examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; providing exceptions to the exemption; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 754** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Galvano, the Senate reconsidered the action by which—

HB 7101—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; requiring the notice to specify aggravating factors that state intends to prove; providing for amendment of notice; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court

whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made by the act to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made by the act to s. 921.142, F.S., in references thereto; providing an effective date.

—was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano, the Senate reconsidered the action by which **HB 7101** was read the second time and substituted for **CS for SB 7068**.

RECONSIDERATION OF AMENDMENT

On motion by Senator Galvano, the Senate reconsidered the vote by which **Amendment 1 (804220)** to **CS for SB 7068** failed. **Amendment 1 (804220)** failed.

The vote was:

Yeas—17

Abruzzo	Garcia	Sachs
Altman	Gibson	Smith
Braynon	Joyner	Sobel
Bullard	Margolis	Soto
Clemens	Montford	Thompson
Flores	Ring	

Nays—23

Mr. President	Evers	Lee
Bean	Gaetz	Legg
Benacquisto	Galvano	Negron
Bradley	Grimsley	Richter
Brandes	Hays	Simmons
Dean	Hukill	Simpson
Detert	Hutson	Stargel
Diaz de la Portilla	Latvala	

Pending further consideration of **CS for SB 7068**, on motion by Senator Evers—

HB 7101—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; requiring the notice to specify aggravating factors that state intends to prove; providing for amendment of notice; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made by the act to s. 921.141, F.S., in a

reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made by the act to s. 921.142, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 7068** and read the second time by title.

Pursuant to Rule 4.19, **HB 7101** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 908** and **CS for SB 520** was deferred.

On motion by Senator Simpson—

CS for SB 986—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.05, F.S.; deleting a required item to be listed on a notice of election to be exempt; revising specified rules regarding the maintenance of business records by an officer of a corporation; removing the requirement that the Department of Financial Services issue a specified stop-work order; amending s. 440.107, F.S.; requiring that the department allow an employer who has not previously been issued an order of penalty assessment to receive a specified credit to be applied to the penalty; prohibiting the application of a specified credit unless the employer provides specified documentation and proof of payment to the department within a specified period; requiring the department to reduce the final assessed penalty by a specified percentage for employers who have not been previously issued a stop-work order or order of penalty assessment; revising the penalty calculation for the imputed weekly payroll for an employee; amending s. 440.13, F.S.; eliminating the certification requirements when an expert medical advisor is selected by a judge of compensation claims; providing requirements for the selection of an expert medical advisor; amending s. 440.185, F.S.; deleting the requirement that employers notify the department within 24 hours of any injury resulting in death; amending s. 440.49, F.S.; revising definitions; revising the requirements for filing a claim; deleting the preferred worker program; deleting the notification fees on certain filed claims which supplement the Special Disability Trust Fund; conforming cross-references; amending s. 440.52, F.S.; deleting a fee for certain registration of insurance carriers; amending ss. 440.021, 440.42, 440.50, and 624.4626, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 986** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 972** was deferred.

On motion by Senator Bradley—

CS for SB 960—A bill to be entitled An act relating to protection of motor vehicle dealers' consumer data; creating s. 320.646, F.S.; defining the terms "consumer data" and "data management system"; requiring that a licensee or a third party comply with certain restrictions on reuse or disclosure of consumer data received from a motor vehicle dealer; requiring that such person provide a written statement to the motor vehicle dealer delineating the established procedures adopted by the person which meet or exceed certain requirements to safeguard consumer data; requiring that upon request of a motor vehicle dealer a licensee provide a list of the consumer data obtained and all persons to whom any of the data has been disclosed, subject to certain requirements; prohibiting a licensee from requiring a motor vehicle dealer to grant the licensee or third party access to the dealer's data management system; requiring a licensee to permit a motor vehicle dealer to furnish consumer data in a widely accepted file format and through a third-party vendor selected by the motor vehicle dealer; authorizing a licensee to access or obtain consumer data from a motor vehicle dealer's data management system with the dealer's express written consent, subject

to certain requirements; requiring the licensee to indemnify the motor vehicle dealer for certain claims or damages; providing that a person bringing a specified cause of action for certain violations must meet certain requirements; reenacting s. 320.6992, F.S., relating to the provisions that apply to established systems of distribution of motor vehicles in this state, to incorporate s. 320.646, F.S., as created by the act, in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 960** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for SB 1508—A bill to be entitled An act relating to airport zoning; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation's aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department's requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of air-space obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment pro-

vided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment which was adopted:

Amendment 1 (450576) (with title amendment)—Before line 99 insert:

Section 1. Paragraph (c) of subsection (2) of section 163.3184, Florida Statutes, is amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

(c) Plan amendments that are in an area of critical state concern designated pursuant to s. 380.05; propose a rural land stewardship area pursuant to s. 163.3248; propose a sector plan pursuant to s. 163.3245 or an amendment to an adopted sector plan; update a comprehensive plan based on an evaluation and appraisal pursuant to s. 163.3191; propose a development that *is subject to the state coordinated review process* ~~qualifies as a development of regional impact~~ pursuant to s. 380.06(30) ~~s. 380.06~~; or are new plans for newly incorporated municipalities adopted pursuant to s. 163.3167 shall follow the state coordinated review process in subsection (4).

Section 2. Subsection (30) of section 380.06, Florida Statutes, is amended to read:

380.06 Developments of regional impact.—

(30) ~~NEW PROPOSED DEVELOPMENTS.~~—A ~~new~~ proposed development otherwise subject to the review requirements of this section shall be approved by a local government pursuant to s. 163.3184(4) in lieu of proceeding in accordance with this section. *However, if the proposed development is consistent with the comprehensive plan as provided in s. 163.3194(3)(b), the development is not required to undergo review pursuant to s. 163.3184(4) or this section. This subsection does not apply to amendments to a development order governing an existing development of regional impact.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; amending s. 333.01,

Pursuant to Rule 4.19, **CS for SB 1508**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 436—A bill to be entitled An act relating to relating to the crime of making threats of terror or violence; amending ss. 790.163 and 790.164, F.S.; creating the crime of falsely reporting the use of firearms in a violent manner against a person or persons;

creating s. 836.12, F.S.; defining the terms “family member of a person” and “law enforcement officer”; providing a criminal penalty for a violation of specified provisions under certain circumstances; requiring payment of restitution; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; reenacting ss. 1006.07(2)(m) and 1006.13(3)(b), F.S., relating to district school board duties relating to student discipline and school safety and a policy of zero tolerance for crime and victimization, respectively, to incorporate the amendment made to s. 790.163, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 436** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

SB 1402—A bill to be entitled An act relating to ratification of Department of Financial Services rules; ratifying a specified rule relating to the Florida Workers’ Compensation Health Care Provider Reimbursement Manual for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (439342)—Delete line 35 and insert:

Section 2. This act shall take effect July 1, 2016.

Pursuant to Rule 4.19, **SB 1402**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for CS for SB 948—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photos of the items; specifying what may be used as a serial number; requiring a different method of identification when certain numbers are not available; requiring secondhand dealers to notify a law enforcement official under certain circumstances; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term “antique”; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official’s jurisdiction, subject to certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 948** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for SB 1432—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; expanding the locations at which substitute service of process may be made when such location is the only discoverable address for the person to be served; defining the terms “virtual office” and “executive office or mini suite”; amending s. 48.193, F.S.; providing that orders issued by agencies of other states are not enforceable under certain circumstances; amending s. 48.081, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1432** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 110** and **CS for SB 1538** was deferred.

On motion by Senator Simmons—

SB 1412—A bill to be entitled An act relating to conditions of pretrial release; amending s. 903.047, F.S.; requiring that a defendant be notified in writing if a court issues an order of no contact rather than receive a copy of the order; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1412** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 524** was deferred.

CS for CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization’s process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—was read the second time by title.

Senator Negron moved the following amendment:

Amendment 1 (418906) (with title amendment)—Delete lines 180-310 and insert:

Section 8. Subsection (11) of section 627.6131, Florida Statutes, is amended to read:

627.6131 Payment of claims.—

(11) A health insurer may not retroactively deny a claim because of insured ineligibility:

(a) *At any time, if the health insurer verified the eligibility of an insured at the time of treatment and provided an authorization number. If the insured is delinquent by more than 30 days, the health insurer is not obligated to approve the procedure.*

(b) *More than 1 year after the date of payment of the claim.*

Section 9. Section 627.64194, Florida Statutes, is created to read:

627.64194 *Coverage requirements for services provided by non-participating providers; payment collection limitations.—*

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

(a) *“Emergency services” means emergency services and care, as defined in s. 641.47(8), which are provided in a facility.*

(b) *“Facility” means a licensed facility as defined in s. 395.002(16) and an urgent care center as defined in s. 395.002(30).*

(c) *“Insured” means a person who is covered under an individual or group health insurance policy delivered or issued for delivery in this state by an insurer authorized to transact business in this state.*

(d) *“Nonemergency services” means the services and care that are not emergency services.*

(e) *“Nonparticipating provider” means a provider who is not a preferred provider as defined in s. 627.6471 or a provider who is not an exclusive provider as defined in s. 627.6472. For purposes of covered emergency services under this section, a facility licensed under chapter 395 or an urgent care center defined in s. 395.002(30) is a nonparticipating provider if the facility has not contracted with an insurer to provide emergency services to its insureds at a specified rate.*

(f) *“Participating provider” means, for purposes of this section, a preferred provider as defined in s. 627.6471 or an exclusive provider as defined in s. 627.6472.*

(2) *An insurer is solely liable for payment of fees to a nonparticipating provider of covered emergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees for covered services to a nonparticipating provider of emergency services, other than applicable copayments, coinsurance, and deductibles. An insurer must provide coverage for emergency services that:*

(a) *May not require prior authorization.*

(b) *Must be provided regardless of whether the services are furnished by a participating provider or a nonparticipating provider.*

(c) *May impose a coinsurance amount, copayment, or limitation of benefits requirement for a nonparticipating provider only if the same requirement applies to a participating provider.*

The provisions of s. 627.638 apply to this subsection.

(3) *An insurer is solely liable for payment of fees to a nonparticipating provider of covered nonemergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees to a nonparticipating provider, other than applicable copayments, coinsurance, and deductibles, for covered nonemergency services that are:*

(a) *Provided in a facility that has a contract for the nonemergency services with the insurer which the facility would be otherwise obligated to provide under contract with the insurer; and*

(b) *Provided when the insured does not have the ability and opportunity to choose a participating provider at the facility who is available to treat the insured.*

The provisions of s. 627.638 apply to this subsection.

(4) *An insurer must reimburse a nonparticipating provider of services under subsections (2) and (3) as specified in s. 641.513(5), reduced only by insured cost share responsibilities as specified in the health insurance policy, within the applicable timeframe provided in s. 627.6131.*

(5) *A nonparticipating provider of emergency services as provided in subsection (2) or a nonparticipating provider of nonemergency services as provided in subsection (3) may not be reimbursed an amount greater than the amount provided in subsection (4) and may not collect or attempt to collect from the insured, directly or indirectly, any excess amount, other than copayments, coinsurance, and deductibles. This section does not prohibit a nonparticipating provider from collecting or attempting to collect from the insured an amount due for the provision of noncovered services.*

(6) *Any dispute with regard to the reimbursement to the nonparticipating provider of emergency or nonemergency services as provided in subsection (4) shall be resolved in a court of competent jurisdiction or through the voluntary dispute resolution process in s. 408.7057.*

Section 10. Subsection (2) of section 627.6471, Florida Statutes, is amended to read:

627.6471 Contracts for reduced rates of payment; limitations; coinsurance and deductibles.—

(2) Any insurer issuing a policy of health insurance in this state, which insurance includes coverage for the services of a preferred provider, must provide each policyholder and certificateholder with a current list of preferred providers and must make the list available on its website. The list must include, when applicable and reported, a listing by specialty of the names, addresses, and telephone numbers of all participating providers, including facilities, and, in the case of physicians, must also include board certifications, languages spoken, and any affiliations with participating hospitals. Information posted on the insurer's website must be updated on at least a calendar-month basis with additions or terminations of providers from the insurer's network or reported changes in physicians' hospital affiliations ~~for public inspection during regular business hours at the principal office of the insurer within the state.~~

Section 11. Effective upon this act becoming a law, subsection (7) is added to section 627.6471, Florida Statutes, to read:

627.6471 Contracts for reduced rates of payment; limitations; coinsurance and deductibles.—

(7) *Any policy issued under this section after January 1, 2017, must include the following disclosure: "WARNING: LIMITED BENEFITS WILL BE PAID WHEN NONPARTICIPATING PROVIDERS ARE USED. You should be aware that when you elect to utilize the services of a nonparticipating provider for a covered nonemergency service, benefit payments to the provider are not based upon the amount the provider charges. The basis of the payment will be determined according to your policy's out-of-network reimbursement benefit. Nonparticipating providers may bill insureds for any difference in the amount. YOU MAY BE REQUIRED TO PAY MORE THAN THE COINSURANCE OR CO-PAYMENT AMOUNT. Participating providers have agreed to accept discounted payments for services with no additional billing to you other than coinsurance, copayment, and deductible amounts. You may obtain further information about the providers who have contracted with your insurance plan by consulting your insurer's website or contacting your insurer or agent directly."*

Section 12. Subsection (15) is added to section 627.662, Florida Statutes, to read:

627.662 Other provisions applicable.—The following provisions apply to group health insurance, blanket health insurance, and franchise health insurance:

(15) *Section 627.64194, relating to coverage requirements for services provided by nonparticipating providers and payment collection limitations.*

Section 13. Subsection (10) of section 641.3155, Florida Statutes, is amended to read:

641.3155 Prompt payment of claims.—

(10) A health maintenance organization may not retroactively deny a claim because of subscriber ineligibility:

(a) *At any time, if the health maintenance organization verified the eligibility of a subscriber at the time of treatment and provided an authorization number. If the subscriber is delinquent by more than 30 days, the health maintenance organization is not obligated to approve the procedure.*

(b) *More than 1 year after the date of payment of the claim.*

And the title is amended as follows:

Delete lines 2-45 and insert: An act relating to health care services; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; providing an exception; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; providing an exception; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following substitute amendment which was adopted:

Amendment 2 (877178) (with title amendment)—Before line 50 insert:

Section 1. Subsection (11) of section 627.6131, Florida Statutes, is amended to read:

627.6131 Payment of claims.—

(11) A health insurer may not retroactively deny a claim because of insured ineligibility:

(a) At any time, if the health insurer verified the eligibility of an insured who is not a recipient of advance payments of the federal premium tax credit and the insurer issued an authorization for payment to a provider.

(b) For services authorized by the insurer and rendered during the first 30 days of a federally required grace period when an insured is a recipient of advance payments of the federal premium tax credit.

(c) More than 1 year after the date of payment of the claim.

Section 2. Subsection (10) of section 641.3155, Florida Statutes, is amended to read:

641.3155 Prompt payment of claims.—

(10) A health maintenance organization may not retroactively deny a claim because of subscriber ineligibility:

(a) At any time, if the health maintenance organization verified the eligibility of a subscriber who is not a recipient of advance payments of the federal premium tax credit and the health maintenance organization issued an authorization for payment to a provider.

(b) For services authorized by the health maintenance organization and rendered during the first 30 days of a federally required grace period when a subscriber is a recipient of advance payments of the federal premium tax credit.

(c) More than 1 year after the date of payment of the claim.

And the title is amended as follows:

Delete lines 2-3 and insert: An act relating to health care services; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; amending s. 395.003, F.S.; requiring

The vote was:

Yeas—27

Abruzzo	Gaetz	Negron
Bean	Gibson	Richter
Benacquisto	Grimsley	Sachs
Bradley	Hukill	Simpson
Brandes	Hutson	Smith
Braynon	Joyner	Sobel
Bullard	Latvala	Soto
Clemens	Legg	Stargel
Flores	Margolis	Thompson

Nays—12

Mr. President	Diaz de la Portilla	Hays
Altman	Evers	Montford
Dean	Galvano	Ring
Detert	Garcia	Simmons

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (158798) (with title amendment)—Delete lines 198-226 and insert: *is not an exclusive provider as defined in s. 627.6472.*

1. For purposes of covered emergency services under this section, a facility licensed under chapter 395 or an urgent care center as defined in s. 395.002(30) is a nonparticipating provider if the facility has not contracted with an insurer to provide emergency services to its insureds at a specified rate.

2. For purposes of covered nonemergency services under subsection (3), the term does not include an anesthesiologist as defined in s. 458.3475(1)(a) or s. 459.023(1)(a), an anesthesiologist assistant as defined in s. 458.3475(1)(b) or s. 459.023(1)(b), a certified registered nurse anesthetist as described in s. 464.012(4)(a), or a radiologist as defined in s. 468.301(16).

(f) “Participating provider” means, for purposes of this section, a preferred provider as defined in s. 627.6471 or an exclusive provider as defined in s. 627.6472.

(2) An insurer is solely liable for payment of fees to a nonparticipating provider of covered emergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees for covered services to a nonparticipating provider of emergency services, other than applicable copayments, coinsurance, and deductibles. An insurer must provide coverage for emergency services that:

(a) May not require prior authorization.

(b) Must be provided regardless of whether the services are furnished by a participating provider or a nonparticipating provider.

(c) May impose a coinsurance amount, copayment, or limitation of benefits requirement for a nonparticipating provider only if the same requirement applies to a participating provider.

The provisions of s. 627.638 apply to this subsection.

(3) An insurer is solely liable for payment of fees to a nonparticipating provider, except a provider described in subparagraph (1)(e)2., of covered nonemergency services

And the title is amended as follows:

Between lines 27 and 28 insert: providing an exception;

The vote was:

Yeas—22

Abruzzo	Hays	Richter
Bean	Hukill	Sachs
Benacquisto	Hutson	Smith
Brandes	Joyner	Sobel
Bullard	Latvala	Stargel
Clemens	Legg	Thompson
Gaetz	Margolis	
Grimsley	Negron	

Nays—16

Mr. President	Diaz de la Portilla	Montford
Altman	Evers	Simmons
Bradley	Flores	Simpson
Braynon	Galvano	Soto
Dean	Garcia	
Detert	Gibson	

On motion by Senator Garcia, further consideration of **CS for CS for CS for SB 1442**, as amended, was deferred.

On motion by Senator Grimsley—

CS for CS for SB 1604—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending s. 499.003, F.S.; providing, revising, and deleting definitions for purposes of the Florida Drug and Cosmetic

Act; requiring rulemaking; specifying a default rule until the Department of Business and Professional Regulation adopts a rule; amending s. 499.005, F.S.; revising prohibited acts related to the distribution of prescription drugs; conforming a cross-reference; amending s. 499.0051, F.S.; prohibiting the distribution of prescription drugs without delivering a transaction history, transaction information, and transaction statement; providing penalties; deleting provisions and revising terminology related to pedigree papers, to conform to changes made by the act; amending s. 499.006, F.S.; conforming provisions; amending s. 499.01, F.S.; requiring nonresident prescription drug repackagers to obtain an operating permit; authorizing a manufacturer to engage in the wholesale distribution of prescription drugs; providing for the issuance of virtual prescription drug manufacturer permits and virtual nonresident prescription drug manufacturer permits to certain persons; providing exceptions from certain virtual manufacturer requirements; requiring a nonresident prescription drug repackager permit for certain persons; deleting surety bond requirements for prescription drug wholesale distributors; requiring that certain persons obtain an out-of-state prescription drug wholesale distributor permit; providing that a restricted prescription drug distributor permit is not required for distributions between certain pharmacies; requiring the Department of Business and Professional Regulation to establish by rule when such distribution constitutes regular and systematic supplying of a prescription drug; requiring certain third party logistic providers to be licensed; requiring research and development labeling on certain prescription drug active pharmaceutical ingredient packaging; requiring certain manufacturers to create and maintain certain records; requiring certain prescription drug distributors to provide certain information to health care entities for which they repackaged prescription drugs; requiring the department to adopt rules concerning repackaged prescription drug safety and integrity; amending s. 499.012, F.S.; providing for issuance of a prescription drug manufacturer permit or retail pharmacy drug wholesale distributor permit when an applicant at the same address is a licensed nuclear pharmacy or community pharmacy; providing for the expiration of deficient permit applications; requiring trade secret information submitted by an applicant to be maintained as a trade secret; authorizing the quadrennial renewal of permits; providing for calculation of fees for such permit renewals; revising procedures and application requirements for permit renewals; providing for late renewal fees; allowing a permittee who submits a renewal application to continue operations; removing certain application requirements for renewal of a permit; requiring bonds or other surety of a specified amount; requiring proof of inspection of establishments used in wholesale distribution; authorizing the Department of Business and Professional Regulation to contract for the collection of electronic fingerprints under certain circumstances; providing information that may be submitted in lieu of certain application requirements for specified permits and certifications; removing provisions relating to annual renewal and expiration of permits; conforming cross-references; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; revising prescription drug recordkeeping requirements; specifying recordkeeping requirements for manufacturers and repackagers of medical devices, over-the-counter drugs, and cosmetics; increasing the quantity of unit doses of a controlled substance that may be ordered in any given month by a customer without triggering a requirement that a wholesale distributor perform a reasonableness assessment; conforming provisions; amending s. 499.015, F.S.; providing for the expiration, renewal, and issuance of certain drug, device, and cosmetic product registrations; providing for product registration fees; amending ss. 499.03, 499.05, and 499.051, F.S.; conforming provisions to changes made by the act; amending s. 499.066, F.S.; authorizing the issuance of non-disciplinary citations; authorizing the department to adopt rules designating violations for which a citation may be issued; authorizing the department to recover investigative costs pursuant to the citation; specifying a time limitation for issuance of a citation; providing for service of a citation; amending s. 499.82, F.S.; revising the definition of “wholesale distribution” for purposes of medical gas requirements; amending s. 499.89, F.S.; conforming provisions; repealing s. 499.01212, F.S., relating to pedigree papers; amending ss. 409.9201, 499.067, 794.075, and 921.0022, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Grimsley moved the following amendment which was adopted:

Amendment 1 (577444) (with title amendment)—Between lines 2699 and 2700 insert:

Section 15. Subsection (6) of section 499.83, Florida Statutes, is created to read:

499.83 Permits.—

(6) *A hospice licensed by the Agency for Health Care Administration pursuant to part IV of chapter 400 is not required to obtain medical oxygen retail establishment permit to purchase on behalf of and sell medical oxygen to its hospice patients, if the hospice contracts for the purchase and delivery of medical oxygen from an establishment permitted pursuant to this part. Sale and delivery to patients by hospices pursuant to this subsection must be based upon on a prescription or an order from a practitioner authorized by law to prescribe medical oxygen. For sales to hospices pursuant to this subsection, the medical gas wholesale distributor or the medical gas manufacturer selling medical oxygen to a hospice shall reflect on its invoice the hospice license number provided by the Agency for Health Care Administration and shall maintain such record pursuant to s. 499.89. Both the hospice and the medical oxygen retailer delivering medical oxygen to the patient must maintain a copy of a valid order or prescription for medical oxygen in accordance with s. 499.89 and department rule, which copy must be readily available for inspection.*

And the title is amended as follows:

Delete line 96 and insert: medical gas requirements; amending s. 499.83, F.S.; authorizing licensed hospices to obtain on behalf of, and sell medical oxygen to, their patients without obtaining a medical oxygen retail establishment permit in certain circumstances; specifying recordkeeping requirements; amending s. 499.89, F.S.;

Pursuant to Rule 4.19, **CS for CS for SB 1604**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1570—A bill to be entitled An act relating to school bus stop safety; amending s. 316.172, F.S.; revising the terms of violation and the penalties for failure to stop a vehicle upon approaching a school bus that displays a stop signal; providing for criminal penalties under certain circumstances; amending s. 316.192, F.S.; requiring an additional fee to be added to a fine imposed for a specified violation; providing for distribution of the fee; amending s. 318.17, F.S.; conforming provisions to changes made by the act; amending s. 318.18, F.S.; removing provisions made obsolete by the act; amending s. 318.21, F.S.; conforming a cross-reference; amending s. 395.4036, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1570** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1312** was deferred.

On motion by Senator Flores—

CS for CS for CS for SB 912—A bill to be entitled An act relating to fraudulent activities associated with payment systems; amending s. 316.80, F.S.; revising the felony classification for unlawful conveyance of fuel; amending s. 525.07, F.S.; specifying requirements for managers of petroleum fuel measuring devices with respect to accurate measurement; requiring retail petroleum fuel measuring devices fitted with scanning devices to have certain security measures; providing require-

ments for such measures; requiring the owner or operator of a device to have certain security measures in place within a specified timeframe upon notice from the Department of Agriculture and Consumer Services; authorizing the department, under certain circumstances, to prohibit use of or to remove from service such devices that are non-compliant; defining terms; providing applicability; amending s. 817.58, F.S.; revising the definition of “traffic”; amending s. 817.611, F.S.; defining the term “related document”; revising the prohibition against trafficking in or possession of counterfeit credit cards; revising penalties; amending s. 921.0022, F.S.; revising the ranking of unlawful conveyance or fraudulent acquisition of fuel on the offense severity ranking chart; ranking trafficking in or possession of counterfeit credit cards; providing an effective date.

—was read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (971226) (with title amendment)—Between lines 100 and 101 insert:

(e) The department shall enforce, and may adopt rules to administer, this subsection.

And the title is amended as follows:

Between lines 17 and 18 insert: requiring the department to enforce certain provisions; providing rulemaking authority;

Pursuant to Rule 4.19, **CS for CS for CS for SB 912**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for CS for SB 718—A bill to be entitled An act relating to identification cards; amending s. 322.051, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue an identification card exhibiting a special designation for a person who has a developmental disability under certain circumstances; requiring payment of an additional fee and proof of diagnosis by a licensed physician; requiring the fee to be deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund; authorizing issuance of a replacement identification card that includes the special designation without payment of a specified fee; requiring the department to develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 718** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for CS for SB 400—A bill to be entitled An act relating to the organizational structure of the Department of Environmental Protection; amending s. 20.255, F.S.; deleting a provision requiring certain offices within the department; establishing the Office of the Secretary; authorizing the secretary to establish offices within divisions or the Office of the Secretary as necessary to promote the efficient and effective operation of the department; requiring the appointment of a general counsel; providing an exemption for certain managers and directors from part II of ch. 110, F.S.; establishing the Division of Water Restoration Assistance within the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 400** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 1160—A bill to be entitled An act relating to the Art in the Capitol Competition; creating the Art in the Capitol Competition for students in specified grades; specifying procedures for student participation, notification, and the selection and display of winning submissions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1160** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1422** was deferred.

On motion by Senator Joyner—

CS for CS for SB 1686—A bill to be entitled An act relating to telehealth; creating s. 408.61, F.S.; creating the Telehealth Task Force within the Agency for Health Care Administration; requiring the agency to use existing and available resources to administer and support the task force; providing for the membership of the task force; requiring the task force to compile and analyze certain data and to conduct a comparative analysis of health insurance coverage available for telehealth services and for in-person treatment; providing meeting requirements; requiring the task force to submit a report to the Governor and Legislature by a certain date; providing for the repeal of the section; creating s. 456.51, F.S.; authorizing certain licensed or certified health care professionals to provide telehealth services; defining the term “telehealth”; amending s. 636.202, F.S.; excluding telehealth products from the definition of “discount medical plan”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bean moved the following amendment which was adopted:

Amendment 1 (800016)—Delete lines 92-105 and insert:

(1) A health care practitioner, a behavior analyst certified under s. 393.17, a person certified under part III of chapter 401, or a person certified under part IV or V of chapter 468 who is practicing within the scope of his or her license or certification may provide telehealth services. A practitioner or person who is not a physician, but who provides telehealth services within the scope of his or her license or certification, may not be considered to be practicing medicine without a license.

(2) As used in this section, the term “telehealth” means the use of synchronous or asynchronous telecommunications technology by a health care practitioner, a behavior analyst certified under s. 393.17, a person certified under part III of chapter 401, or a person certified under part IV or V of chapter 468 to provide medical or other health care

Pursuant to Rule 4.19, **CS for CS for SB 1686**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 1470—A bill to be entitled An act relating to crustaceans; amending s. 379.365, F.S.; revising the administrative penalties for violations related to stone crab traps; amending s. 379.3671, F.S.; revising the administrative penalties for violations related to spiny lobster traps; amending s. 379.407, F.S.; prohibiting the possession of undersized spiny lobsters by certain persons; specifying that each undersized spiny lobster may be charged as a separate offense of certain violations; specifying maximum penalties for such violations; specifying the criminal and administrative penalties for violations related to undersized spiny lobsters; amending s. 921.0022, F.S.; revising the offense

severity ranking chart to include certain violations related to stone crabs and spiny lobsters; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1470** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for CS for CS for SB 768—A bill to be entitled An act relating to alarm systems; amending s. 489.518, F.S.; exempting certain persons from initial training for burglar alarm system agents; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; providing a uniform process for the registration of home and business alarm systems under certain circumstances; requiring the owner, lessee, or occupant, or an authorized representative thereof, of a property to register an alarm system within 20 days after occupancy or after installation of the alarm system; authorizing the applicable local governmental entity to charge a registration fee; specifying the requirements of the application form; requiring the owner, lessee, or occupant, or an authorized representative thereof, to notify the applicable local governmental agency of a change in the information provided in the application form within 30 days; authorizing the applicable local governmental entity to assess or impose fines or penalties for a failure to register an alarm system or for excessive false alarms; providing that fines and penalties are the responsibility of the owner, lessee, or occupant of the property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 768** was placed on the calendar of Bills on Third Reading.

CS for SB 700—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing a custodian to not post on the custodian’s website certain arrest or booking photographs of a child; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by the act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 700**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 293** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Soto—

CS for CS for HB 293—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing public records custodians to choose not to electronically publish specified arrest or booking photographs of juveniles; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from

intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by the act; reenacting s. 110.1127(4), F.S., relating to employee background screening and investigations, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 373.6055(3)(a), F.S., relating to criminal history checks for certain water management district employees and others, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 408.809(6), F.S., relating to background screening, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.046(1), F.S., relating to notification of criminal offender information, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.05(2)(h), F.S., relating to the Criminal Justice Information Program, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0542(2)(c), F.S., relating to access to criminal history information provided by the Department of Law Enforcement to qualified entities, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0543(5), F.S., relating to the National Crime Prevention and Privacy Compact, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 985.045(2), F.S., relating to court records, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; reenacting s. 985.11(1)(b), F.S., relating to fingerprinting and photographing juveniles, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 700** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 293** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1274** was deferred.

On motion by Senator Sobel—

SB 498—A bill to be entitled An act relating to the repeal of a prohibition on cohabitation; amending s. 798.02, F.S.; deleting provisions prohibiting cohabitation by unmarried men and women; providing an effective date.

—was read the second time by title.

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

On motion by Senator Gibson—

CS for SB 342—A bill to be entitled An act relating to renters insurance; creating s. 83.491, F.S.; requiring a residential rental agreement to specify whether renters insurance is required; specifying provisions that must be included if insurance is or is not required; providing that failure to include a certain notice in a rental agreement does not create a private cause of action or nullify any part of the rental agreement; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 342** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for CS for SB 1104—A bill to be entitled An act relating to service of process on financial institutions; creating s. 48.092, F.S.; re-

quiring service on financial institutions to be made in accordance with s. 655.0201, F.S.; amending s. 655.0201, F.S.; revising applicability of provisions of law governing service of process on financial institutions; authorizing certain financial institutions to designate with the Department of State a place or registered agent within the state as the sole location or agent for service of process, notice, levy, or demand; providing that service of process, notice, levy, or demand may be made at specified time periods; providing exceptions if the financial institution has no registered agent, if service cannot be made at the sole location, and for service made by the Office of Financial Regulation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1104** was placed on the calendar of Bills on Third Reading.

On motion by Senator Joyner—

CS for SB 122—A bill to be entitled An act relating to compensation of victims of wrongful incarceration; reordering and amending s. 961.02, F.S.; defining the term “violent felony”; amending s. 961.04, F.S.; providing that a person is disqualified from receiving compensation under the Victims of Wrongful Incarceration Compensation Act if, before or during the person’s wrongful conviction and incarceration, the person was convicted of, pled guilty or nolo contendere to any violent felony, or was serving a concurrent sentence for another felony; amending s. 961.06, F.S.; providing that a wrongfully incarcerated person who commits a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is ineligible for compensation; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of eligibility for compensation, to incorporate the amendments made to s. 961.04, F.S., in references thereto; reenacting s. 961.055(1), F.S., relating to application for compensation for a wrongfully incarcerated person and exemption from application by nolle prosequi, to incorporate the amendments made to s. 961.06, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 122** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for CS for SB 964—A bill to be entitled An act relating to the prescription drug monitoring program; amending s. 893.055, F.S.; providing that certain acts of dispensing controlled substances in specified facilities are not required to be reported to the prescription drug monitoring program; authorizing the designee of a pharmacy, prescriber, or dispenser to have access to a patient’s record in the prescription drug monitoring program’s database for a specified purpose; authorizing an impaired practitioner consultant to access an impaired practitioner program participant’s or referral’s record in the prescription drug monitoring program’s database; amending s. 893.0551, F.S.; authorizing the designee of a health care practitioner, pharmacist, pharmacy, prescriber, or dispenser or an impaired practitioner consultant to receive certain information from the prescription drug monitoring program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 964** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 1538—A bill to be entitled An act relating to veterans employment; amending s. 295.07, F.S.; requiring each state agency and authorizing other political subdivisions of the state to develop and implement a veterans recruitment plan; requiring specified goals for veterans recruitment plans; requiring the Department of Management

Services to collect specified data and to include the data in its annual workforce report and on its website; amending ss. 295.085 and 295.09, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1538** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 1274—A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing applicability; providing a limitation of coverage; authorizing a specified limitation of coverage subject to a certain condition; authorizing certain policy terms; requiring an insurance agent to obtain a specified signed acknowledgement from an applicant before issuing a policy; authorizing insurer forms and exempting forms from approval; authorizing an insurer to establish and use rates in accordance with specified rate standards; requiring an insurer to provide a specified notice of changes to rates within a specified timeframe to the Office of Insurance Regulation; requiring an insurer to maintain certain actuarial data for a specified timeframe; authorizing the office to require an insurer to incur the costs associated with examining such data; providing factors for the office in determining whether a rate is excessive, inadequate, or unfairly discriminatory; authorizing a surplus lines agent to export a contract or endorsement for sinkhole coverage to a surplus lines insurer without meeting certain requirements; requiring the insurer to notify the office before writing sinkhole insurance and to file a plan of operation with the office; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (734162) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 624.407, Florida Statutes, is amended to read:

624.407 Surplus required; new insurers.—

(1) To receive authority to transact any one kind or combinations of kinds of insurance, as defined in part V of this chapter, an insurer applying for its original certificate of authority in this state shall possess surplus as to policyholders at least the greater of:

(a) For a property and casualty insurer, \$5 million, or \$2.5 million for any other insurer;

(b) For life insurers, 4 percent of the insurer’s total liabilities;

(c) For life and health insurers, 4 percent of the insurer’s total liabilities, plus 6 percent of the insurer’s liabilities relative to health insurance;

(d) For all insurers other than life insurers and life and health insurers, 10 percent of the insurer’s total liabilities; ~~or~~

(e) Notwithstanding paragraph (a) or paragraph (d), for a domestic insurer that transacts residential property insurance and is:

1. Not a wholly owned subsidiary of an insurer domiciled in any other state, \$15 million.

2. A wholly owned subsidiary of an insurer domiciled in any other state, \$50 million; *or*

(f) Notwithstanding paragraphs (a), (d), and (e), for a domestic insurer that only transacts limited sinkhole coverage insurance for personal lines residential property pursuant to s. 627.7151, \$7.5 million.

Section 2. Paragraph (h) is added to subsection (1) of section 624.408, Florida Statutes, to read:

624.408 Surplus required; current insurers.—

(1) To maintain a certificate of authority to transact any one kind or combinations of kinds of insurance, as defined in part V of this chapter, an insurer in this state must at all times maintain surplus as to policyholders at least the greater of:

(h) Notwithstanding paragraphs (e), (f), and (g), for a domestic insurer that only transacts limited sinkhole coverage insurance for personal lines residential property pursuant to s. 627.7151, \$7.5 million.

The office may reduce the surplus requirement in paragraphs (f) and (g) if the insurer is not writing new business, has premiums in force of less than \$1 million per year in residential property insurance, or is a mutual insurance company.

Section 3. Section 627.7151, Florida Statutes, is created to read:

627.7151 Limited sinkhole coverage insurance.—

(1) An authorized insurer may issue, but is not required to make available, a limited sinkhole coverage insurance policy providing personal lines residential coverage, subject to underwriting, for the peril of sinkhole loss on any structure or the contents of personal property contained therein, subject to this section and ss. 627.706-627.7074. This section does not apply to commercial lines residential or commercial lines nonresidential coverage for the peril of sinkhole loss. This section also does not apply to coverage for the peril of sinkhole loss that is excess coverage over any other insurance covering the peril of sinkhole loss.

(2) Limited sinkhole coverage insurance must cover only losses from the peril of sinkhole loss, as defined in s. 627.706(2)(j); however, such coverage is not required to provide for contents and additional living expenses.

(3) Citizens Property Insurance Corporation may not issue limited sinkhole coverage insurance.

(4) Limited sinkhole coverage insurance may:

(a) Notwithstanding s. 627.707(5), limit coverage to repairs to stabilize the building and repair the foundation in accordance with the recommendations of the professional engineer retained pursuant to s. 627.707(2).

(b) In addition to the deductibles authorized under s. 627.706(1)(b), offer deductibles agreed to by the insured and insurer.

(c) Offer policy limits agreed to by the insured and insurer. However, policy limits below \$50,000 are prohibited unless that amount exceeds full replacement cost of the property.

(5) Before issuing a limited sinkhole coverage insurance policy under this section, the insurance agent must obtain a signed acknowledgment from an applicant that includes the following statement in at least 12-point bold, uppercase type: “BY ACCEPTING THIS LIMITED SINKHOLE COVERAGE INSURANCE POLICY, I HAVE READ AND UNDERSTAND THE LIMITATIONS THAT MAY APPLY TO MY POLICY AND I UNDERSTAND THAT MY POLICY IS A “REPAIR-ONLY” POLICY WHICH MEANS ONLY REPAIR AND/OR STABILIZATION OF THE SPECIFIED BUILDING AND ITS FOUNDATION IS COVERED, NOT TO EXCEED THE POLICY LIMITS AFTER APPLICATION OF MY DEDUCTIBLE. I ALSO UNDERSTAND THAT IT IS RECOMMENDED THAT I CONSULT WITH A QUALIFIED PROFESSIONAL TO IDENTIFY THE APPROXIMATE COST OF REPAIRING OR STABILIZING THE SPECIFIED BUILDING AND ITS FOUNDATION SO THAT I CAN MAKE AN INFORMED DECISION WHEN SELECTING MY POLICY LIMITS AND DEDUCTIBLE.” The

signed acknowledgment must also include, in at least 12-point bold, uppercase type:

(a) For a policy that provides limited sinkhole coverage insurance in an amount less than the full replacement cost of the property, the following statement: “THIS POLICY LIMITS SINKHOLE COVERAGE TO LESS THAN THE FULL COST OF REPLACEMENT FOR THE PROPERTY, WHICH MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU AND MAY PUT YOUR EQUITY IN THIS PROPERTY AT RISK.”

(b) For a policy that provides for a deductible that exceeds the deductibles authorized under s. 627.706(1)(b), the following statement: “THIS POLICY EXCEEDS THE DEDUCTIBLE AMOUNT PERMITTED FOR OTHER AUTHORIZED SINKHOLE LOSS INSURANCE POLICIES, WHICH MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU.”

(6) If the sinkhole loss cannot be repaired within policy limits, the insurer must:

(a) Pay the cost, without regard to policy limits, to complete the repairs recommended by the insurer’s professional engineer; or

(b) Pay the cost, not to exceed the policy limits, to complete the repairs upon the insured’s entering into a contract to repair the sinkhole loss in accordance with the repairs recommended by the insurer’s professional engineer.

However, if the insured obtains a lower-cost alternative repair recommendation from a professional engineer for stabilizing the land or the building and repairing the foundation, the insurer must pay the cost, not to exceed the policy limits, to complete the lower-cost alternative repair upon the insured’s entering into a contract to repair the sinkhole loss in accordance with the lower-cost alternative repair recommendation by the insured’s professional engineer. Such lower-cost alternative repair shall be subject to reasonable cost adjustment by the insurer; however, the insurer may not depart from the engineering requirements of the insured’s professional engineer’s lower-cost alternative repair recommendation. Except when payment for sinkhole loss is made under paragraph (a), the insured is responsible for the amount of the repair costs in excess of policy limits, if any.

(7) The insurer shall make payment for sinkhole losses to the insured and the contractor performing the repairs jointly. The insurer may make payment for contents and additional living expenses, if covered, directly to the insured.

(8) Notwithstanding s. 627.410, an insurer may establish and use a limited sinkhole coverage insurance form without filing the form with the office and requesting approval of the form from the office.

(9)(a) An insurer may establish and use limited sinkhole coverage insurance rates in accordance with the rate standards provided in s. 627.062.

(b) For limited sinkhole coverage insurance rates filed with the office before October 1, 2019, the insurer may also establish and use rates in accordance with the rates, rating schedules, or rating manuals filed by the insurer with the office which allow the insurer a reasonable rate of return on limited sinkhole coverage insurance written in this state. Limited sinkhole coverage insurance rates established pursuant to this paragraph are not subject to s. 627.062(2)(a) or (f). An insurer shall notify the office of any change to such rates within 30 days after the effective date of the change. The notice must include the name of the insurer and the average statewide percentage change in rates. Actuarial data with regard to such rates for limited sinkhole coverage insurance must be maintained by the insurer for 2 years after the effective date of such rate change and is subject to examination by the office. The office may require the insurer to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in s. 627.062(2)(b) and (d) and the standards in s. 627.062(2)(e) to determine whether the rate is excessive, inadequate, or unfairly discriminatory.

(10) *In addition to any other applicable requirements, an insurer providing limited sinkhole coverage insurance in this state must:*

(a) *Notify the office at least 30 days before writing limited sinkhole coverage insurance in this state.*

(b) *File a plan of operation and financial projections or revisions to such plan, as applicable, with the office.*

Section 4. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus funds that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing requirements and applicability; prohibiting Citizens Property Insurance Corporation from issuing limited sinkhole coverage insurance; requiring signed acknowledgment of certain statements; specifying loss payment requirements; authorizing use of certain insurance forms; exempting such forms from approval; providing an insurer with rate options; requiring the insurer to notify the Office of Insurance Regulation before writing limited sinkhole coverage insurance and to file a plan of operation with the office; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 1274**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 772—A bill to be entitled An act relating to regulated service providers; amending s. 472.007, F.S.; revising the composition of the Board of Professional Surveyors and Mappers; amending s. 472.015, F.S.; requiring the Department of Agriculture and Consumer Services to waive the initial land surveying and mapping license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 493.6105, F.S.; waiving the initial application fee for veterans for certain private investigative, private security, and repossession service licenses; revising certain fees for initial license applications; amending s. 493.6106, F.S.; deleting a provision requiring that certain applicants submit additional documentation establishing state residency; amending s. 493.6107, F.S.; waiving the initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 493.6108, F.S.; beginning on a specified date, requiring the Department of Law Enforcement to retain fingerprints submitted for private investigative, private security, and repossession service licenses, to enter such fingerprints into the statewide automated biometric identification system and the Federal Bureau of Investigation's national retained print arrest notification program, and to report any arrest record information to the Department of Agriculture and Consumer Services; requiring the department to provide information about an arrest of a licensee for certain crime within the state to the agency that employs the licensee; amending s. 493.6113, F.S.; clarifying the renewal requirements for Class "K" licenses; requiring a person holding a private investigative, private security, or repossession service license issued before a certain date to submit, upon first renewal of the license, a full set of fingerprints and a fingerprint processing fee; amending ss. 493.6202, 493.6302, and 493.6402, F.S.; waiving initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 501.0125, F.S.; revising the definition of the term "health studio"; defining the term "personal trainer"; amending s. 501.015, F.S.; requiring the department to waive the initial health studio registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or

spouses; amending s. 501.605, F.S.; prohibiting the use of a mail drop as a street address for the principal location of a commercial telephone seller; requiring the department to waive the initial commercial telephone seller license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 501.607, F.S.; requiring the department to waive the initial telephone salesperson license fees for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 507.03, F.S.; requiring the department to waive the initial registration fee for an intrastate mover for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 527.02, F.S.; requiring the department to waive the original liquefied petroleum gas license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 527.021, F.S.; deleting a provision requiring a fee for registering transport vehicles; amending s. 531.37, F.S.; revising the definition of the term "weights and measures"; amending s. 531.415, F.S.; revising the fees for actual metrology laboratory calibration and testing services; amending s. 531.60, F.S.; clarifying the applicability of permits for commercially operated or tested weights or measures instruments or devices; requiring a new permit application if a new owner acquires and moves an instrument or a device; requiring a business to notify the department of certain information under certain circumstances; deleting a provision authorizing the department to test weights and measures instruments or devices under certain circumstances; amending s. 531.61, F.S.; clarifying provisions exempting certain instruments or devices from specified requirements; amending s. 531.62, F.S.; specifying that the commercial use permit fee is based upon the number and types of instruments or devices permitted; revising the expiration date of the commercial use permit; requiring annual and biennial commercial use permit renewals to meet the same requirements; amending s. 531.63, F.S.; revising the commercial use permit fees and fee structures; amending s. 531.65, F.S.; clarifying that the department may use one or more of the prescribed penalties for the unauthorized use of a weights and measures instrument or device; amending s. 539.001, F.S.; requiring the department to waive the initial pawnbroker license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 559.904, F.S.; requiring the department to waive the initial motor vehicle repair shop registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; creating s. 559.9191, F.S.; requiring motor vehicle repair shops to meet certain conditions before seeking certain funds from insurers; providing requirements for obtaining certain customer consent; amending s. 559.927, F.S.; revising definitions; amending s. 559.928, F.S.; requiring the department to waive the initial seller of travel registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; requiring independent agents to annually file an application, rather than an affidavit; requiring each advertisement or certificate and other travel documents to include a specified phrase; deleting a provision requiring an advertisement to include a specified phrase; revising the circumstances under which the department may deny or refuse to renew a registration; authorizing the department to revoke the registration of a seller of travel under certain circumstances; creating s. 559.9281, F.S.; requiring the Department of Education to provide and maintain a list of approved student tour operators; requiring the department to adopt rules; specifying minimum standards for such operators; amending s. 559.929, F.S.; revising certain security requirements; amending s. 559.9295, F.S.; revising the documents that certain sellers of travel are required to submit and disclose to the department; deleting provisions relating to the duties of the department; amending s. 559.932, F.S.; requiring that certain disclosures be made in a specified type size; revising the language that must be included in certain disclosures; requiring the department to review copies of certain certificates and contracts for compliance with disclosure requirements; specifying that the submission of certain materials or department response does not constitute approval, recommendation, endorsement, or verification; amending s. 559.933, F.S.; making technical changes; amending s. 559.9335, F.S.; revising violations relating to the sale of

travel; amending s. 559.935, F.S.; deleting a provision requiring an affiliate to file an affidavit of exemption in order to obtain a specified exemption; adding embezzlement as a crime for which the department may revoke certain exemptions; amending s. 559.936, F.S.; conforming cross-references; amending s. 616.242, F.S.; exempting water-related amusement rides operated by lodging and food service establishments and membership campgrounds, amusement rides at private, membership-only facilities, and nonprofit permanent facilities from certain safety standards; authorizing owners or managers of amusement rides to use alternative forms to record ride inspections and employee training; amending s. 713.585, F.S.; revising certain notice requirements; authorizing the owner of a vehicle or a person claiming an interest in the vehicle or in a lien thereon to post a bond to recover possession of a vehicle held by a lienor; requiring the clerk of the court to issue a certificate notifying the lienor of the posting of bond; establishing procedures and requirements for a vehicle owner to reclaim such vehicles recovered by a lienholder; authorizing courts to award damages based on claims relating to the enforcement of certain lien and recovery rights; requiring courts to provide for the immediate payment of proceeds and awards and immediate release of bonds; amending s. 790.06, F.S.; revising the requirements for issuance of a concealed weapon or firearm license; requiring directions for expedited processing requests in the license application form; revising the initial and renewal fees for a concealed weapon or firearm license; providing a process for expediting applications for servicemembers and veterans; requiring that notice of the suspension or revocation of a concealed weapon or firearm license or the suspension of the processing of an application for such license be given by personal delivery or first-class mail; specifying deadlines for requests for a hearing for suspensions or revocations; specifying standards of proof for notice of suspensions or revocations; requiring concealed weapon or firearm license renewals to include an affidavit submitted under oath and under penalty of perjury, rather than a notarized affidavit, as of a specified date; amending s. 790.0625, F.S.; authorizing certain tax collector offices, upon approval and confirmation of license issuance by the department, to print and deliver concealed weapon or firearm licenses; amending ss. 559.917, 559.9285, and 559.937, F.S.; conforming provisions; providing an appropriation; providing effective dates.

—was read the second time by title.

Senator Richter moved the following amendments which were adopted:

Amendment 1 (193834)—Delete line 384 and insert:
493.6108(4)(a) and the cost of enrollment in the Federal

Amendment 2 (222498) (with title amendment)—Delete lines 966-1629 and insert:

Section 27. Subsections (1), (7), (8), (10), and (11) and present subsection (13) of section 559.927, Florida Statutes, are amended, present subsections (12) and (13) of that section are redesignated as subsections (13) and (14), respectively, and a new subsection (12) is added to that section, to read:

559.927 Definitions.—For the purposes of this part, the term:

(1) “Accommodations” means any hotel or motel room, condominium or cooperative unit, cabin, lodge, or apartment; any other commercial structure designed for occupancy by one or more individuals; or any lodging establishment as provided by law. *The term does not include long-term home rentals covered under a lease pursuant to chapter 83.*

(7) “Prearranged travel or; tourist-related services, ~~or tour guide services~~” includes, but is not limited to, car rentals, lodging, transfers, and sightseeing tours and all other such services ~~that which~~ are reasonably related to air, sea, rail, motor coach, or other medium of transportation, or accommodations for which a purchaser receives a premium or contracts or pays ~~before prior to~~ or after departure. *This term These terms also includes include* services for which a purchaser, whose legal residence is outside the United States, contracts or pays ~~before prior to~~ departure, and any arrangement by which a purchaser prepays for, receives a reservation or any other commitment to provide

services ~~before prior to~~ departure for, or otherwise arranges for travel directly to a terrorist state and which originates in Florida.

(8) “Purchaser” means the purchaser of, or person otherwise entitled to receive, prearranged travel ~~or; tourist-related services, or tour guide services~~, for a fee or commission, or who has acquired a vacation certificate for personal use.

(10) “Satisfactory consumer complaint history” means no unresolved complaints regarding prearranged travel ~~or; tourist-related services, or tour guide services~~ are on file with the department. A complaint is unresolved when a seller of travel does not respond to the department’s efforts to mediate the complaint or a complaint where the department has determined that a violation of this part has occurred and the complaint has not been satisfied by the seller of travel.

(11) “Seller of travel” means any resident or nonresident person, firm, corporation, or business entity ~~that who~~ offers ~~for sale~~, directly or indirectly, ~~at wholesale or retail~~, prearranged travel ~~or; tourist-related services, or tour guide services~~ for individuals or groups, including, but not limited to, vacation ~~or tour~~ packages, or vacation certificates in exchange for a fee, commission, or other valuable consideration. *The term includes such person, firm, corporation, or business entity who sells a vacation certificate to third-party merchants for a fee, or in exchange for a commission, or who offers such certificates to consumers in exchange for attendance at sales presentations.* The term also includes any business entity offering membership in a travel club or travel services for an advance fee or payment, even if no travel contracts or certificates or vacation or tour packages are sold by the business entity. *The term does not include third parties who may offer prearranged travel or tourist-related services, but do not participate in travel fulfillment or vacation certificate redemption.*

(12) “Student tour operator” means any resident or nonresident person, firm, corporation, or business entity that offers, directly or indirectly, prearranged travel or tourist-related services for groups within the educational community, school districts, educators, and students and their families, in exchange for a fee, a commission, or any other valuable consideration.

(13)(12) “Terrorist state” means any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(14)(13) “Vacation certificate” means any arrangement, plan, program, ~~or~~ vacation package, or advance travel purchase that promotes, discusses, or discloses a destination or itinerary or type of travel, whereby a purchaser ~~for consideration paid in advance~~ is entitled to the use of travel, accommodations, or facilities for any number of days, whether certain or uncertain, during the period in which the certificate can be exercised, and no specific date or dates for its use are designated. A vacation certificate does not include prearranged travel ~~or; tourist-related services, or tour guide services~~ when a seller of travel remits full payment for the cost of such services to the provider or supplier within 10 business days of the purchaser’s initial payment to the seller of travel. *The term does not include travel if exact travel dates are selected, guaranteed, and paid for at the time of the purchase.*

Section 28. Subsections (2) through (8) and present subsection (9) of section 559.928, Florida Statutes, are amended, and a new subsection (9) is added to that section, to read:

559.928 Registration.—

(2)(a) Registration fees shall be as follows:

1. Three hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(a).
2. One thousand dollars per year per registrant certifying its business activities under s. 559.9285(1)(b).
3. Twenty-five hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(c).

(b) All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the Department of Agriculture and Consumer Services pursuant to s. 570.20, for the sole purpose of administration of this part.

(c) *The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.*

(3) Each independent agent shall annually file an *application affidavit* with the department *before* ~~prior to~~ engaging in business in this state. This *application affidavit* must include the independent agent's full name, legal business or trade name, mailing address, business address, telephone number, and the name and address of each seller of travel represented by the independent agent. A letter evidencing proof of filing must be issued by the department and must be prominently displayed in the independent agent's primary place of business. Each independent agent must also submit an annual registration fee of \$50. All moneys collected pursuant to the imposition of the fee shall be deposited by the Chief Financial Officer into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for the sole purpose of administering this part. As used in this subsection, the term "independent agent" means a person who represents a seller of travel by soliciting persons on its behalf; who has a written contract with a seller of travel which is operating in compliance with this part and any rules adopted thereunder; who does not receive a fee, commission, or other valuable consideration directly from the purchaser for the seller of travel; who does not at any time have any unissued ticket stock or travel documents in his or her possession; and who does not have the ability to issue tickets, vacation certificates, or any other travel document. The term "independent agent" does not include an affiliate of the seller of travel, as that term is used in s. 559.935(3), or the employees of the seller of travel or of such affiliates.

(4) ~~Any~~ person applying for or renewing a local business tax receipt to engage in business as a seller of travel must exhibit a current registration certificate from the department before the local business tax receipt may be issued or reissued.

(5) Each contract, *advertisement, certificate, or travel document* of a seller of travel must include the phrase " (NAME OF FIRM) is registered with the State of Florida as a Seller of Travel. Registration No....."

~~(6) Each advertisement of a seller of travel must include the phrase "Fla. Seller of Travel Reg. No....."~~

~~(6)(7)~~ A ~~no~~ registration ~~is not~~ ~~shall be~~ valid for any seller of travel transacting business at any place other than that designated in its application, unless the department is first notified in writing in advance of any change of location. ~~Not shall the~~ registration ~~is not~~ be valid for an affiliate of the seller of travel who engages in the prearranged travel and tourist business. A registration issued under this part ~~may shall~~ not be assignable, and the seller of travel ~~may shall~~ not be permitted to

conduct business under more than one name except as registered. A seller of travel desiring to change its registered name or location or designated agent for service of process at a time other than upon renewal of registration shall notify the department of such change.

~~(7)(8)~~ Applications under this section ~~are shall be~~ subject to the ~~provisions of~~ s. 120.60.

~~(8)(9)~~ The department may deny, ~~or~~ refuse to renew, or *revoke* the registration of any seller of travel based upon a determination that the seller of travel, or any of its directors, officers, owners, or general partners *while acting on behalf of the seller of travel:*

(a) Has failed to meet the requirements for registration as provided in this part;

(b) Has been convicted of a crime involving fraud, *theft, embezzlement, dishonest dealing, or any other act of moral turpitude or any other act arising out of conduct as a seller of travel;*

(c) Has not satisfied a civil fine or penalty arising out of any administrative or enforcement action brought by any governmental agency or private person based upon conduct involving fraud, *theft, embezzlement, dishonest dealing, or any violation of this part; or*

~~(d) Has pending against her or him any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, dishonest dealing, or any other act of moral turpitude; or~~

~~(d)(e)~~ Has had a judgment entered against her or him in any action brought by the department or the Department of Legal Affairs pursuant to ss. 501.201-501.213 or this ~~act part~~.

(9) *The department may deny or refuse to renew the registration of any seller of travel based upon a determination by the department that the seller of travel, or any of the seller's directors, officers, owners, or general partners has pending against him or her while acting on behalf of the seller of travel any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, theft, embezzlement, or dishonest dealing, or any other act of moral turpitude.*

Section 29. Section 559.9281, Florida Statutes, is created to read:

559.9281 *Student tour operators.—*

(1) *The Department of Agriculture and Consumer Services shall establish a process for sellers of travel to apply to be, and be listed as, approved student tour operators to serve students in all primary and secondary school districts within the state.*

(2) *The department shall adopt rules to implement this section, including the establishment of the application procedures and minimum standards for those persons wishing to be approved as student tour operators under this section. At a minimum, a student tour operator must be registered and approved by the department as a seller of travel under s. 559.928, maintain security requirements provided under s. 559.929, and be current on all state and local business taxes.*

(3) *The department shall maintain a list of approved student tour operators to serve students in all primary and secondary school districts within the state. The department shall update this list at least annually and shall provide, as created and updated, a current version of the list to the Department of Education.*

(4) *The Department of Education shall publish and maintain a current version of the list in a prominent location on its website.*

Section 30. Subsections (2) through (6) of section 559.929, Florida Statutes, are amended to read:

559.929 *Security requirements.—*

(2) The bond must be filed with the department on a form adopted by department rule and must be in favor of the department for the use and benefit of a *consumer traveler* who is injured by the fraud, misrepresentation, breach of contract, or financial failure, or *any other*

violation of this part by the seller of travel. Such liability may be enforced by proceeding in an administrative action as specified in subsection (3) or by filing a civil action. ~~However, in such civil action the bond posted with the department shall not be amenable or subject to a judgment or other legal process issuing out of or from such court in connection with such civil action, but such bond shall be amenable to and enforceable only by and through administrative proceedings before the department. It is the intent of the Legislature that such bond be applicable and liable only for the payment of claims duly adjudicated by order of the department.~~ The bond must be open to successive claims, but the aggregate amount awarded may not exceed the amount of the bond. In addition to the foregoing, a bond provided by a registrant or applicant for registration which certifies its business activities under s. 559.9285(1)(b) or (c) must be in favor of the department, with payment in the following order of priority:

(a) The expenses for prosecuting the registrant or applicant in an administrative or civil action under this part, including attorney fees and fees for other professionals, court costs or other costs of the proceedings, and all other expenses incidental to the action.

(b) The costs and expenses of investigation before the commencement of an administrative or civil action under this part.

(c) An unpaid administrative fine imposed by final order or an unpaid civil penalty imposed by final judgment under this part.

(d) Damages or compensation for a ~~consumer traveler~~ injured as provided in this subsection.

(3) A ~~consumer traveler~~ may file a claim against the bond. Such claim, which must be submitted in writing on an affidavit form adopted by department rule, must be submitted to the department within 120 days after an alleged injury has occurred or is discovered to have occurred or a judgment has been entered. The proceedings shall be conducted pursuant to chapter 120. For proceedings conducted pursuant to ss. 120.569 and 120.57, the agency shall act only as a nominal party.

(4) A ~~consumer who is injured by the seller of travel, or the department or another governmental agency acting on behalf of the injured consumer, may bring and maintain an action to recover against the bond.~~

(5) Any indebtedness determined by final order of the department shall be paid by the seller of travel to the department within 30 days after the order is entered for disbursement to the consumer. If the seller of travel fails to make payment within 30 days, the agency shall make a demand for payment upon the surety which includes an institution issuing a letter of credit or depository on a certificate of deposit. Upon failure of a surety to comply with a demand for payment pursuant to a final order, the department may file an action in circuit court to recover payment, up to the amount of the bond or other form of security, pursuant to s. 120.69. If the department prevails, the department may recover court costs and reasonable attorney fees.

~~(6)(5)~~ If the seller of travel is currently the subject of an administrative, civil, or criminal action by the department, the Department of Legal Affairs, or the state attorney relating to compliance with this part, the right to proceed against the bond as provided in subsection (3) is suspended until any enforcement action becomes final.

~~(7)(6)~~ The department may waive the bond requirement on an annual basis if the seller of travel has had 5 or more consecutive years of experience as a seller of travel in this state in compliance with this part, has not had a civil, criminal, or administrative action instituted against the seller of travel in the vacation and travel business by a governmental agency or an action involving fraud, theft, misappropriation of property, violation of a statute pertaining to business or commerce with a terrorist state, ~~or~~ moral turpitude, or other violation of this part and has a satisfactory consumer complaint history with the department, and certifies its business activities under s. 559.9285. Such waiver may be revoked if the seller of travel violates this part. A seller of travel which certifies its business activities under s. 559.9285(1)(b) or (c) is not entitled to the waiver provided in this subsection.

Section 31. Subsections (2) and (17) of section 559.9295, Florida Statutes, are amended to read:

559.9295 Submission of vacation certificate documents.—Sellers of travel who offer vacation certificates must submit and disclose to the department with the application for registration, and any time such document is changed, but prior to the sale of any vacation certificate, the following materials:

(2) A copy of each promotional brochure, pamphlet, form letter, registration form, or any other written material disseminated in connection with the advertising, promotion, or sale of any vacation certificate. *Any such promotional materials that include terms such "free," "awarded," "prize," "absolutely without charge," and "free of charge," or similar words or groups of words, which might reasonably lead a person to believe that he or she may receive, or has been selected to receive, something of value without making full or partial compensation in any form from the recipient must:*

(a) *Clearly and conspicuously display the following disclosure in at least 12-point type: ".(NAME OF FIRM). is registered with the State of Florida as a seller of travel, Registration No....THIS IS NOT A FREE OFFER. SEE TERMS AND CONDITIONS VIA WWW.(OFFER WEBSITE).COM. RESPONSE TO THIS OFFER DOES NOT GUARANTEE TRAVEL." The offer website referred to in the disclosure must include, and clearly indicate, the terms and conditions for such a vacation certificate offer.*

(b) *Disclose the number of individuals who actually traveled pursuant to the vacation certificate, as opposed to the number of individuals who submitted or otherwise activated the vacation certificate, in the 12 months preceding issuance of the promotional material.*

~~(17) Within 10 working days after receipt of any materials submitted subsequent to filing an initial registration application or any annual renewal thereof, the department shall determine whether such materials are adequate to meet the requirements of this section. The department shall notify the seller of travel that materials submitted are in substantial compliance, or shall notify the seller of travel of any specific deficiencies. If the department fails to notify the seller of travel of its determination within the period specified in this subsection, the materials shall be deemed in compliance; however, the failure of the department to send notification in either case will not relieve the seller of travel from the duty of complying with this section.~~

Neither the submission of these materials nor the department's response implies approval, recommendation, or endorsement by the department or that the contents of said materials have been verified by the department.

Section 32. Section 559.932, Florida Statutes, is amended to read:

559.932 Vacation certificate disclosure.—

~~(1) A It shall be unlawful for any seller of travel must to fail to provide each person solicited with a contract that includes which shall include the following information, which shall be in 12-point type, unless otherwise specified:~~

(a) A space for the date, name, address, and signature of the purchaser.

(b) The expiration date of the vacation certificate and the terms and conditions of its extension or renewal, if available.

(c) The name and business address of any seller of travel who may solicit vacation certificate purchasers for further purchases, and a full and complete statement as to the nature and method of that solicitation.

(d) The total financial obligation of the purchaser which shall include the initial purchase price and any additional charges to which the purchaser may be subject, including, but not limited to, any per diem, seasonal, reservation, or recreational charge.

(e) The name and street address of any person who has the right to alter, amend, or add to the charges to which the purchaser may be subject and the terms and conditions under which such charges may be imposed.

(f) If any accommodation or facility which a purchaser acquires the right to use pursuant to the vacation certificate is not completed at the time the certificate is offered for sale, the date of availability of each component of the accommodation or facility.

(g) By means of a section entitled "terms and conditions":

1. All eligibility requirements for use of the vacation certificate, including, but not limited to, age, sex, marital status, group association, residency, or geographic limitations.

2. All eligibility requirements for use of any discount or complimentary coupon or ticket.

3. A statement as to whether transportation and meals are provided pursuant to use of the certificate.

4. Any room deposit requirement, including all conditions for its return or refund.

5. The manner in which reservation requests are to be made and the method by which they are to be confirmed.

6. Any identification, credential, or other means by which a purchaser must establish her or his entitlement to the rights, benefits, or privileges of the vacation certificate.

7. Any restriction or limitation upon transfer of the vacation certificate or any right, benefit, or privilege thereunder.

8. Any other term, limitation, condition, or requirement material to use of the vacation certificate or any right, benefit, or privilege thereunder.

(h) In immediate proximity to the space reserved in the contract for the date and the name, address, and signature of the purchaser, the following statement in boldfaced type of a size of 10 points:

"YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

"YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS PROVIDED IN THE CONTRACT."

"TO CANCEL THIS AGREEMENT, A SIGNED AND DATED COPY OF A STATEMENT THAT YOU ARE CANCELING THE AGREEMENT SHOULD BE MAILED AND POSTMARKED, OR DELIVERED TO _____ (NAME) AT _____ (ADDRESS) NO LATER THAN MID-NIGHT OF _____ (DATE)."

"IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE AND SENDING NOTICE TO: _____ (NAME OF SELLER) AT _____ (SELLER'S ADDRESS)."

(i) In immediate proximity to the statement required in paragraph (h), the following statement in boldfaced type of a size of 12 ~~10~~ points:

"NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN THOSE INCLUDED IN THIS CONTRACT."

However, inclusion of this statement shall not impair any purchaser's right to bring legal action based on verbal statements.

(j) In immediate proximity to the statement required in paragraph (i), the following statement:

"This contract is for the purchase of a vacation certificate and puts all assignees on notice of the consumer's right to cancel under section 559.933, Florida Statutes."

(2) If a sale or agreement to purchase a vacation certificate is completed over the telephone, the seller shall inform the purchaser over the telephone that:

(a) The purchaser may cancel the contract without any penalty or obligation within 30 days from the date of purchase or receipt of the vacation certificate, whichever occurs later.

(b) The purchaser may also cancel the contract if accommodations or facilities are not available upon request for use as provided in the contract.

(3) *Upon receipt of a copy of a vacation certificate or contract required pursuant to s. 559.9295, the department shall review the vacation certificate or contract for compliance with the disclosures required under this section. The submission of the vacation certificate or contract and the department's response do not imply approval, recommendation, or endorsement by the department or that the contents of the vacation certificate or contract have been verified by the department.*

Section 33. Section 559.933, Florida Statutes, is amended to read:

559.933 Vacation certificate cancellation and refund provisions.—

(1) ~~A It shall be unlawful for any~~ seller of travel or an assignee must honor a purchaser's request to cancel a vacation certificate if such request is made:

~~(1) To fail or refuse to honor a purchaser's vacation certificate request to cancel if such request is made:~~

(a) Within 30 days ~~after from~~ the date of purchase or receipt of the vacation certificate, whichever occurs later; or

(b) At any time accommodations or facilities are not available pursuant to a request for use as provided in the contract, provided that:

1. The contract ~~may shall~~ not require notice greater than 60 days in advance of the date requested for use;

2. If acceptable to the purchaser, comparable alternate accommodations or facilities in a city, or reservations for a date different than that requested, may be provided.

(2) A seller of travel or an assignee must ~~To fail to~~ refund any and all payments made by the vacation certificate purchaser within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section, if the purchaser has not received any benefits pursuant to the vacation certificate.

(3) A seller of travel or an assignee must, if the purchaser has received any benefits pursuant to the vacation certificate, ~~to fail to~~ refund within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section any and all payments made by the purchaser which exceed a pro rata portion of the total price, representing the portion of any benefits actually received by the vacation certificate purchaser during the time preceding cancellation.

(4) ~~If Where~~ any purchaser has received confirmation of reservations in advance and is refused accommodations upon arrival, a seller of travel or an assignee must ~~to fail to~~ procure comparable alternate accommodations for the purchaser in the same city at no expense to the purchaser, or ~~to fail to~~ fully compensate the purchaser for the room rate incurred in securing comparable alternate accommodations himself or herself.

(5) A seller of travel or an assignee may not ~~To~~ collect more than the full contract price from the purchaser.

(6) A seller of travel or an assignee may not ~~To~~ sell, assign, or otherwise transfer any interest in a seller of travel business, or ~~to~~ sell,

assign, or otherwise transfer to a third party any interest in any vacation certificate unless:

(a) The third party agrees in writing to fully honor the rights of vacation certificate purchasers to cancel and to receive an appropriate refund or reimbursement as provided in this section.

(b) The third party agrees in writing to comply with all other provisions of this part for as long as the third party continues the sale of vacation certificates or for the duration of the period of validity of outstanding vacation certificates, whichever is longer in time.

(c) The seller of travel agrees to be liable for and fully indemnify a purchaser from any loss occasioned by the failure of the third party to honor the purchaser's right to cancel and failure to make prompt and complete refund to the purchaser of all sums paid to the third party, or occasioned by the third party's failure to comply with the provisions of this part.

(7) ~~A seller of travel or an assignee must To fail to fulfill the terms of a vacation certificate within 18 months after of the initial payment of any consideration by the purchaser to a seller of travel or third party.~~

Section 34. Section 559.9335, Florida Statutes, is amended to read:

559.9335 Violations.—It is a violation of this part for any *seller of travel, independent agent, assignee, or other person*:

(1) To conduct business as a seller of travel without registering annually with the department unless exempt pursuant to s. 559.935.

(2) To conduct business as a seller of travel without an annual purchase of a performance bond in the amount set by the department unless exempt pursuant to s. 559.935.

(3) Knowingly to make any false statement, representation, or certification in any application, document, or record required to be submitted or retained under this part *or in any response to an inquiry or investigation conducted by the department or any other governmental agency.*

(4) Knowingly to sell or market any ~~number of~~ vacation certificates that exceed the number disclosed to the department pursuant to this section.

(5) Knowingly to sell or market vacation certificates with an expiration date of more than 18 months from the date of issuance.

~~(6) Knowingly to require, request, encourage, or suggest, directly or indirectly, that payment for the right to obtain a travel contract, certificate, or vacation package must be by credit card authorization or to otherwise announce a preference for that method of payment over any other when no correct and true explanation for such preference is likewise stated.~~

~~(6)(7)~~ Knowingly to state, represent, indicate, suggest, or imply, directly or indirectly, that the travel contract, certificate, or vacation package being offered by the seller of travel cannot be purchased at some later time or may not otherwise be available after the initial contact, or that callbacks by the prospective purchaser are not accepted, when no such restrictions or limitations in fact exist.

~~(7)(8)~~ To misrepresent ~~in any manner~~ the purchaser's right to cancel and to receive an appropriate refund or reimbursement as provided by this part.

~~(8)(9)~~ To sell any vacation certificate the duration of which exceeds the duration of any agreement between the seller and any business entity obligated thereby to provide accommodations or facilities pursuant to the vacation certificate.

~~(9)(10)~~ To misrepresent or deceptively represent:

(a) The amount of time or period of time accommodations or facilities will be available.

(b) The location of accommodations or facilities offered.

(c) The price, size, nature, extent, qualities, or characteristics of accommodations or facilities offered.

(d) The nature or extent of other goods, services, or amenities offered.

(e) A purchaser's rights, privileges, or benefits.

(f) The conditions under which the purchaser may obtain a reservation for the use of offered accommodations or facilities.

(g) That the recipient of an advertisement or promotional materials is a winner, or has been selected, or is otherwise being involved in a select group for receipt, of a gift, award, or prize, unless this fact is the truth.

~~(10)(11)~~ To fail to inform a purchaser of a nonrefundable cancellation policy ~~before~~ ~~prior to~~ the seller of travel accepting any fee, commission, or other valuable consideration.

~~(11)(12)~~ To fail to include, when offering to sell a vacation certificate, in any advertisement or promotional material, the following statement: "This is an offer to sell travel."

~~(12)(13)~~ To fail to honor and comply with all provisions of the vacation certificate regarding the purchaser's rights, benefits, and privileges thereunder.

~~(13)(14)~~(a) To include in any vacation certificate or contract any provision purporting to waive or limit any right or benefit provided to purchasers under this part; or

(b) To seek or solicit such waiver or acceptance of limitation from a purchaser concerning rights or benefits provided under this part.

~~(14)(15)~~ To offer vacation certificates for any accommodation or facility for which there is no contract with the owner of the accommodation or facility securing the purchaser's right to occupancy and use, unless the seller is the owner.

~~(15)(16)~~ To use a local mailing address, registration facility, drop box, or answering service in the promotion, advertising, solicitation, or sale of vacation certificates, unless the seller's fixed business address is clearly disclosed during any telephone solicitation and is prominently and conspicuously disclosed on all solicitation materials and on the contract.

~~(16)(17)~~ To use any registered trademark, trade name, or trade logo in any promotional, advertising, or solicitation materials without written authorization from the holder of such trademark, trade name, or trade logo.

~~(17)(18)~~ To represent, directly or by implication, any affiliation with, or endorsement by, any governmental, charitable, educational, medical, religious, fraternal, or civic organization or body, or any individual, in the promotion, advertisement, solicitation, or sale of vacation certificates without express written authorization.

~~(18)(19)~~ To sell a vacation certificate to any purchaser who is ineligible for its use.

~~(19)(20)~~ To sell any ~~number of~~ vacation certificates ~~in excess of exceeding the number of available accommodations disclosed pursuant to this part.~~

~~(20)(21)~~ During the period of a vacation certificate's validity, in the event, for any reason whatsoever, of lapse or breach of an agreement for the provision of accommodations or facilities to purchasers, to fail to procure similar agreement for the provision of comparable alternate accommodations or facilities in the same city or surrounding area.

~~(21)(22)~~ To offer to sell, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, without

disclosing such business activities in a certification filed under s. 559.9285(1)(b) or (c).

(22)(23) To violate any state or federal law restricting or prohibiting commerce with terrorist states.

(23)(24) To engage in ~~do~~ any other act that

And the title is amended as follows:

Delete lines 110-133 and insert: by such veterans or spouses; amending s. 559.927, F.S.; revising definitions and defining the term “student tour operator”; amending s. 559.928, F.S.; requiring the department to waive the initial seller of travel registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; requiring independent agents to annually file an application, rather than an affidavit; requiring each advertisement, certificate, and other travel documents to include a specified phrase; deleting a provision requiring an advertisement to include a specified phrase; revising the circumstances under which the department may deny or refuse to renew a registration; authorizing the department to revoke the registration of a seller of travel under certain circumstances; creating s. 559.9281, F.S.; requiring the Department of Agriculture and Consumer Services to establish a process for specified persons to apply to be, and be listed as, approved student tour operators; requiring the department to adopt rules to establish an application process and standards for persons wishing to be approved as student tour operators; specifying minimum standards for such operators; requiring the department to maintain a list of approved operators; requiring the department to update the list at least annually and to provide a current version of the list to the Department of Education; requiring the Department of Education to publish and maintain such list on its website; amending s. 559.929,

Amendment 3 (906956) (with title amendment)—Delete lines 1939-2088 and insert:

him. *A lienholder has standing to allege any violation of part IX of chapter 559 in a proceeding instituted pursuant to this subsection. Any person who files a demand for hearing shall mail copies of the demand to all other owners and lienors as reflected on the notice required in subsection (1).*

(a) Upon the filing of a demand for hearing, a hearing shall be held before ~~prior to~~ the proposed or scheduled date of sale of the vehicle.

(b) *Upon the posting of the bond and payment of the applicable fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying the lienor of the posting of the bond and directing the lienor to release the vehicle to the lienholder or the owner, based upon whomever posted the bond.*

(c) *If a lienholder obtains the vehicle and the owner of the vehicle is not in default under the installment sales contract or title loan at the time the lienholder has possession of the vehicle, the lienholder must return the vehicle to the owner within 5 days after the owner repays the lienholder for the amount of the bond, or makes arrangements to repay the lienholder for the bond under terms agreeable to the lienholder. A lienholder may retain possession of the vehicle if the owner is in default until such time as the default is cured and the amount of the bond is repaid by the owner, or an arrangement agreeable to the lienholder is made with the owner.*

(7) ~~At a hearing on a complaint relating to the requirements of this section on the complaint, the court shall forthwith issue an order determining:~~

(a) Whether the vehicle is subject to a valid lien by the lienor and the amount thereof;

(b) The priority of the lien of the lienor as against any existing security interest in the vehicle;

(c) The distribution of any proceeds of the sale by the clerk of the circuit court;

(d) *The awarding of damages, if any;*

(e)(~~d~~) *The award of reasonable attorney ~~attorney's~~ fees and costs, at the court's discretion, to the prevailing party; and*

(f)(~~e~~) *The reasonableness of storage charges.*

A final order, by the court, must also provide for immediate payment of any proceeds or awards, and the immediate release of the bond to the posting party, if applicable.

(13) A failure to make good faith efforts as defined in subsection (2) precludes the imposition of any storage charges against the vehicle. If a lienor fails to provide notice to any person claiming a lien on a vehicle under subsection (1) within 7 ~~15~~ business days after the assessment of storage charges has begun, then the lienor is precluded from charging for more than 7 ~~15~~ days of storage, but failure to provide timely notice does not affect charges made for repairs, adjustments, or modifications to the vehicle or the priority of liens on the vehicle.

Section 40. Subsections (2), (4), (5), and (10) of section 790.06, Florida Statutes, are amended, and paragraph (f) is added to subsection (6) of that section, to read:

790.06 License to carry concealed weapon or firearm.—

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(a) Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country;

(b) Is 21 years of age or older;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been convicted of a felony;

(e) Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under chapter 397 or under the provisions of former chapter 396 or has been convicted under s. 790.151 or has been deemed a habitual offender under s. 856.011(3), or has had two or more convictions under s. 316.193 or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a concealed weapon or firearm for lawful self-defense;

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using ~~utilizing~~ instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or military service;

6. Is licensed or has been licensed to carry a firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; ~~or~~ an affidavit from the instructor, school, club, organization, or group that conducted or taught *such said* course or class attesting to the completion of the course or class by the applicant; or a copy of any document *that which* shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. ~~A~~ any person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm *in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;*

(i) Has not been adjudicated an incapacitated person under s. 744.331, or similar laws of any other state, unless 5 years have elapsed since the applicant's restoration to capacity by court order;

(j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least 5 years ~~before~~ *prior to* the date of submission of the application;

(k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony ~~or misdemeanor crime of domestic violence~~ unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, ~~or expunction has occurred the record has been sealed or expunged;~~

(l) *Has not had adjudication of guilt withheld or imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been expunged;*

And the title is amended as follows:

Delete line 168 and insert: vehicle held by a lienor; specifying that lienholders have standing in certain proceedings to allege violations of the Florida Motor Vehicle Repair Act; requiring the clerk of the

Amendment 4 (307800) (with title amendment)—Delete lines 2251-2377 and insert:

Section 43. Subsection (1) and paragraph (d) of subsection (3) of section 559.9285, Florida Statutes, are amended to read:

559.9285 Certification of business activities.—

(1) Each certifying party, as defined in s. 559.927(2):

(a) Which does not offer for sale, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida;

(b) Which offers for sale, at wholesale or retail, only prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, but engages in no other business dealings or commerce with any terrorist state; or

(c) Which offers for sale, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, and also engages in any other business dealings or commerce with any terrorist state,

shall annually certify its business activities by filing a disclosure statement with the department which accurately represents the scope of the seller's business activities according to the criteria provided in paragraph (a), paragraph (b), or paragraph (c).

(3) The department shall specify by rule the form of each certification under this section which shall include the following information:

(d) The type of all prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ that the certifying party offers for sale to individuals or groups traveling directly to any terrorist state and that originate in Florida, and the frequency with which such services are offered.

Section 44. Subsection (2) of section 559.937, Florida Statutes, is amended to read:

559.937 Criminal penalties.—Any person or business that violates this part:

(2) Which violation directly or indirectly pertains to an offer to sell, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 45. *For the 2016-2017 fiscal year, the sum of \$1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund is appropriated to the Department of Agriculture and Consumer Services for the purpose of implementing s. 493.6108, Florida Statutes, regarding the collection and subsequent payment of fingerprint retention and processing fees to the Florida Department of Law Enforcement.*

Section 46. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete line 199 and insert: 559.9285 and 559.937, F.S.; conforming

Pursuant to Rule 4.19, **CS for CS for SB 772**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

RECESS

The President declared the Senate in recess at 11:51 a.m. to reconvene at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—34:

Mr. President	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert
Benacquisto	Bullard	Diaz de la Portilla

Flores	Joyner	Simpson
Gaetz	Legg	Smith
Galvano	Margolis	Sobel
Garcia	Montford	Soto
Gibson	Negron	Stargel
Grimsley	Richter	Thompson
Hays	Ring	
Hukill	Sachs	

BILLS ON THIRD READING

CS for SB 1176—A bill to be entitled An act relating to dredge and fill activities; amending s. 373.4144, F.S.; revising the acreage of wetlands and other surface waters subject to impact by dredge and fill activities under a state programmatic general permit; providing that seeking to use such a permit consents to specified federal wetland jurisdiction criteria; authorizing the Department of Environmental Protection to delegate federal permitting programs for the discharge of dredged or fill material; deleting certain conditions limiting when the department may assume federal permitting programs for the discharge of dredged or fill material; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1176** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Legg	Thompson
Detert	Margolis	
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Evers, Hutson, Simmons

SB 206—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; providing that certain persons permanently incapable of caring for themselves may be permanently excused from jury service upon request; providing requirements for such a request; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 206**, pursuant to Rule 3.11(3), there being no objection, **HB 111** was withdrawn from the Committees on Judiciary; Health Policy; and Rules.

On motion by Senator Clemens, by two-thirds vote—

HB 111—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; providing that certain persons incapable of caring for themselves may be permanently excluded from jury service upon request; providing requirements for such a request; providing an effective date.

—a companion measure, was substituted for **SB 206** and read the second time by title.

On motion by Senator Clemens, by two-thirds vote, **HB 111** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers, Simmons

CS for CS for HB 145—A bill to be entitled An act relating to financial transactions; amending s. 501.0117, F.S.; exempting a private school from the prohibition against charging certain convenience fees to a student or family paying tuition, fees, or other student account charges by credit card under certain circumstances; amending s. 516.07, F.S., prohibiting a licensee from making payments to a person as compensation, inducement, or reward for referring loan applications to the licensee under certain circumstances; amending s. 670.108, F.S.; revising applicability; providing that chapter 670, F.S., governs certain funds transfers that are remittance transfers; providing that the federal Electronic Fund Transfer Act governs any inconsistency between a funds transfer under chapter 670, F.S.; amending s. 701.03, F.S.; reducing the time limit for a mortgagee or an assignee to cancel a mortgage, except in cases where the loan is an open-end mortgage; authorizing an open-end mortgage to be canceled within a specified timeframe if the borrower provides written notice of his or her intent to close the open-end mortgage; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for CS for HB 145** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers, Simmons

CS for HB 103—A bill to be entitled An act relating to transactions in fresh produce markets; creating s. 414.456, F.S.; providing definitions; authorizing certain owners and operators of farmers’ markets, community farmers’ markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing restrictions on the use of Supplemental Nutrition Assistance Program benefits in such markets; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Thompson, **CS for HB 103** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers, Simmons

SB 444—A bill to be entitled An act relating to the Small Community Sewer Construction Assistance Act; amending s. 403.1838, F.S.; re-defining the term “financially disadvantaged small community” to include counties and special districts; defining the term “special district”; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 444**, pursuant to Rule 3.11(3), there being no objection, **HB 525** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Montford, by two-thirds vote—

HB 525—A bill to be entitled An act relating to the Small Community Sewer Construction Assistance Act; amending s. 403.1838, F.S.; re-defining the term “financially disadvantaged small community” to include counties and special districts; defining the term “special district”; providing an effective date.

—a companion measure, was substituted for **SB 444** and read the second time by title.

On motion by Senator Montford, by two-thirds vote, **HB 525** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Flores
Altman	Bullard	Gaetz
Bean	Clemens	Galvano
Benacquisto	Dean	Garcia
Bradley	Detert	Gibson

Grimsley	Margolis	Simpson
Hays	Montford	Smith
Hukill	Negron	Sobel
Hutson	Richter	Soto
Joyner	Ring	Stargel
Lee	Sachs	Thompson
Legg	Simmons	

Nays—None

Vote after roll call:

Yea—Evers

CS for SB 580—A bill to be entitled An act relating to reimbursement to health access settings for dental hygiene services for children; amending s. 409.906, F.S.; authorizing reimbursement for children’s dental services provided by licensed dental hygienists in certain circumstances; providing an effective date.

—as amended February 24, was read the third time by title.

On motion by Senator Grimsley, **CS for SB 580**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers

CS for SB 620—A bill to be entitled An act relating to medical examiners; amending s. 382.011, F.S.; providing that a member of the public may not be charged for certain examinations, investigations, or autopsies; authorizing a county to charge a medical examiner approval fee under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for SB 620** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers

CS for HB 173—A bill to be entitled An act relating to medical faculty certification; amending s. 458.3145, F.S.; revising the list of schools at which certain faculty members are eligible to receive a medical faculty certificate; providing an effective date.

—was read the third time by title.

On motion by Senator Sachs, **CS for HB 173** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers

CS for CS for HB 719—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating State Board of Education rulemaking authority for certain teacher assignments; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.75, F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for CS for HB 719** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Benacquisto	Clemens
Abruzzo	Bradley	Dean
Altman	Brandes	Detert
Bean	Braynon	Diaz de la Portilla

Flores	Joyner	Simmons
Gaetz	Lee	Simpson
Galvano	Legg	Smith
Garcia	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	Thompson
Hukill	Ring	
Hutson	Sachs	

Nays—1

Bullard

Vote after roll call:

Yea—Evers

CS for SB 922—A bill to be entitled An act relating to solid waste management; amending s. 403.709, F.S.; providing for the funding of a waste tire abatement program from the Solid Waste Management Trust Fund up to a specified percentage of total funds; establishing a solid waste landfill closure account within the Solid Waste Management Trust Fund; specifying the purpose of the account; authorizing the Department of Environmental Protection to use account funds to contract with a third party for the closing and long-term care of solid waste management facilities under specified circumstances; requiring the department to deposit certain funds into the solid waste landfill closure account; authorizing the department to use funds from the Solid Waste Management Trust Fund to pay for or reimburse specified expenses under certain circumstances; deleting a solid waste landfill closure account within the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; authorizing waste tire abatement programs under the small county consolidated grant program; removing the waste tire abatement program supported by the solid waste management grant program; removing distribution requirements; deleting an obsolete provision; reenacting ss. 403.413(6)(a) and 403.7032(5)(h), F.S., relating to the Florida Litter Law and recycling, respectively, to incorporate the amendments made to s. 403.7095, F.S., in references thereto; providing effective dates.

—was read the third time by title.

On motion by Senator Montford, **CS for SB 922** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers

CS for HB 695—A bill to be entitled An act relating to title insurance; amending s. 625.111, F.S.; revising the reserves that certain title insurers must set aside after a certain date; revising the manner in which reserves must be released; revising reserve requirements for a

title insurer who transfers domicile to this state; requiring the calculation of an adjusted statutory premium reserve; requiring increases to statutory premium reserves under certain circumstances; authorizing the release of reserves to surplus in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 695** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Hutson	Sobel
Bullard	Joyner	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Diaz de la Portilla	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Detert, Evers

CS for HB 875—A bill to be entitled An act relating to motor vehicle service agreement companies; amending s. 634.011, F.S.; revising and providing definitions; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for HB 875** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

SPECIAL RECOGNITION OF SENATOR GAETZ

The President introduced Senator Gaetz’ wife, Vicky; daughter, Erin; and son, Matt, who were present in the chamber; along with his district staff, Eric Edwards, Allison Hess, Emily Heiden, who were present in the gallery, and watching from Destin, Missy Ullery. A video tribute was played honoring Senator Gaetz. Several Senators were recognized for farewell comments. Senator Gaetz was recognized and invited to the rostrum for farewell remarks.

Senator Richter presented Senator Gaetz with a plaque honoring his years of service to the Senate.

BILLS ON THIRD READING, continued

CS for CS for CS for SB 1220—A bill to be entitled An act relating to public records; amending s. 119.12, F.S.; revising the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce ch. 119, F.S.; prohibiting a court from assessing and awarding the reasonable costs of enforcement against an agency if certain conditions exist; specifying circumstances under which a complainant is not required to provide certain written notice of a public record request; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for CS for CS for SB 1220** was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Gaetz	Montford
Abruzzo	Garcia	Richter
Altman	Gibson	Ring
Bean	Grimsley	Sachs
Benacquisto	Hays	Simmons
Brandes	Hutson	Simpson
Bullard	Joyner	Smith
Clemens	Latvala	Soto
Diaz de la Portilla	Legg	Stargel
Evers	Margolis	Thompson

Nays—None

Vote after roll call:

Yea—Braynon, Hukill

SPECIAL RECOGNITION OF MINORITY (DEMOCRATIC) LEADER JOYNER

The President introduced Senator Joyner’s sister, Sonja Bexley; and niece, Katrina Bellups; along with her district staff, Maria Nieto, Randi Rosete, and Rosalie Smith, who were present in the chamber. A video tribute was played honoring Senator Joyner. Several Senators were recognized for farewell comments. Senator Joyner was recognized for farewell remarks.

Senator Richter presented Senator Joyner with a plaque honoring her years of service to the Senate.

BILLS ON THIRD READING, continued

SB 1300—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors such a vessel or allows it to occupy waters of this state commits a noncriminal infraction; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1300**, pursuant to Rule 3.11(3), there being no objection, **HB 7025** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Dean, by two-thirds vote—

HB 7025—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors or allows such a vessel to occupy waters of this state commits a noncriminal violation; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—a companion measure, was substituted for **SB 1300** and read the second time by title.

On motion by Senator Dean, by two-thirds vote, **HB 7025** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Hutson

CS for CS for SB 1318—A bill to be entitled An act relating to shellfish harvesting; amending s. 597.010, F.S.; revising provisions directing the Department of Agriculture and Consumer Services, in cooperation with the Fish and Wildlife Conservation Commission and the Department of Environmental Protection, to protect specified shellfish beds, grounds, and reefs; defining the terms “dredge or mechanical harvesting devices” and “shellfish”; providing for the harvesting of shellfish from sovereign submerged land leases; providing for the Board of Trustees of the Internal Improvement Trust Fund to authorize the use of dredges or mechanical harvesting devices as special lease conditions of sovereign submerged land leases under certain circumstances; limiting the number of such dredges or mechanical harvesting devices per lease; prohibiting certain use and possession of such dredges or mechanical harvesting devices; providing penalties; removing provisions relating to shellfish harvesting seasons and removal of oysters, clams, or mussels from natural reefs; authorizing the department, rather than requiring, to designate areas for the taking of oysters and clams to be planted on public lands; deleting a provision allowing such takings to be planted on leases and grants; specifying that the commission, rather than the department, shall establish the amount of oysters, clams, and mussels that may be relayed or transplanted; removing provisions relating to dredging of dead shells and oyster culture; making technical changes; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for SB 1318** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Hutson

SPECIAL ORDER CALENDAR, continued

On motion by Senator Garcia, the Senate resumed consideration of—

CS for CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization’s process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—which was previously considered and amended this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Richter, the rules were waived and the Senate reconsidered the vote by which **Amendment 3 (158798)** was adopted.

MOTION

Senator Latvala moved to reconsider the vote by which the motion to reconsider **Amendment 3 (158798)** was adopted. The motion was adopted.

Senator Richter moved to reconsider **Amendment 3 (158798)**. The motion was adopted.

The vote was:

Yeas—26

Mr. President	Diaz de la Portilla	Lee
Altman	Evers	Montford
Bean	Flores	Richter
Bradley	Galvano	Ring
Brandes	Garcia	Simmons
Braynon	Gibson	Simpson
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Detert	Hutson	

Nays—14

Abruzzo	Joyner	Sachs
Benacquisto	Latvala	Smith
Dean	Legg	Sobel
Gaetz	Margolis	Thompson
Grimsley	Negron	

The question recurred on **Amendment 3 (158798)**. **Amendment 3** was withdrawn.

On motion by Senator Garcia, further consideration of **CS for CS for CS for SB 1442**, as amended, was deferred.

On motion by Senator Lee—

SB 908—A bill to be entitled An act relating to organization of the Department of Financial Services; amending ss. 17.04 and 17.0401, F.S.; authorizing the Chief Financial Officer, rather than the Division of Accounting and Auditing, to audit and adjust accounts of officers and those indebted to the state; making conforming changes; reordering and amending s. 20.121, F.S.; revising the divisions and the location of bureaus within the divisions; revising the functions of the department; providing duties for the Division of Investigative and Forensic Services; authorizing the Chief Financial Officer to establish divisions, bureaus, and offices of the department; amending s. 624.26, F.S.; conforming a provision to changes made by the act; amending s. 624.307, F.S.; providing powers and duties of the Division of Consumer Services; authorizing the division to impose certain penalties; authorizing the department to adopt rules relating to the division; providing for construction; amending ss. 16.59, 400.9935, 409.91212, 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989, 626.9892, 626.9893, 626.9894, 626.99278, 627.351, 627.711, 627.736, 627.7401, 631.156, and 641.30, F.S., relating to the renaming of the Division of Insurance Fraud; conforming provisions to changes made by the act; making technical changes; amending ss. 282.709, 552.113, 552.21, 633.112, 633.114, 633.122, 633.126, 633.422, 633.508, 633.512, 633.518, and 791.013, F.S., relating to the transfer of certain functions to the Division of Investigative and Forensic Services; conforming provisions to changes made by the act; amending ss. 538.32, 717.1241, 717.1323, 717.135, 717.1351, and 717.1400, F.S., relating to the renaming of the Bureau of Unclaimed Property; conforming provisions to changes made by the act; making technical changes; amending s. 717.138, F.S.; specifying rule-making authority of the department; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (384246) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Section 17.04, Florida Statutes, is amended to read:

17.04 To audit and adjust accounts of officers and those indebted to the state.—The Chief Financial Officer, using generally accepted auditing procedures for testing or sampling, shall examine, audit, adjust, and settle the accounts of all the officers of this state, and any other person in anywise entrusted with, or who may have received any property, funds, or moneys of this state, or who may be in anywise indebted or accountable to this state for any property, funds, or moneys, and require such officer or persons to render full accounts thereof, and to yield up such property or funds according to law, or pay such moneys into the treasury of this state, or to such officer or agent of the state as may be appointed to receive the same, and on failure so to do, to cause to be instituted and prosecuted proceedings, criminal or civil, at law or in equity, against such persons, according to law. The *Chief Financial Officer* ~~Division of Accounting and Auditing~~ may conduct investigations within or outside of this state as it deems necessary to aid in the enforcement of this section. If during an investigation the *Chief Financial Officer* ~~division~~ has reason to believe that any criminal statute of this state has or may have been violated, the *Chief Financial Officer* ~~division~~ shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.

Section 2. Section 17.0401, Florida Statutes, is amended to read:

17.0401 Confidentiality of information relating to financial investigations.—Except as otherwise provided by this section, information relative to an investigation conducted by the *Chief Financial Officer* ~~Division of Accounting and Auditing~~ pursuant to s. 17.04, including any consumer complaint, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation is completed or ceases to be active. Any information relating to an investigation conducted by the ~~division~~ pursuant to s. 17.04 shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution after the ~~division's~~ investigation is completed or ceases to be active if the *Chief Financial Officer* ~~division~~ submits the information to any law enforcement or prosecutorial agency for further investigation. Such information shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until that agency's investigation is completed or ceases to be active. For purposes of this section, an investigation shall be considered "active" so long as the *Chief Financial Officer* ~~division~~ or any law enforcement or prosecutorial agency is proceeding with reasonable dispatch and has a reasonable good faith belief that the investigation may lead to the filing of an administrative, civil, or criminal proceeding. This section shall not be construed to prohibit disclosure of information that is required by law to be filed with the Department of Financial Services or the Office of Financial Regulation and that, but for the investigation, would otherwise be subject to public disclosure. Nothing in this section shall be construed to prohibit the *Chief Financial Officer* ~~division~~ from providing information to any law enforcement or prosecutorial agency. Any law enforcement or prosecutorial agency receiving confidential information from the *Chief Financial Officer* ~~division~~ in connection with its official duties shall maintain the confidentiality of the information as provided for in this section.

Section 3. Subsection (2) of section 20.121, Florida Statutes, is re-ordered and amended to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(2) DIVISIONS.—The Department of Financial Services shall consist of the following divisions *and office*:

(a) The Division of Accounting and Auditing, ~~which shall include the following bureau and office:~~

~~1. The Bureau of Unclaimed Property.~~

~~2. The Office of Fiscal Integrity which shall function as a criminal justice agency for purposes of ss. 943.045-943.08 and shall have a separate budget. The office may conduct investigations within or outside this state as the bureau deems necessary to aid in the enforcement of~~

this section. If during an investigation the office has reason to believe that any criminal law of this state has or may have been violated, the office shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.

(b)(4) The Division of Consumer Services.

1. ~~The Division of Consumer Services shall perform the following functions concerning products or services regulated by the department or by the Office of Insurance Regulation:~~

a. ~~Receive inquiries and complaints from consumers.~~

b. ~~Prepare and disseminate such information as the department deems appropriate to inform or assist consumers.~~

c. ~~Provide direct assistance and advocacy for consumers who request such assistance or advocacy.~~

d. ~~With respect to apparent or potential violations of law or applicable rules by a person or entity licensed by the department or office, report apparent or potential violations to the office or the appropriate division of the department, which may take such further action as it deems appropriate.~~

e. ~~Designate an employee of the division as primary contact for consumers on issues relating to sinkholes.~~

2. ~~Any person licensed or issued a certificate of authority by the department or by the Office of Insurance Regulation shall respond, in writing, to the Division of Consumer Services within 20 days after receipt of a written request for information from the division concerning a consumer complaint. The response must address the issues and allegations raised in the complaint. The division may impose an administrative penalty for failure to comply with this subparagraph of up to \$2,500 per violation upon any entity licensed by the department or the office and \$250 for the first violation, \$500 for the second violation, and up to \$1,000 per violation thereafter upon any individual licensed by the department or the office.~~

3. ~~The department may adopt rules to administer this paragraph.~~

4. ~~The powers, duties, and responsibilities expressed or granted in this paragraph do not limit the powers, duties, and responsibilities of the Department of Financial Services, the Financial Services Commission, the Office of Insurance Regulation, or the Office of Financial Regulation set forth elsewhere in the Florida Statutes.~~

(c)(4) The Division of Funeral, Cemetery, and Consumer Services.

(d)(5) The Division of Insurance Agent and Agency Services.

(e) The Division of *Investigative and Forensic Services* which shall function as a criminal justice agency for purposes of ss. 943.045-943.08. The division may conduct investigations within or outside of this state as it deems necessary. If, during an investigation, the division has reason to believe that any criminal law of this state has or may have been violated, it shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required. The division shall include the following bureaus and office:

1. The Bureau of Forensic Services;
2. The Bureau of Fire and Arson Investigations; and
3. The Office of Fiscal Integrity, which shall have a separate budget ~~Insurance Fraud~~.

(f)(6) The Division of Public Assistance Fraud.

(g)(7) The Division of Rehabilitation and Liquidation.

(h)(8) The Division of Risk Management.

(i)(9) The Division of State Fire Marshal.

(j)(10) The Division of Treasury, which shall include a Bureau of Deferred Compensation responsible for administering the Government Employees Deferred Compensation Plan established under s. 112.215 for state employees.

(k) *The Division of Unclaimed Property.*

(l)(11) The Division of Workers' Compensation.

(m)(12) The Division of Administration.

(n) ~~The Division of Legal Services.~~

(o) ~~The Division of Information Systems.~~

(p)(13) The Office of Insurance Consumer Advocate.

Section 4. Subsection (4) of section 624.26, Florida Statutes, is amended to read:

624.26 Collaborative arrangement with the Department of Health and Human Services.—

(4) The department's Division of Consumer Services may respond to complaints by consumers relating to a requirement of PPACA as authorized under s. 20.121(2)(b), and report apparent or potential violations to the office and to the federal Department of Health and Human Services.

Section 5. Subsection (10) is added to section 624.307, Florida Statutes, to read:

624.307 General powers; duties.—

(10)(a) *The Division of Consumer Services shall perform the following functions concerning products or services regulated by the department or office:*

1. *Receive inquiries and complaints from consumers.*
2. *Prepare and disseminate information that the department deems appropriate to inform or assist consumers.*
3. *Provide direct assistance to and advocacy for consumers who request such assistance or advocacy.*
4. *With respect to apparent or potential violations of law or applicable rules committed by a person or entity licensed by the department or office, report apparent or potential violations to the office or to the appropriate division of the department, which may take any additional action it deems appropriate.*
5. *Designate an employee of the division as the primary contact for consumers on issues relating to sinkholes.*

(b) *Any person licensed or issued a certificate of authority by the department or the office shall respond, in writing, to the division within 20 days after receipt of a written request for information from the division concerning a consumer complaint. The response must address the issues and allegations raised in the complaint. The division may impose an administrative penalty for failure to comply with this paragraph of up to \$2,500 per violation upon any entity licensed by the department or the office and \$250 for the first violation, \$500 for the second violation, and up to \$1,000 for the third or subsequent violation upon any individual licensed by the department or the office.*

(c) *The department may adopt rules to administer this subsection.*

(d) *The powers, duties, and responsibilities expressed or granted in this subsection do not limit the powers, duties, and responsibilities of the department, the Financial Services Commission, the Office of Insurance Regulation, or the Office of Financial Regulation as otherwise provided by law.*

Section 6. Notwithstanding the expiration date in section 41 of chapter 2015-222, Laws of Florida, section 624.502, Florida Statutes, as amended by chapter 2013-41, Laws of Florida, is reenacted and amended to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the *party requesting service* ~~plaintiff~~ shall pay to the department or office a fee of \$15 for such service of process *on an authorized or unauthorized insurer*, which fee shall be deposited into the Administrative Trust Fund.

Section 7. Section 16.59, Florida Statutes, is amended to read:

16.59 Medicaid fraud control.—The Medicaid Fraud Control Unit is created in the Department of Legal Affairs to investigate all violations of s. 409.920 and any criminal violations discovered during the course of those investigations. The Medicaid Fraud Control Unit may refer any criminal violation so uncovered to the appropriate prosecuting authority. The offices of the Medicaid Fraud Control Unit, the Agency for Health Care Administration Medicaid program integrity program, and the Divisions of *Investigative and Forensic Services Insurance Fraud* and Public Assistance Fraud within the Department of Financial Services shall, to the extent possible, be collocated; however, positions dedicated to Medicaid managed care fraud within the Medicaid Fraud Control Unit shall be collocated with the Division of *Investigative and Forensic Services Insurance Fraud*. The Agency for Health Care Administration, the Department of Legal Affairs, and the Divisions of *Investigative and Forensic Services Insurance Fraud* and Public Assistance Fraud within the Department of Financial Services shall conduct joint training and other joint activities designed to increase communication and coordination in recovering overpayments.

Section 8. Subsection (9) of section 400.9935, Florida Statutes, is amended to read:

400.9935 Clinic responsibilities.—

(9) In addition to the requirements of part II of chapter 408, the clinic shall display a sign in a conspicuous location within the clinic readily visible to all patients indicating that, pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234. An authorized employee of the Division of *Investigative and Forensic Services Insurance Fraud* may make unannounced inspections of a clinic licensed under this part as necessary to determine whether the clinic is in compliance with this subsection. A licensed clinic shall allow full and complete access to the premises to such authorized employee of the division who makes an inspection to determine compliance with this subsection.

Section 9. Subsection (6) of section 409.91212, Florida Statutes, is amended to read:

409.91212 Medicaid managed care fraud.—

(6) Each managed care plan shall report all suspected or confirmed instances of provider or recipient fraud or abuse within 15 calendar days after detection to the Office of Medicaid Program Integrity within the agency. At a minimum the report must contain the name of the provider or recipient, the Medicaid billing number or tax identification number, and a description of the fraudulent or abusive act. The Office of Medicaid Program Integrity in the agency shall forward the report of suspected overpayment, abuse, or fraud to the appropriate investigative unit, including, but not limited to, the Bureau of Medicaid program integrity, the Medicaid fraud control unit, the Division of Public Assistance Fraud, the Division of *Investigative and Forensic Services Insurance Fraud*, or the Department of Law Enforcement.

(a) Failure to timely report shall result in an administrative fine of \$1,000 per calendar day after the 15th day of detection.

(b) Failure to timely report may result in additional administrative, civil, or criminal penalties.

Section 10. Paragraph (a) of subsection (1) of section 440.105, Florida Statutes, is amended to read:

440.105 Prohibited activities; reports; penalties; limitations.—

(1)(a) Any insurance carrier, any individual self-insured, any commercial or group self-insurance fund, any professional practitioner licensed or regulated by the Department of Health, except as otherwise provided by law, any medical review committee as defined in s. 766.101, any private medical review committee, and any insurer, agent, or other person licensed under the insurance code, or any employee thereof, having knowledge or who believes that a fraudulent act or any other act or practice which, upon conviction, constitutes a felony or misdemeanor under this chapter is being or has been committed shall send to the Division of *Investigative and Forensic Services Insurance Fraud*, Bureau of Workers' Compensation Fraud, a report or information pertinent to such knowledge or belief and such additional information relative thereto as the bureau may require. The bureau shall review such information or reports and select such information or reports as, in its judgment, may require further investigation. It shall then cause an independent examination of the facts surrounding such information or report to be made to determine the extent, if any, to which a fraudulent act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under this chapter is being committed. The bureau shall report any alleged violations of law which its investigations disclose to the appropriate licensing agency and state attorney or other prosecuting agency having jurisdiction with respect to any such violations of this chapter. If prosecution by the state attorney or other prosecuting agency having jurisdiction with respect to such violation is not begun within 60 days of the bureau's report, the state attorney or other prosecuting agency having jurisdiction with respect to such violation shall inform the bureau of the reasons for the lack of prosecution.

Section 11. Subsections (1) and (2) of section 440.1051, Florida Statutes, are amended to read:

440.1051 Fraud reports; civil immunity; criminal penalties.—

(1) The Bureau of Workers' Compensation Insurance Fraud of the Division of *Investigative and Forensic Services Insurance Fraud* of the department shall establish a toll-free telephone number to receive reports of workers' compensation fraud committed by an employee, employer, insurance provider, physician, attorney, or other person.

(2) Any person who reports workers' compensation fraud to the Division of *Investigative and Forensic Services Insurance Fraud* under subsection (1) is immune from civil liability for doing so, and the person or entity alleged to have committed the fraud may not retaliate against him or her for providing such report, unless the person making the report knows it to be false.

Section 12. Paragraph (c) of subsection (1) of section 440.12, Florida Statutes, is amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(1) Compensation is not allowed for the first 7 days of the disability, except for benefits provided under s. 440.13. However, if the injury results in more than 21 days of disability, compensation is allowed from the commencement of the disability.

(c) Each carrier shall keep a record of all payments made under this subsection, including the time and manner of such payments, and shall furnish these records or a report based on these records to the Division of *Investigative and Forensic Services Insurance Fraud* and the Division of Workers' Compensation, upon request.

Section 13. Subsection (1) of section 624.521, Florida Statutes, is amended to read:

624.521 Deposit of certain tax receipts; refund of improper payments.—

(1) The department of ~~Financial Services~~ shall promptly deposit in the State Treasury to the credit of the Insurance Regulatory Trust Fund all “state tax” portions of agents’ licenses collected under s. 624.501 necessary to fund the Division of *Investigative and Forensic Services Insurance Fraud*. The balance of the tax shall be credited to the General Fund. All moneys received by the department of ~~Financial Services~~ or the office not in accordance with the provisions of this code or not in the exact amount as specified by the applicable provisions of this code shall be returned to the remitter. The records of the department or office shall show the date and reason for such return.

Section 14. Subsection (4) of section 626.016, Florida Statutes, is amended to read:

626.016 Powers and duties of department, commission, and office.—

(4) ~~Nothing in~~ This section is *not* intended to limit the authority of the department and the Division of *Investigative and Forensic Services Insurance Fraud*, as specified in s. 626.989.

Section 15. Section 626.989, Florida Statutes, is amended to read:

626.989 Investigation by department or Division of *Investigative and Forensic Services Insurance Fraud*; compliance; immunity; confidential information; reports to division; division investigator’s power of arrest.—

(1) For the purposes of this section:

(a) A person commits a “fraudulent insurance act” if the person:

1. Knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, self-insurer, self-insurance fund, servicing corporation, purported insurer, broker, or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a claim for payment or other benefit pursuant to any insurance policy, which the person knows to contain materially false information concerning any fact material thereto or if the person conceals, for the purpose of misleading another, information concerning any fact material thereto.

2. Knowingly submits:

a. A false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400 with an intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle No-Fault Law.

b. A claim for payment or other benefit pursuant to a personal injury protection insurance policy under the Florida Motor Vehicle No-Fault Law if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400.

(b) The term “insurer” also includes a health maintenance organization, and the term “insurance policy” also includes a health maintenance organization subscriber contract.

(2) If, by its own inquiries or as a result of complaints, the department or its Division of *Investigative and Forensic Services Insurance Fraud* has reason to believe that a person has engaged in, or is engaging in, a fraudulent insurance act, an act or practice that violates s. 626.9541 or s. 817.234, or an act or practice punishable under s. 624.15, it may administer oaths and affirmations, request the attendance of witnesses or proffering of matter, and collect evidence. The department or its Division of *Investigative and Forensic Services* shall not compel

the attendance of any person or matter in any such investigation except pursuant to subsection (4).

(3) If matter that the department or its division seeks to obtain by request is located outside the state, the person so requested may make it available to the division or its representative to examine the matter at the place where it is located. The division may designate representatives, including officials of the state in which the matter is located, to inspect the matter on its behalf, and it may respond to similar requests from officials of other states.

(4)(a) The department or its division may request that an individual who refuses to comply with any such request be ordered by the circuit court to provide the testimony or matter. The court shall not order such compliance unless the department or its division has demonstrated to the satisfaction of the court that the testimony of the witness or the matter under request has a direct bearing on the commission of a fraudulent insurance act, on a violation of s. 626.9541 or s. 817.234, or on an act or practice punishable under s. 624.15 or is pertinent and necessary to further such investigation.

(b) Except in a prosecution for perjury, an individual who complies with a court order to provide testimony or matter after asserting a privilege against self-incrimination to which the individual is entitled by law may not be subjected to a criminal proceeding or to a civil penalty with respect to the act concerning which the individual is required to testify or produce relevant matter.

(c) In the absence of fraud or bad faith, a person is not subject to civil liability for libel, slander, or any other relevant tort by virtue of filing reports, without malice, or furnishing other information, without malice, required by this section or required by the department or division under the authority granted in this section, and no civil cause of action of any nature shall arise against such person:

1. For any information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished to or received from law enforcement officials, their agents, or employees;

2. For any information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished to or received from other persons subject to the provisions of this chapter;

3. For any such information furnished in reports to the department, the division, the National Insurance Crime Bureau, the National Association of Insurance Commissioners, or any local, state, or federal enforcement officials or their agents or employees; or

4. For other actions taken in cooperation with any of the agencies or individuals specified in this paragraph in the lawful investigation of suspected fraudulent insurance acts.

(d) In addition to the immunity granted in paragraph (c), persons identified as designated employees whose responsibilities include the investigation and disposition of claims relating to suspected fraudulent insurance acts may share information relating to persons suspected of committing fraudulent insurance acts with other designated employees employed by the same or other insurers whose responsibilities include the investigation and disposition of claims relating to fraudulent insurance acts, provided the department has been given written notice of the names and job titles of such designated employees prior to such designated employees sharing information. Unless the designated employees of the insurer act in bad faith or in reckless disregard for the rights of any insured, neither the insurer nor its designated employees are civilly liable for libel, slander, or any other relevant tort, and a civil action does not arise against the insurer or its designated employees:

1. For any information related to suspected fraudulent insurance acts provided to an insurer; or

2. For any information relating to suspected fraudulent insurance acts provided to the National Insurance Crime Bureau or the National Association of Insurance Commissioners.

Provided, however, that the qualified immunity against civil liability conferred on any insurer or its designated employees shall be forfeited with respect to the exchange or publication of any defamatory information with third persons not expressly authorized by this paragraph to share in such information.

(e) The Chief Financial Officer and any employee or agent of the department, commission, office, or division, when acting without malice and in the absence of fraud or bad faith, is not subject to civil liability for libel, slander, or any other relevant tort, and no civil cause of action of any nature exists against such person by virtue of the execution of official activities or duties of the department, commission, or office under this section or by virtue of the publication of any report or bulletin related to the official activities or duties of the department, division, commission, or office under this section.

(f) This section does not abrogate or modify in any way any common-law or statutory privilege or immunity heretofore enjoyed by any person.

(5) The office's and the department's papers, documents, reports, or evidence relative to the subject of an investigation under this section are confidential and exempt from the provisions of s. 119.07(1) until such investigation is completed or ceases to be active. For purposes of this subsection, an investigation is considered "active" while the investigation is being conducted by the office or department with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the office or department is proceeding with reasonable dispatch and has a good faith belief that action could be initiated by the office or department or other administrative or law enforcement agency. After an investigation is completed or ceases to be active, portions of records relating to the investigation shall remain exempt from the provisions of s. 119.07(1) if disclosure would:

- (a) Jeopardize the integrity of another active investigation;
- (b) Impair the safety and soundness of an insurer;
- (c) Reveal personal financial information;
- (d) Reveal the identity of a confidential source;
- (e) Defame or cause unwarranted damage to the good name or reputation of an individual or jeopardize the safety of an individual; or
- (f) Reveal investigative techniques or procedures. Further, such papers, documents, reports, or evidence relative to the subject of an investigation under this section shall not be subject to discovery until the investigation is completed or ceases to be active. Office, department, or division investigators shall not be subject to subpoena in civil actions by any court of this state to testify concerning any matter of which they have knowledge pursuant to a pending insurance fraud investigation by the division.

(6) Any person, other than an insurer, agent, or other person licensed under the code, or an employee thereof, having knowledge or who believes that a fraudulent insurance act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under the code, or under s. 817.234, is being or has been committed may send to the Division of *Investigative and Forensic Services Insurance Fraud* a report or information pertinent to such knowledge or belief and such additional information relative thereto as the department may request. Any professional practitioner licensed or regulated by the Department of Business and Professional Regulation, except as otherwise provided by law, any medical review committee as defined in s. 766.101, any private medical review committee, and any insurer, agent, or other person licensed under the code, or an employee thereof, having knowledge or who believes that a fraudulent insurance act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under the code, or under s. 817.234, is being or has been committed shall send to the Division of *Investigative and Forensic Services Insurance Fraud* a report or information pertinent to such knowledge or belief and such additional information relative thereto as the department may require. The Division of *Investigative and Forensic Services*

Insurance Fraud shall review such information or reports and select such information or reports as, in its judgment, may require further investigation. It shall then cause an independent examination of the facts surrounding such information or report to be made to determine the extent, if any, to which a fraudulent insurance act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under the code, or under s. 817.234, is being committed. The Division of *Investigative and Forensic Services Insurance Fraud* shall report any alleged violations of law which its investigations disclose to the appropriate licensing agency and state attorney or other prosecuting agency having jurisdiction with respect to any such violation, as provided in s. 624.310. If prosecution by the state attorney or other prosecuting agency having jurisdiction with respect to such violation is not begun within 60 days of the division's report, the state attorney or other prosecuting agency having jurisdiction with respect to such violation shall inform the division of the reasons for the lack of prosecution.

(7) Division investigators shall have the power to make arrests for criminal violations established as a result of investigations. Such investigators shall also be considered state law enforcement officers for all purposes and shall have the power to execute arrest warrants and search warrants; to serve subpoenas issued for the examination, investigation, and trial of all offenses; and to arrest upon probable cause without warrant any person found in the act of violating any of the provisions of applicable laws. Investigators empowered to make arrests under this section shall be empowered to bear arms in the performance of their duties. In such a situation, the investigator must be certified in compliance with the provisions of s. 943.1395 or must meet the temporary employment or appointment exemption requirements of s. 943.131 until certified.

(8) It is unlawful for any person to resist an arrest authorized by this section or in any manner to interfere, either by abetting or assisting such resistance or otherwise interfering, with division investigators in the duties imposed upon them by law or department rule.

(9) In recognition of the complementary roles of investigating instances of workers' compensation fraud and enforcing compliance with the workers' compensation coverage requirements under chapter 440, the Department of Financial Services shall prepare and submit a joint performance report to the President of the Senate and the Speaker of the House of Representatives by January 1 of each year. The annual report must include, but need not be limited to:

- (a) The total number of initial referrals received, cases opened, cases presented for prosecution, cases closed, and convictions resulting from cases presented for prosecution by the Bureau of Workers' Compensation Insurance Fraud by type of workers' compensation fraud and circuit.
- (b) The number of referrals received from insurers and the Division of Workers' Compensation and the outcome of those referrals.
- (c) The number of investigations undertaken by the Bureau of Workers' Compensation Insurance Fraud which were not the result of a referral from an insurer or the Division of Workers' Compensation.
- (d) The number of investigations that resulted in a referral to a regulatory agency and the disposition of those referrals.
- (e) The number and reasons provided by local prosecutors or the statewide prosecutor for declining prosecution of a case presented by the Bureau of Workers' Compensation Insurance Fraud by circuit.

(f) The total number of employees assigned to the Bureau of Workers' Compensation Insurance Fraud and the Division of Workers' Compensation Bureau of Compliance delineated by location of staff assigned; and the number and location of employees assigned to the Bureau of Workers' Compensation Insurance Fraud who were assigned to work other types of fraud cases.

(g) The average caseload and turnaround time by type of case for each investigator and division compliance employee.

(h) The training provided during the year to workers' compensation fraud investigators and the division's compliance employees.

Section 16. Subsections (1), (2), and (3) of section 626.9891, Florida Statutes, are amended to read:

626.9891 Insurer anti-fraud investigative units; reporting requirements; penalties for noncompliance.—

(1) Every insurer admitted to do business in this state who in the previous calendar year, at any time during that year, had \$10 million or more in direct premiums written shall:

(a) Establish and maintain a unit or division within the company to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or

(b) Contract with others to investigate possible fraudulent claims for services or repairs against policies held by insureds.

An insurer subject to this subsection shall file with the Division of *Investigative and Forensic Services Insurance Fraud* of the department on or before July 1, 1996, a detailed description of the unit or division established pursuant to paragraph (a) or a copy of the contract and related documents required by paragraph (b).

(2) Every insurer admitted to do business in this state, which in the previous calendar year had less than \$10 million in direct premiums written, must adopt an anti-fraud plan and file it with the Division of *Investigative and Forensic Services Insurance Fraud* of the department on or before July 1, 1996. An insurer may, in lieu of adopting and filing an anti-fraud plan, comply with the provisions of subsection (1).

(3) Each insurers anti-fraud plans shall include:

(a) A description of the insurer's procedures for detecting and investigating possible fraudulent insurance acts;

(b) A description of the insurer's procedures for the mandatory reporting of possible fraudulent insurance acts to the Division of *Investigative and Forensic Services Insurance Fraud* of the department;

(c) A description of the insurer's plan for anti-fraud education and training of its claims adjusters or other personnel; and

(d) A written description or chart outlining the organizational arrangement of the insurer's anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts.

Section 17. Subsection (2) of section 626.9892, Florida Statutes, is amended to read:

626.9892 Anti-Fraud Reward Program; reporting of insurance fraud.—

(2) The department may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

Section 18. Subsection (1) of section 626.9893, Florida Statutes, is amended to read:

626.9893 Disposition of revenues; criminal or forfeiture proceedings.—

(1) The Division of *Investigative and Forensic Services Insurance Fraud* of the Department of Financial Services may deposit revenues received as a result of criminal proceedings or forfeiture proceedings, other than revenues deposited into the Department of Financial Services' Federal Law Enforcement Trust Fund under s. 17.43, into the Insurance Regulatory Trust Fund. Moneys deposited pursuant to this section shall be separately accounted for and shall be used solely for the division to carry out its duties and responsibilities.

Section 19. Subsection (2) of section 626.9894, Florida Statutes, is amended to read:

626.9894 Gifts and grants.—

(2) All rights to, interest in, and title to such donated or granted property shall immediately vest in the Division of *Investigative and Forensic Services Insurance Fraud* upon donation. The division may hold such property in coownership, sell its interest in the property, liquidate its interest in the property, or dispose of its interest in the property in any other reasonable manner.

Section 20. Section 626.99278, Florida Statutes, is amended to read:

626.99278 Viatical provider anti-fraud plan.—Every licensed viatical settlement provider and registered life expectancy provider must adopt an anti-fraud plan and file it with the Division of *Investigative and Forensic Services Insurance Fraud* of the department. Each anti-fraud plan shall include:

(1) A description of the procedures for detecting and investigating possible fraudulent acts and procedures for resolving material inconsistencies between medical records and insurance applications.

(2) A description of the procedures for the mandatory reporting of possible fraudulent insurance acts and prohibited practices set forth in s. 626.99275 to the Division of *Investigative and Forensic Services Insurance Fraud* of the department.

(3) A description of the plan for anti-fraud education and training of its underwriters or other personnel.

(4) A written description or chart outlining the organizational arrangement of the anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts and for the investigation of unresolved material inconsistencies between medical records and insurance applications.

(5) For viatical settlement providers, a description of the procedures used to perform initial and continuing review of the accuracy of life expectancies used in connection with a viatical settlement contract or viatical settlement investment.

Section 21. Paragraph (k) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(k)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s. 626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the corporation's Office of the Inspector General and the Division of *Investigative and Forensic Services Insurance Fraud* within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

Section 22. Subsections (4) and (7) of section 627.711, Florida Statutes, are amended to read:

627.711 Notice of premium discounts for hurricane loss mitigation; uniform mitigation verification inspection form.—

(4) An authorized mitigation inspector that signs a uniform mitigation form, and a direct employee authorized to conduct mitigation verification inspections under ~~subsection paragraph~~ (3), may not commit misconduct in performing hurricane mitigation inspections or in

completing a uniform mitigation form that causes financial harm to a customer or their insurer; or that jeopardizes a customer's health and safety. Misconduct occurs when an authorized mitigation inspector signs a uniform mitigation verification form that:

(a) Falsely indicates that he or she personally inspected the structures referenced by the form;

(b) Falsely indicates the existence of a feature which entitles an insured to a mitigation discount which the inspector knows does not exist or did not personally inspect;

(c) Contains erroneous information due to the gross negligence of the inspector; or

(d) Contains a pattern of demonstrably false information regarding the existence of mitigation features that could give an insured a false evaluation of the ability of the structure to withstand major damage from a hurricane endangering the safety of the insured's life and property.

(7) An insurer, person, or other entity that obtains evidence of fraud or evidence that an authorized mitigation inspector or an employee authorized to conduct mitigation verification inspections under ~~subsection paragraph~~ (3) has made false statements in the completion of a mitigation inspection form shall file a report with the Division of *Investigative and Forensic Services Insurance Fraud*, along with all of the evidence in its possession that supports the allegation of fraud or falsity. An insurer, person, or other entity making the report shall be immune from liability, in accordance with s. 626.989(4), for any statements made in the report, during the investigation, or in connection with the report. The Division of *Investigative and Forensic Services Insurance Fraud* shall issue an investigative report if it finds that probable cause exists to believe that the authorized mitigation inspector, or an employee authorized to conduct mitigation verification inspections under ~~subsection paragraph~~ (3), made intentionally false or fraudulent statements in the inspection form. Upon conclusion of the investigation and a finding of probable cause that a violation has occurred, the Division of *Investigative and Forensic Services Insurance Fraud* shall send a copy of the investigative report to the office and a copy to the agency responsible for the professional licensure of the authorized mitigation inspector, whether or not a prosecutor takes action based upon the report.

Section 23. Paragraph (i) of subsection (4) and subsection (14) of section 627.736, Florida Statutes, are amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(4) PAYMENT OF BENEFITS.—Benefits due from an insurer under ss. 627.730-627.7405 are primary, except that benefits received under any workers' compensation law must be credited against the benefits provided by subsection (1) and are due and payable as loss accrues upon receipt of reasonable proof of such loss and the amount of expenses and loss incurred which are covered by the policy issued under ss. 627.730-627.7405. If the Agency for Health Care Administration provides, pays, or becomes liable for medical assistance under the Medicaid program related to injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle, the benefits under ss. 627.730-627.7405 are subject to the Medicaid program. However, within 30 days after receiving notice that the Medicaid program paid such benefits, the insurer shall repay the full amount of the benefits to the Medicaid program.

(i) If an insurer has a reasonable belief that a fraudulent insurance act, for the purposes of s. 626.989 or s. 817.234, has been committed, the insurer shall notify the claimant, in writing, within 30 days after submission of the claim that the claim is being investigated for suspected fraud. Beginning at the end of the initial 30-day period, the insurer has an additional 60 days to conduct its fraud investigation. Notwithstanding subsection (10), no later than 90 days after the submission of the claim, the insurer must deny the claim or pay the claim with simple interest as provided in paragraph (d). Interest shall be assessed from the day the claim was submitted until the day the claim is paid. All

claims denied for suspected fraudulent insurance acts shall be reported to the Division of *Investigative and Forensic Services Insurance Fraud*.

(14) FRAUD ADVISORY NOTICE.—Upon receiving notice of a claim under this section, an insurer shall provide a notice to the insured or to a person for whom a claim for reimbursement for diagnosis or treatment of injuries has been filed, advising that:

(a) Pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

(b) Solicitation of a person injured in a motor vehicle crash for purposes of filing personal injury protection or tort claims could be a violation of s. 817.234, s. 817.505, or the rules regulating The Florida Bar and should be immediately reported to the Division of *Investigative and Forensic Services Insurance Fraud* if such conduct has taken place.

Section 24. Paragraphs (b) and (c) of subsection (1) of section 627.7401, Florida Statutes, are amended to read:

627.7401 Notification of insured's rights.—

(1) The commission, by rule, shall adopt a form for the notification of insureds of their right to receive personal injury protection benefits under the Florida Motor Vehicle No-Fault Law. Such notice shall include:

(b) An advisory informing insureds that:

1. Pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

2. Pursuant to s. 627.736(5)(e)1., if the insured notifies the insurer of a billing error, the insured may be entitled to a certain percentage of a reduction in the amount paid by the insured's motor vehicle insurer.

(c) A notice that solicitation of a person injured in a motor vehicle crash for purposes of filing personal injury protection or tort claims could be a violation of s. 817.234, s. 817.505, or the rules regulating The Florida Bar and should be immediately reported to the Division of *Investigative and Forensic Services Insurance Fraud* if such conduct has taken place.

Section 25. Subsection (2) of section 631.156, Florida Statutes, is amended to read:

631.156 Investigation by the department; scope of authority; sharing of materials.—

(2) The department may provide documents, books, and records; other investigative products, work product, and analysis; and copies of any or all of such materials to the Division of *Investigative and Forensic Services Insurance Fraud* or any other appropriate government agency. The sharing of these materials ~~does shall~~ not waive any work product or other privilege otherwise applicable under law.

Section 26. Subsection (4) of section 641.30, Florida Statutes, is amended to read:

641.30 Construction and relationship to other laws.—

(4) The Division of *Investigative and Forensic Services Insurance Fraud* of the department is vested with all powers granted to it under the Florida Insurance Code with respect to the investigation of any violation of this part.

Section 27. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of *Investigative and Forensic Services* ~~State Fire Marshal~~ of the Department of Financial Services who shall be appointed by the *Chief Financial Officer* ~~State Fire Marshal~~.

7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 28. Subsection (3) of section 552.113, Florida Statutes, is amended to read:

552.113 Reports of thefts, illegal use, or illegal possession.—

(3) The Division of *Investigative and Forensic Services* shall investigate, or be certain that a qualified law enforcement agency investigates, the cause and circumstances of each theft, illegal use, or illegal possession of explosives which occurs within the state. A report of each such investigation shall be made and maintained by the Division of *Investigative and Forensic Services*.

Section 29. Subsections (1) and (2) of section 552.21, Florida Statutes, are amended to read:

552.21 Confiscation and disposal of explosives.—

(1) Whenever the ~~department division~~ shall have reason to believe that any person is or has been violating the provisions of this chapter or any rules or regulations adopted and promulgated pursuant thereto, the ~~department division~~ may, without further process of law, confiscate the explosives in question and cause them to be stored in a safe manner, or, if any explosives are deemed by the ~~department division~~ to be in such a state or condition as to constitute a hazard to life or property, the ~~department division~~ may dispose of such explosives without further process of law. The ~~department division~~ is authorized to dispose of any abandoned explosives that it deems to be hazardous to life or property.

(2) If the person so charged is found guilty of violating ~~the provisions of this chapter or any rule or regulation adopted pursuant thereto with regard to the possession, handling, or storage of explosives, the department division~~ is authorized to dispose of the confiscated materials in such a way as it shall deem equitable.

Section 30. Paragraph (c) of subsection (6) of section 633.112, Florida Statutes, is amended to read:

633.112 State Fire Marshal; hearings; investigations; recordkeeping and reports; subpoenas of witnesses; orders of circuit court.—

(6) Upon request, the State Fire Marshal shall investigate the cause, origin, and circumstances of fires and explosions occurring in this state wherein property has been damaged or destroyed and there is probable cause to believe that the fire or explosion was the result of carelessness or design.

(c) The ~~State Fire Marshal division~~ shall adopt rules to assist local fire officials and law enforcement officers in determining the established responsibilities with respect to the initial or preliminary assessment of fire and explosion scenes, and the determination of whether probable cause exists to refer such scenes to the State Fire Marshal for an investigation.

Section 31. Subsection (1) of section 633.114, Florida Statutes, is amended to read:

633.114 State Fire Marshal agents; authority; duties; compensation.—

(1) The State Fire Marshal shall appoint such agents, *including agents of the Division of Investigative and Forensic Services*, as may be necessary to carry out effectively this chapter, who shall be reimbursed for travel expenses as provided in s. 112.061, in addition to their salary, when traveling or making investigations in the performance of their duties. Such agents, *including agents of the Division of Investigative and Forensic Services*, shall be at all times under the direction and control of the State Fire Marshal, who shall fix their compensation, and all orders shall be issued in the State Fire Marshal's name and by her or his authority.

Section 32. Section 633.122, Florida Statutes, is amended to read:

633.122 Impersonating State Fire Marshal, firefighter, volunteer firefighter, or firesafety inspector; criminal penalties.—A person who falsely assumes or pretends to be the State Fire Marshal, an agent of the ~~State Fire Marshal division~~, a firefighter, a volunteer firefighter, or a firesafety inspector by identifying herself or himself as the State Fire Marshal, an agent of the ~~State Fire Marshal division~~, a firefighter, a volunteer firefighter, or a firesafety inspector by wearing a uniform or presenting or displaying a badge as credentials that would cause a reasonable person to believe that she or he is a State Fire Marshal, an agent of the ~~State Fire Marshal division~~, a firefighter, a volunteer firefighter, or firesafety inspector commits a felony of the third degree, punishable as provided in ss. 775.082 and 775.083 or, if the impersonation occurs during the commission of a separate felony by that person, commits a felony of the first degree, punishable as provided in ss. 775.082 and 775.083.

Section 33. Paragraph (b) of subsection (1) of section 633.126, Florida Statutes, is amended to read:

633.126 Investigation of fraudulent insurance claims and crimes; immunity of insurance companies supplying information.—

(1)

(b) The State Fire Marshal or an agent appointed pursuant to s. 633.114, *an agent of the Division of Investigative and Forensic Services*, any law enforcement officer as defined in s. 111.065, any law enforcement officer of a federal agency, or any fire service provider official who is engaged in the investigation of a fire or explosion loss may request any insurance company or its agent, adjuster, employee, or attorney, investigating a claim under an insurance policy or contract with respect to a fire or explosion to release any information whatsoever in the possession of the insurance company or its agent, adjuster, employee, or attorney relative to a loss from that fire or explosion. The insurance company shall release the available information to and cooperate with any official authorized to request such information pursuant to this section. The information shall include, but shall not be limited to:

1. Any insurance policy relevant to a loss under investigation and any application for such a policy.

2. Any policy premium payment records.

3. The records, reports, and all material pertaining to any previous claims made by the insured with the reporting company.

4. Material relating to the investigation of the loss, including statements of a person, proof of loss, and other relevant evidence.

5. Memoranda, notes, and correspondence relating to the investigation of the loss in the possession of the insurance company or its agents, adjusters, employees, or attorneys.

Section 34. Subsection (5) of section 633.422, Florida Statutes, is amended to read:

633.422 Firefighters; supplemental compensation.—

(5) APPLICABILITY.—For the purposes of this section, the *department division* shall be considered a fire service provider responsible for the payment of supplemental compensation in accordance with this section to firefighters employed full time by the *department division*.

Section 35. Subsection (7) of section 633.508, Florida Statutes, is amended to read:

633.508 Workplace safety; rulemaking authority; division authority.—

(7) The *department division* shall:

(a) Investigate and prescribe by rule what safety devices, safeguards, or other means of protection must be adopted for the prevention of accidents and injuries in every firefighter employee place of employment or at any fire scene; determine what suitable devices, safeguards, or other means of protection for the prevention of occupational diseases must be adopted or followed in any or all such firefighter places of employment or at any emergency fire scene; and adopt reasonable rules for the prevention of accidents, the safety, protection, and security of firefighter employees engaged in interior firefighting, and the prevention of occupational diseases.

(b) Ascertain, fix, and order such reasonable standards and rules for the construction, repair, and maintenance of firefighter employee places of employment so as to render them safe. Such rules and standards shall be adopted in accordance with chapter 120.

(c) Adopt rules prescribing recordkeeping responsibilities for firefighter employers, which may include maintaining a log and summary of occupational injuries, diseases, and illnesses, for producing on request a notice of injury and firefighter employee accident investigation records, and prescribing a retention schedule for such records.

Section 36. Section 633.512, Florida Statutes, is amended to read:

633.512 Compliance.—Failure of a firefighter employer or an insurer to comply with this part, or with any rules adopted under this part, constitutes grounds for the *department division* to seek remedies, including injunctive relief, by making appropriate filings with the circuit court.

Section 37. Subsection (1) of section 633.518, Florida Statutes, is amended to read:

633.518 Studies, investigations, inspections, or inquiries by the division; refusal to admit; penalty.—

(1) The *department division* shall make studies, investigations, inspections, or inquiries with respect to compliance with this part or any rules authorized under this part and the causes of firefighter employee injuries, illnesses, safety-based complaints, or Line of Duty Deaths (LODD) as defined in rule in firefighter employee places of employment and shall make such recommendations to the Legislature and firefighter employers and insurers as the *department division* considers proper to prevent or reduce future occurrences. In making such studies, investigations, inspections, or inquiries, the *department division* may cooperate with any agency of the United States charged with the duty of enforcing any law securing safety against injury in any place of firefighter employment covered by this part or any agency or department of

the state engaged in enforcing any law to ensure safety for firefighter employees.

Section 38. Subsection (3) of section 791.013, Florida Statutes, is amended to read:

791.013 Testing and approval of sparklers; penalties.—

(3) For purposes of the testing requirement by this section, the division shall perform such tests as are necessary to determine compliance with the performance standards in the definition of sparklers, pursuant to s. 791.01. The State Fire Marshal shall adopt, by rule, procedures for testing products to determine compliance with this chapter. The Division of *Investigative and Forensic Services* shall dispose of any samples which remain after testing.

Section 39. Paragraphs (b), (c), and (d) of subsection (7) of section 538.32, Florida Statutes, are amended to read:

538.32 Registration, transaction, and recordkeeping requirements; penalties.—

(7)

(b) Alternatively, a secondhand dealer must give written notice to the seller, by United States mail or e-mail if an e-mail address is provided by the seller, that information otherwise required to be given by the seller under subsection (2) has not been provided by the seller to the secondhand dealer. Notice of the deficient information must be sent by the secondhand dealer no later than 10 days after the transaction is received by the secondhand dealer. The secondhand dealer must specify in the notice that:

1. The seller must provide the missing information or must request the return of the property from the secondhand dealer within 30 days after receiving the notice from the secondhand dealer; and

2. The failure of the seller to provide the missing information or request return of the property within the applicable 30-day time period shall result in abandonment of the seller's property to the *Division Bureau* of Unclaimed Property of the Department of Financial Services pursuant to chapter 717.

(c) If the seller fails to remedy the deficiency in information or request return of the property within 30 days after receiving the notice, the seller's property is deemed abandoned and is relinquished to the *Division Bureau* of Unclaimed Property pursuant to chapter 717 if the property's true market value is greater than \$50 as defined in chapter 717.

(d) Within 24 hours after the expiration of the 30-day hold period for the property, the secondhand dealer must notify the appropriate law enforcement agency of the abandonment of the property by electronic transmission or by sending a copy of the completed form authorized by chapter 717 to the Department of Financial Services, *Division Bureau* of Unclaimed Property.

Section 40. Subsection (1) of section 717.1241, Florida Statutes, is amended to read:

717.1241 Conflicting claims.—

(1) When conflicting claims have been received by the department for the same unclaimed property account or accounts, the property shall be remitted in accordance with the claim filed by the person as follows, notwithstanding the withdrawal of a claim:

(a) To the person submitting the first claim received by the *Division Bureau* of Unclaimed Property of the department that is complete or made complete.

(b) If a claimant's claim and a claimant's representative's claim are received by the *Division Bureau* of Unclaimed Property of the department on the same day and both claims are complete, to the claimant.

(c) If a buyer's claim and a claimant's claim or a claimant's representative's claim are received by the *Division Bureau* of Unclaimed Property of the department on the same day and the claims are complete, to the buyer.

(d) As between two or more claimant's representative's claims received by the *Division Bureau* of Unclaimed Property of the department that are complete or made complete on the same day, to the claimant's representative who has agreed to receive the lowest fee. If the two or more claimant's representatives whose claims received by the *Division Bureau* of Unclaimed Property of the department were complete or made complete on the same day are charging the same lowest fee, the fee shall be divided equally between the claimant's representatives.

(e) If more than one buyer's claim received by the *Division Bureau* of Unclaimed Property of the department is complete or made complete on the same day, the department shall remit the unclaimed property to the buyer who paid the highest amount to the seller. If the buyers paid the same amount to the seller, the department shall remit the unclaimed property to the buyers divided in equal amounts.

Section 41. Section 717.1323, Florida Statutes, is amended to read:

717.1323 Prohibited practice.—A ~~No~~ person may *not* knowingly enter false information onto the Internet website of the *Division Bureau* of Unclaimed Property.

Section 42. Subsection (2) and paragraph (a) of subsection (3) of section 717.135, Florida Statutes, are amended to read:

717.135 Power of attorney to recover reported property in the custody of the department.—

(2) A power of attorney described in subsection (1) must:

(a) Limit the fees and costs for services to 20 percent per unclaimed property account held by the department. Fees and costs for cash accounts shall be based on the value of the property at the time the power of attorney is signed by the claimant. Fees and costs for accounts containing securities or other intangible ownership interests, which securities or interests are not converted to cash, shall be based on the purchase price of the security as quoted on a national exchange or other market on which the property is regularly traded at the time the securities or other ownership interest is remitted to the claimant or the claimant's representative. Fees and costs for tangible property or safe-deposit box accounts shall be based on the value of the tangible property or contents of the safe-deposit box at the time the ownership interest is transferred or remitted to the claimant. Total fees and costs on any single account owned by a natural person residing in this country must not exceed \$1,000; or

(b) Fully disclose that the property is held by the *Division Bureau* of Unclaimed Property of the Department of Financial Services pursuant to this chapter, the mailing address of the *division bureau*, the Internet address of the *division bureau*, the person or name of the entity that held the property prior to the property becoming unclaimed, the date of the holder's last contact with the owner, if known, and the approximate value of the property, and identify which of the following categories of unclaimed property the claimant's representative is seeking to recover, as reported by the holder:

1. Cash accounts.
2. Stale dated checks.
3. Life insurance or annuity contract assets.
4. Utility deposits.
5. Securities or other interests in business associations.
6. Wages.
7. Accounts receivable.
8. Contents of safe-deposit boxes.

This subsection shall not apply if probate proceedings must be initiated on behalf of the claimant for an estate that has never been probated or if the unclaimed property is being claimed by a person outside of the United States.

(3)(a) A power of attorney described in paragraph (2)(b) must state in 12-point type or greater in the order indicated with the blank spaces accurately completed:

FULL DISCLOSURE STATEMENT

The property is currently held by the State of Florida Department of Financial Services, *Division Bureau* of Unclaimed Property, pursuant to chapter 717, Florida Statutes. The mailing address of the *Division Bureau* of Unclaimed Property is The Internet address of the *Division Bureau* of Unclaimed Property is

The property was remitted by:

Date of last contact:

Property category:

Section 43. Subsection (2) of section 717.1351, Florida Statutes, is amended to read:

717.1351 Acquisition of unclaimed property.—

(2) All contracts to acquire ownership of or entitlement to unclaimed property from the person or persons entitled to the unclaimed property must be in 10-point type or greater and must:

(a) Have a purchase price that discounts the value of the unclaimed property at the time the agreement is executed by the seller at no greater than 20 percent per account held by the department. An unclaimed property account must not be discounted in excess of \$1,000. However, the \$1,000 discount limitation does not apply if probate proceedings must be initiated on behalf of the seller for an estate that has never been probated or if the seller of the unclaimed property is not a natural person or is a person outside the United States; or

(b) Fully disclose that the property is held by the *Division Bureau* of Unclaimed Property of the Department of Financial Services pursuant to this chapter, the mailing address of the *division bureau*, the Internet address of the *division bureau*, the person or name of the entity that held the property prior to the property becoming unclaimed, the date of the holder's last contact with the owner, if known, and the approximate value of the property, and identify which of the following categories of unclaimed property the buyer is seeking to purchase as reported by the holder:

1. Cash accounts.
2. Stale dated checks.
3. Life insurance or annuity contract assets.
4. Utility deposits.
5. Securities or other interests in business associations.
6. Wages.
7. Accounts receivable.
8. Contents of safe-deposit boxes.

The purchase agreement described in this paragraph must state in 12-point type or greater in the order indicated with the blank spaces accurately completed:

FULL DISCLOSURE STATEMENT

The property is currently held by the State of Florida Department of Financial Services, *Division Bureau* of Unclaimed Property, pursuant to chapter 717, Florida Statutes. The mailing address of

the ~~Division Bureau~~ of Unclaimed Property is The Internet address of the ~~Division Bureau~~ of Unclaimed Property is

The property was remitted by:

Date of last contact:

Property category:

Immediately above the signature line for the seller, the purchase agreement described in this paragraph must state in 12-point type or greater:

Seller agrees, by signing below, that the FULL DISCLOSURE STATEMENT has been read and fully understood.

Section 44. Paragraphs (a) and (b) of subsection (5) of section 717.1400, Florida Statutes, are amended to read:

717.1400 Registration.—

(5) If a material change in the status of a registration occurs, a registrant must, within 30 days, provide the department with the updated documentation and information in writing. Material changes include, but are not limited to: a designated agent or employee ceasing to act on behalf of the designating person, a surrender, suspension, or revocation of a license, or a license renewal.

(a) If a designated agent or employee ceases to act on behalf of the person who has designated the agent or employee to act on such person's behalf, the designating person must, within 30 days, inform the ~~Division Bureau~~ of Unclaimed Property in writing of the termination of agency or employment.

(b) If a registrant surrenders the registrant's license or the license is suspended or revoked, the registrant must, within 30 days, inform the ~~division bureau~~ in writing of the surrender, suspension, or revocation.

Section 45. Paragraphs (k) and (l) of subsection (6) of section 932.7055, Florida Statutes, are amended to read:

932.7055 Disposition of liens and forfeited property.—

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(k) The Division of *Investigative and Forensic Services* ~~State Fire Marshal~~ in the Department of Financial Services, the proceeds accrued under the Florida Contraband Forfeiture Act shall be deposited into the Insurance Regulatory Trust Fund to be used for the purposes of arson suppression, arson investigation, and the funding of anti-arson rewards.

(l) The Division of *Investigative and Forensic Services* ~~Insurance Fraud~~ of the Department of Financial Services, the proceeds accrued pursuant to ~~the provisions of~~ the Florida Contraband Forfeiture Act shall be deposited into the Insurance Regulatory Trust Fund as provided in s. 626.9893 or into the Department of Financial Services' Federal Law Enforcement Trust Fund as provided in s. 17.43, as applicable.

Section 46. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to organization of the Department of Financial Services; amending ss. 17.04 and 17.0401, F.S.; authorizing the Chief Financial Officer, rather than the Division of Accounting and Auditing, to audit and adjust accounts of officers and those indebted to the state; making conforming changes; amending s. 20.121, F.S.; revising the divisions and the location of bureaus within the divisions; revising the functions of the department; providing duties for the Division of Investigative and Forensic Services; amending s. 624.26, F.S.; deleting a cross-reference; amending s. 624.307, F.S.; providing powers and duties

of the Division of Consumer Services; authorizing the division to impose certain penalties; authorizing the department to adopt rules relating to the division; providing for construction; reenacting and amending s. 624.502, F.S., relating to service of process fees; providing that a party requesting service of process shall pay a specified fee to the department or the Office of Insurance Regulation for such service; abrogating the scheduled expiration and reversion of amendments to s. 624.502, F.S.; amending ss. 16.59, 400.9935, 409.91212, 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989, 626.9891, 626.9892, 626.9893, 626.9894, 626.99278, 627.351, 627.711, 627.736, 627.7401, 631.156, and 641.30, F.S., relating to the renaming of the Division of Insurance Fraud; conforming provisions to changes made by the act; making technical changes; amending ss. 282.709, 552.113, 552.21, 633.112, 633.114, 633.122, 633.126, 633.422, 633.508, 633.512, 633.518, and 791.013, F.S., relating to the transfer of certain functions to the Division of Investigative and Forensic Services; conforming provisions to changes made by the act; amending ss. 538.32, 717.1241, 717.1323, 717.135, 717.1351, and 717.1400, F.S., relating to the renaming of the Bureau of Unclaimed Property; conforming provisions to changes made by the act; making technical changes; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **SB 908**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 520—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified programs and degree programs; amending ss. 1009.534 and 1009.535, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; creating the Florida Gold Seal CAPE-Vocational Scholars award within the Florida Bright Futures Scholarship Program; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal CAPE-Vocational Scholars award; providing that certain students may receive an award for a specified number of credits toward specified programs and degree programs; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 520**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 793** was withdrawn from the Committees on Higher Education; Appropriations Subcommittee on Education; and Fiscal Policy.

On motion by Senator Lee—

CS for HB 793—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified programs and degree programs; amending ss. 1009.534 and 1009.535, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; creating the Florida Gold Seal CAPE Scholars award within the Florida Bright Futures Scholarship Program; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal CAPE Scholars award; providing that certain students may receive an award for a specified number of credits toward specified programs and degree programs; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 520** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 793** was placed on the calendar of Bills on Third Reading.

SB 972—A bill to be entitled An act relating to family law; providing a short title; providing a directive to the Division of Law Revision and Information; providing legislative findings; creating s. 61.55, F.S.; providing a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process begins when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

—was read the second time by title.

Pending further consideration of **SB 972**, pursuant to Rule 3.11(3), there being no objection, **HB 967** was withdrawn from the Committees on Judiciary; and Rules.

On motion by Senator Lee—

HB 967—A bill to be entitled An act relating to family law; providing a short title; providing a directive to the Division of Law Revision and Information; providing legislative findings; creating s. 61.55, F.S.; pro-

viding a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process begins when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

—a companion measure, was substituted for **SB 972** and read the second time by title.

Pursuant to Rule 4.19, **HB 967** was placed on the calendar of Bills on Third Reading.

SB 110—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 110**, pursuant to Rule 3.11(3), there being no objection, **HB 43** was withdrawn from the Committees on Judiciary; Community Affairs; and Rules.

On motion by Senator Bean, by two-thirds vote—

HB 43—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

—a companion measure, was substituted for **SB 110**, and by two-thirds vote, read the second time by title.

SENATOR RICHTER PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **HB 43** was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Michael S. "Mike" Bennett who was present in the gallery.

MOTIONS

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, March 2, 2016: SB 7076, CS for SB

1534, CS for CS for SB 514, CS for SB 1034, CS for CS for SB 938, CS for CS for SB 772, CS for SB 754, CS for SB 7068, SB 908, CS for SB 520, CS for SB 986, SB 972, CS for SB 960, CS for SB 1508, CS for CS for SB 436, SB 1402, CS for CS for CS for SB 948, CS for CS for SB 1432, SB 110, CS for SB 1538, SB 1412, CS for CS for SB 524, CS for CS for CS for SB 1442, CS for CS for SB 1604, CS for SB 1570, SB 1312, CS for CS for CS for SB 912, CS for CS for SB 718, CS for CS for SB 400, CS for SB 1160, CS for CS for SB 1422, CS for CS for SB 1686, CS for SB 1470, CS for CS for CS for SB 768, CS for SB 700, CS for CS for SB 1274, SB 498, CS for SB 342, CS for CS for SB 1104, CS for SB 122, CS for CS for SB 964.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Appropriations recommends the following pass: CS for CS for SB 324; CS for SB 440; CS for CS for SB 488; CS for SJR 492; CS for SB 670; CS for SJR 1194; CS for SB 1360

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for CS for SB 534; CS for SB 668; CS for SB 760; CS for SB 766; CS for SB 936; SB 1106; CS for SB 1248; CS for CS for SB 1262; SB 1316; SB 1418; CS for SB 1462; SB 1662; SB 7018

The Committee on Fiscal Policy recommends committee substitutes for the following: CS for SB 1044; SB 1294; CS for SB 1394

The Committee on Rules recommends committee substitutes for the following: SB 460; CS for CS for SB 1036; CS for SB 1190

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on General Government recommends a committee substitute for the following: CS for SB 1150

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Altman—

SR 1784—A resolution supporting the decision of the United States Air Force in awarding the contract for the Long-Range Strike Bomber to Northrop Grumman.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Rules; and Senators Bradley, Soto, Sobel, and Hutson—

CS for SB 460—A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a phy-

sician to update the registry within a specified timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient's legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispensing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the department to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization's approval under certain circumstances; requiring the department to renew the dispensing organization biennially under certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; providing an effective date.

By the Committees on Appropriations; Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senator Hays—

CS for CS for CS for SB 534—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division

of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified percentage or cost; amending s. 367.081, F.S.; authorizing the commission to allow a utility to create a reserve fund upon the commission's own motion or upon the request of the utility; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; requiring the commission to consider certain criteria, when specifically raised in writing by certain parties; specifying standards for evidentiary proceeding involving challenges to such criteria; authorizing the commission to allocate benefits between the customers, shareholders, owners, or affiliates and to disallow rate case expense under certain circumstances; amending s. 367.0814, F.S.; prohibiting the commission from awarding rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; providing exceptions; requiring the commission to propose rules by a certain date; amending s. 367.0816, F.S.; providing an exception to the provision requiring rate case expense recovery to be apportioned over 4 years; prohibiting a utility from earning a return on the unamortized balance of rate case expense; excluding such expenses from rate bases; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service upon its own motion or based on complaints of customers; amending s. 367.165, F.S.; requiring a county that regulates water or wastewater services to comply with the requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; deleting restrictions on such activities; providing an effective date.

By the Committees on Appropriations; and Judiciary; and Senator Stargel—

CS for CS for SB 668—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring a court to consider certain alimony factors and make specific written findings of fact under certain circumstances; prohibiting a court from using certain presumptive alimony guidelines in calculating alimony pendente lite; amending s. 61.08, F.S.; defining terms; requiring a court to make specified initial written findings in a dissolution of marriage proceeding where a party has requested alimony; requiring a court to make specified findings before ruling on a request for alimony; providing for determinations of presumptive alimony amount range and duration range; providing presumptions concerning alimony awards depending on the duration of marriages; providing for imputation of income in certain circumstances; specifying exceptions to the guidelines for the amount and duration of alimony awards; providing for awards of nominal alimony in certain circumstances; providing for taxability and deductibility of alimony awards; prohibiting a combined award of alimony and child support from constituting more than a specified percentage of a payor's net income; authorizing the court to order a party to protect an alimony award by specified means; providing for termination of an award; authorizing a court to modify or terminate the amount of an initial alimony award; prohibiting a court from modifying the duration of an alimony award; providing for payment of awards; amending s. 61.13, F.S.; specifying a premise that a minor child should spend approximately equal amounts of time with each parent; revising a finite list of factors that a court must evaluate when establishing or modifying parental responsibility or a parenting plan; requiring a court order to be supported by written findings of fact under certain circumstances; amending s. 61.14, F.S.; prohibiting a court from changing the duration of alimony; authorizing a party to pursue an immediate modification of alimony in certain circumstances; revising factors to be considered in determining whether an existing award of alimony should be reduced or terminated because of an alleged supportive relationship; providing for burden of proof for

claims concerning the existence of supportive relationships; providing for the effective date of a reduction or termination of an alimony award; providing that the remarriage of an alimony obligor is not a substantial change in circumstance; providing that the financial information of a spouse of a party paying or receiving alimony is inadmissible and undiscoverable; providing an exception; providing for modification or termination of an award based on a party's retirement; providing a presumption upon a finding of a substantial change in circumstance; specifying factors to be considered in determining whether to modify or terminate an award based on a substantial change in circumstance; providing for a temporary suspension of an obligor's payment of alimony while his or her petition for modification or termination is pending; providing for an award of attorney fees and costs for unreasonably pursuing or defending a modification of an award; providing for an effective date of a modification or termination of an award; amending s. 61.30, F.S.; requiring that a child support award be adjusted to reduce the combined alimony and child support award under certain circumstances; creating s. 61.192, F.S.; providing for motions to advance the trial of certain actions if a specified period has passed since the initial service on the respondent; amending ss. 61.1827 and 409.2579, F.S.; conforming cross-references; providing applicability; providing an effective date.

By the Committees on Appropriations; and Agriculture; and Senators Bean, Sobel, Soto, and Flores—

CS for CS for SB 760—A bill to be entitled An act relating to the Healthy Food Financing Initiative; providing definitions; directing the Department of Agriculture and Consumer Services to establish a Healthy Food Financing Initiative program to provide specified financing to construct, rehabilitate, or expand independent grocery stores and supermarkets in underserved communities in low-income and moderate-income communities; authorizing the department to contract with a third-party administrator; establishing funding specifications for administrators; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department to submit an annual report to the Legislature and adopt rules; providing that implementation of the program is contingent upon legislative appropriation; providing an effective date.

By the Committees on Appropriations; and Finance and Tax; and Senator Flores—

CS for CS for SB 766—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; revising procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; specifying deadlines for value adjustment boards to complete certain hearings and final assessment roll certifications; providing exceptions; providing applicability; amending ss. 193.155, 193.1554, and 193.1555, F.S.; requiring a property appraiser to serve a notice of intent to record a notice of tax lien under certain circumstances; requiring certain taxpayers to be given a specified timeframe to pay taxes, penalties, and interest to avoid the filing of a lien; prohibiting the assessment of penalties and interest under certain circumstances; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; providing applicability as to the confidentiality of certain taxpayer information; amending s. 194.014, F.S.; revising the entities authorized to determine under certain circumstances that a petitioner owes ad valorem taxes or is owed a refund of overpaid taxes; revising the rate at which interest accrues on unpaid and overpaid ad valorem taxes; defining the term "bank prime loan rate"; amending s. 194.032, F.S.; revising the purposes for which a value adjustment board may meet; revising requirements for the provision of property record cards to a petitioner for certain hearings; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term "good cause"; amending s. 194.034, F.S.; revising requirements for an entity that may represent a taxpayer before the value adjustment board; requiring the Department of Revenue to adopt certain forms; prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term "timely filed"; revising provisions

relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by a special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing or when scheduling a special magistrate; amending s. 197.3632, F.S.; extending the dates for certain counties to adopt or certify non-ad valorem assessment rolls; reenacting and amending s. 1011.62(4)(e), F.S.; revising the time period for requirements and calculations applicable to the levy and adjustment of the Prior Period Funding Adjustment Millage before and after certification of the district's final taxable value; repealing certain provisions of a rule adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

By the Committees on Appropriations; and Criminal Justice; and Senator Ring—

CS for CS for SB 936—A bill to be entitled An act relating to criminal justice system interviews of individuals with autism or an autism spectrum disorder; providing a short title; creating s. 943.0439, F.S.; requiring a law enforcement officer, correctional officer, or another public safety official to make a good faith effort, upon the request of a parent, a guardian, or the individual, to ensure that specified professionals are present at all interviews of an individual diagnosed with autism or an autism spectrum disorder; providing specifications for the professional; specifying that the parent, guardian, or individual bears the expense of hiring the professional; requiring a convicted defendant to pay for the professional under certain circumstances; specifying that not having a professional present is not a basis for suppressing statements or for bringing a cause of action; providing applicability; requiring law enforcement agencies to develop and implement appropriate policies and provide training; providing an effective date.

By the Committees on Rules; Commerce and Tourism; and Banking and Insurance; and Senator Brandes—

CS for CS for CS for SB 1036—A bill to be entitled An act relating to automobile insurance; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for non-payment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing an additional form of payment for certain motor vehicle insurance contract premiums; authorizing an insurer to impose a specified insufficient funds fee under certain circumstances; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; adding a specified entity to a list of entities that are not required to be licensed as a clinic to receive reimbursement under the Florida Motor Vehicle No-Fault Law; providing an effective date.

By the Committees on Fiscal Policy; and Criminal Justice; and Senators Brandes, Negron, Clemens, and Bean—

CS for CS for SB 1044—A bill to be entitled An act relating to contraband forfeiture; amending s. 932.701, F.S.; conforming provisions to changes made by the act; amending s. 932.703, F.S.; specifying that property may be seized only under certain circumstances; defining the term “monetary instrument”; requiring that specified persons approve a settlement; providing circumstances when property may be deemed contraband; allocating responsibility for damage to seized property and payment of storage and maintenance expenses; requiring the seizing agency to apply for an order, within a certain timeframe, making a probable cause determination after the agency seizes property; provid-

ing application requirements; requiring a court to make specified determinations; providing procedures upon certain court findings; authorizing the court to seal any portion of the application and of specified proceedings under certain circumstances; providing for construction; amending s. 932.704, F.S.; providing requirements for a filing fee and a bond to be paid to the clerk of court; increasing the evidentiary standard from clear and convincing evidence to proof beyond a reasonable doubt that a contraband article was being used in violation of the Florida Contraband Forfeiture Act for a court to order the forfeiture of the seized property; increasing the attorney fees and costs awarded to claimant under certain circumstances; requiring a sizing agency to annually review seizures, settlements, and forfeiture proceedings to determine compliance with the Florida Contraband Forfeiture Act; providing requirements for seizing law enforcement agencies; requiring seizing law enforcement agencies to adopt and implement specified written policies, procedures, and training; requiring law enforcement agency personnel to receive basic training and continuing education; requiring the maintenance of training records; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; creating s. 932.7061, F.S.; providing reporting requirements for seized property for forfeiture; creating s. 932.7062, F.S.; providing penalties for non-compliance with reporting requirements; amending s. 322.34, F.S.; providing for payment of court costs, fines, and fees from proceeds of certain forfeitures; conforming provisions to changes made by the act; amending ss. 323.001, 328.07, and 817.625, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Appropriations; and Senator Flores—

CS for SB 1106—A bill to be entitled An act relating to international trust entities; amending s. 663.01, F.S.; defining the term “international trust entity”; creating s. 663.041, F.S.; providing for a moratorium for a specified timeframe on enforcement by the Office of Financial Regulation of certain licensure requirements for certain organizations and entities providing services to international trust companies; providing conditions to apply the moratorium to specified persons of the organization or entity; providing for construction; specifying requirements for a letter to the office to request qualification as a party to the moratorium; requiring the office to confirm specified findings when processing a request; specifying circumstances for establishing adequate supervision; providing procedures and timeframes for the office's processing of requests and the office's requests for additional information; providing timeframes for the office to confirm with the organization or entity whether it has been confirmed as a party to the moratorium; requiring the office to issue a notice of denial if it determines that an organization or entity is not a party to the moratorium; providing that a denied organization or entity may request a certain hearing to contest the denial; providing for construction if certain timeframes are not met; authorizing the office to conduct an onsite visitation of an organization or entity for a specified purpose until a specified time; requiring the office to issue an immediate final order disqualifying an organization or entity if it finds that such organization or entity made a material false statement in its request; providing for construction; providing for future repeal; providing an effective date.

By the Committees on Rules; and Community Affairs; and Senator Diaz de la Portilla—

CS for CS for SB 1190—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing local governments to hold joint public meetings to discuss matters of mutual interest upon certain conditions; prohibiting official votes from being taken at such meetings; specifying that such meetings may not take the place of certain required hearings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing in certain areas; requiring the governing body of a county to administer a separate reserve account for tax increment areas for the deposit of tax increment revenues; requiring that tax increment revenues be used to fund only certain activities and projects that directly benefit the tax increment area; specifying determination requirements for a tax increment; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain

contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to the Administration Commission; establishing deadlines for the state land planning agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to take action; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; revising the applicability of certain requirements and restrictions relating to areas of critical state concern to the Apalachicola Bay Area; providing that such areas may not be recommended for resignation for a certain time period; specifying that the state land planning agency, rather than the Administration Commission, shall approve modifications to certain local plans and regulations in the Apalachicola Bay Area; providing standards for such review; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; revising the meaning of the term “essentially built out” as it relates to such amendments; providing criteria under which one approved land use may be submitted for another approved land use in certain land development agreements under certain circumstances; requiring the local government to consult with the Department of Transportation before approving such exchanges under certain circumstances; specifying that certain proposed changes to certain developments are a substantial deviation; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state-coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Diaz de la Portilla—

CS for CS for SB 1248—A bill to be entitled An act relating to prohibited insurance practices; amending s. 626.854, F.S.; adding entities and persons that may not adjust a claim on behalf of an insured unless licensed and compliant as a public adjuster; revising an exception to include a subcontractor; creating s. 627.716, F.S.; prohibiting a person or entity from certain actions relating to the referral of certain business related to certain repair, mitigation, and restoration services; specifying requirements for an entity or person that provides certain emergency remediation or restoration services; providing applicability; authorizing the Department of Financial Services to seek a cease and desist order and administrative fines for certain violations; authorizing the department to enforce such penalties in a specified circuit court; authorizing the department to recommend disciplinary action to other licensing agencies or boards; providing applicability; creating s. 627.717, F.S.; providing that a policyholder that assigns the right to receive benefit of payment under a property insurance policy is not liable to the assignee for certain services or materials; prohibiting certain actions by an assignee against a policyholder under specified circumstances; providing an effective date.

By the Committees on Appropriations; Finance and Tax; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Simpson—

CS for CS for CS for SB 1262—A bill to be entitled An act relating to emergency management; amending s. 213.055, F.S.; defining terms; providing that out-of-state businesses and employees who enter the state in response to a disaster or an emergency are excluded from certain registration and licensing requirements and taxes; specifying the

obligations of an out-of-state business or employee after the disaster-response period; providing an effective date.

By the Committee on Fiscal Policy; and Senator Grimsley—

CS for SB 1294—A bill to be entitled An act relating to offenses involving minors and vulnerable persons; amending ss. 92.53 and 92.54, F.S.; increasing the maximum age at which a victim or witness under may be allowed to testify via closed circuit television rather than in a courtroom in certain circumstances; amending s. 92.55, F.S.; revising the definition of the term “sexual offense victim or witness”; increasing the maximum age of victims and witnesses for whom the court may enter protective orders; authorizing certain advocates to file motions for such orders on behalf of certain persons; amending s. 741.281, F.S.; requiring a court to order that a defendant attend and complete a parenting course if domestic violence was committed upon or in the presence of a child; amending s. 741.283, F.S.; increasing the minimum sentence that a court is required to order a person to serve if he or she is adjudicated guilty of domestic violence and intentionally causes bodily harm to another person; amending s. 775.08435, F.S.; prohibiting a court from withholding adjudication for a third degree felony offense of domestic violence; providing exceptions; amending s. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; reclassifying specified felony offenses under certain circumstances; prohibiting certain defenses to prosecution under certain circumstances; amending s. 794.022, F.S.; including human trafficking and lewd and lascivious offenses in the rules of evidence applicable to sexually-related offenses; amending ss. 90.404, 775.21, 943.0435, 944.606, and 944.607, F.S.; conforming provisions to changes made by the act; reenacting s. 924.07(1)(m), F.S., relating to an appeal by the state, to incorporate the amendment made to s. 775.08135, F.S., in a reference thereto; providing an effective date.

By the Committee on Appropriations; and Senator Grimsley—

CS for SB 1316—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the department upon request; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions to conform to changes made by the compact; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse’s multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with practice laws of those states; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse’s multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information system; providing for the development of the system, reporting procedures, and the exchange of certain information between party states; establishing

the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rulemaking procedures; providing for state enforcement of the compact; providing a procedure for compact membership termination; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members, employees, or representatives of the Interstate Commission of Nurse Licensure Compact Administrators as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain claims or judgments; authorizing the commission to maintain insurance coverage to pay certain claims or judgments; providing a contingent effective date.

By the Committees on Fiscal Policy; and Transportation; and Senator Brandes—

CS for CS for SB 1394—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; defining the terms “service patrol vehicle” and “driver-assistive truck platooning technology”; amending s. 316.126, F.S.; requiring the driver of every other vehicle to take specified actions if a utility service vehicle displaying any visual signals or a service patrol vehicle displaying amber rotating or flashing lights is performing certain tasks on the roadside; amending s. 316.193, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; deleting obsolete provisions; deleting provisions relating to a qualified sobriety and drug monitoring program; directing the department to adopt rules providing for the implementation of the use of certain qualified sobriety and drug monitoring programs; redefining the terms “qualified sobriety and drug monitoring program” and “evidence-based program”; creating a qualified sobriety and drug monitoring pilot program effective on a specified date, subject to certain requirements; requiring a specified court to provide a report to the Governor and the Legislature by a specified date; amending s. 316.1937, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; amending s. 316.235, F.S.; revising requirements relating to a deceleration lighting system for buses; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against actively displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 320.02, F.S.; increasing the timeframe within which the owner of any motor vehicle registered in the state must notify the department of a change of address; providing exceptions to such notification; amending s. 320.03, F.S.; providing that an authorized electronic filing agent may charge a fee to the customer for use of the electronic filing system if a specified disclosure is made; amending s. 320.07, F.S.; prohibiting a law enforcement officer from issuing a citation for a specified violation until a certain date; amending s. 320.08053, F.S.; revising presale require-

ments for issuance of a specialty license plate; amending s. 320.08056, F.S.; revising conditions for discontinuing issuance of a specialty license plate; providing an exception to the minimum requirements for certain specialty license plates; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term “incentive”; revising provisions for denial or chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not designated by the applicant or licensee; defining the term “goods or services”; amending s. 322.051, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the identification card of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the card; authorizing a replacement identification card with the symbol without payment of a specified fee under certain circumstances; providing the international symbol for the deaf and hard of hearing; requiring the department to issue or renew an identification card to certain juvenile offenders; requiring that the department’s mobile issuing units process certain identification cards at no charge; amending s. 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the license; authorizing a replacement license without payment of a specified fee under certain circumstances; providing applicability; amending s. 322.19, F.S.; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in his or her legal name; providing exceptions to such requirement; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in the legal residence or mailing address in his or her application, license, or card; amending s. 322.21, F.S.; exempting certain juvenile offenders from a specified fee for an original, renewal, or replacement identification card; amending s. 322.221, F.S.; requiring the department to issue an identification card at no cost at the time a person’s driver license is suspended or revoked due to his or her physical or mental condition; amending s. 322.251, F.S.; requiring the department to include in a certain notice a specified statement; amending s. 322.2715, F.S.; requiring the department to use a certain qualified sobriety and drug monitoring program as an alternative to the placement of an ignition interlock device as of a specified date under certain circumstances; amending s. 765.521, F.S.; requiring the department to maintain an integrated link on its website referring certain visitors to a donor registry; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the Department of Transportation to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; providing effective dates.

By the Committee on Appropriations; and Senators Simmons and Garcia—

CS for SB 1418—A bill to be entitled An act relating to supplemental academic instruction; amending s. 1011.62, F.S.; requiring supplemental academic instruction categorical funds and research-based reading instruction allocation funds to be used by a school district that has one or more of the lowest-performing elementary schools for additional intensive reading instruction at the school during the summer program in addition to instruction during the school year; requiring certain school districts to provide additional instruction under certain circumstances; requiring such districts to provide the Department of Education with certain plans; providing effective dates.

By the Committees on Appropriations; and Education Pre-K - 12; and Senator Latvala—

CS for CS for SB 1462—A bill to be entitled An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character education programs to provide certain instruction to students in grades 9-12; providing an effective date.

By the Committee on Appropriations; and Senator Bradley—

CS for SB 1662—A bill to be entitled An act relating to sexual offenders; amending s. 775.21, F.S.; revising definitions; revising the criteria for a felony offense for which an offender is designated as a sexual predator; expanding the criteria by removing a requirement that the defendant not be the victim's parent or guardian; revising the information that a sexual predator is required to provide to specified entities under certain circumstances; revising registration and verification requirements imposed upon a sexual predator; conforming provisions to changes made by the act; amending s. 856.022, F.S.; revising the criteria for loitering or prowling by certain offenders; expanding the criteria by removing a requirement that the offender not be the victim's parent or guardian; amending s. 943.0435, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; deleting provisions of applicability; amending s. 943.04354, F.S.; modifying the list of offenses for which a sexual offender or sexual predator must be considered by the department for removal from registration requirements; deleting from the list a conviction or adjudication of delinquency for sexual battery; specifying the appropriate venue for a defendant to move the circuit court to remove the requirement to register as a sexual offender or sexual predator; amending s. 944.606, F.S.; revising definitions; revising the information that the Department of Law Enforcement is required to provide about a sexual offender upon his or her release from incarceration; conforming provisions to changes made by the act; amending s. 944.607, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.481, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.4815, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; amending ss. 92.55, 775.0862, 943.0515, 947.1405, 948.30, 948.31, 1012.315, and 1012.467, F.S.; conforming cross-references; reenacting s. 938.085, F.S., relating to additional costs to fund rape crisis centers, to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 794.056(1), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.0022(3)(g), F.S., relating to level 7 of the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to ss. 775.21, 943.0435, 944.607, and 985.4815, F.S., in references thereto; reenacting s. 985.04(6)(b), F.S., relating to confidential information, to incorporate the amendments made to ss. 775.21, 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S., in references thereto; reenacting ss. 322.141(3) and (4), 948.06(4), and 948.063, F.S., relating to color or markings of certain licenses or identification cards, probation or community control, and violations of probation or community control by designated sexual offenders and sexual predators, respectively, to incorporate the amendments made to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 944.607(10)(c), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 397.4872(2) and 435.07(4)(b), F.S., relating to exemptions from disqualification, to incorporate the amendment made to s. 943.04354, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to ss. 944.606 and 944.607, F.S., in references thereto; reenacting ss. 775.24(2) and 944.608(7), F.S., relating to duty of the court to uphold laws governing sexual predators and sexual offenders and notification to the Department of Law Enforcement of information on career offenders, respectively, to incorporate the amendment made to s. 944.607, F.S., in references thereto; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs; and Senator Detert—

CS for SB 7018—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident response team advisory committee; amending s. 39.402, F.S.; revising information that the Department of Children and Families is required to inform the court at shelter hearings; revising the written findings required to be included in an order for placement of a child in shelter care; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans and predisposition studies; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing the purpose of a case plan; requiring a case plan to document that a preplacement plan has been provided and reasonable efforts have been made to prevent out-of-home placement; removing the prohibition of threatening or coercing a parent with the loss of custody or parental rights for failing to admit certain actions in a case plan; providing that a child must be given the opportunity to review, sign, and receive a copy of his or her case plan; providing additional requirements when the child attains a certain age; requiring the case plan to document that each parent has received additional written notices; amending s. 39.6012, F.S.; providing additional requirements for the department and criteria for a case plan, with regard to placement, permanency, education, health care, contact with family, extended family, and fictive kin, and independent living; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child attains 18 years of age; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under ch. 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information that must be included in a specified written report under certain circumstances; requiring a court, if possible, to order the department to file a written notification; creating s. 409.143, F.S.; requiring every child placed in out-of-home care to be referred within a certain time for a comprehensive behavioral health assessment; providing requirements and procedures for such assessment; requiring the department or the community-based care lead agency to establish permanency teams; requiring an assessment within a certain timeframe from the beginning of a new placement in group care; providing for judicial review of certain placements; requiring the department to submit an annual report to the Governor and the Legislature on the placement of children in licensed out-of-home care; creating s. 409.144, F.S.; providing legislative findings and intent; defining terms; requiring the department to develop a continuum of care for the placement of children in care settings; requiring a plan to recruit and retain specialized placements for specific children and young adults; requiring the department to develop a quality rating system for group home and foster homes; providing requirements for the rating system; requiring the department to submit a report annually to the Governor and the Legislature; requiring the department to adopt rules; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S., revising the definition of the term "care"; amending s. 409.988, F.S.; requiring lead agencies to ensure the availability of a full array of services; requiring specified intervention services; requiring the department to submit annually to the Governor and the Legislature a report that evaluates the adequacy of intervention services; requiring the department to adopt rules; amending s. 409.996, F.S.; requiring the department to ensure quality and availability of services; amending s. 39.202, F.S.; conforming provisions to changes made by the act; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

**REPORTS OF COMMITTEE RELATING
TO EXECUTIVE BUSINESS**

EXECUTIVE ORDER NUMBER 13-254
(Executive Order of Suspension)

WHEREAS, Doris Baddorf, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Doris Baddorf for notary misconduct; and

WHEREAS, the complainant states that Doris Baddorf failed to disclose a prior felony conviction for uttering forged bills, checks, drafts, or notes, in her sworn notary public application, dated October 24, 2012; and

WHEREAS, the failure to include the required information constitutes a material false statement on the application, for which Doris Baddorf may be suspended pursuant to section 117.01(4)(a), Florida Statutes; and

WHEREAS, Doris Baddorf appears to be in violation of sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, on July 12, 2013, this Office mailed correspondence to Doris Baddorf requiring that she furnish a sworn response explaining the reason for her omission of this required disclosure; and

WHEREAS, to date, this Office has not received the required correspondence from Doris Baddorf; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Doris Baddorf be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Doris Baddorf is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
- B. Doris Baddorf's current commission runs from November 2, 2012, through November 1, 2016.
- C. Doris Baddorf made a material false statement on the application submitted on October 24, 2012.
- D. Doris Baddorf refused to respond to an investigation by the Governor's Office, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Doris Baddorf is suspended from the public office which she now holds: Notary Public of the State of Florida.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of September, 2013.

Rick Scott
GOVERNOR



ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Baddorf, Doris
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Doris Baddorf.

By Executive Order Number 13-254 filed with the Secretary of State on September 9, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Doris Baddorf as a Notary Public alleging that she failed to disclose a prior felony conviction in her sworn notary public application; that in doing so she may also be guilty of perjury by false written declaration in violation of Section 92.525, Florida Statutes; that the Governor demanded a sworn response explaining the omission; and that she failed to provide the required response. By letter dated December 20, 2013, the Committee attempted to notify Doris Baddorf by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Doris Baddorf that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. That letter was returned marked "Attempted-Not Known" by the U.S. Postal Service. The Committee again attempted to contact Ms. Baddorf by letter March 5, 2015, that letter was returned to the Committee by the U.S. Postal Service marked "Unclaimed." Finally, via letter dated January 21, 2016, the Committee again attempted notice at a possible new address. That parcel was successfully delivered on January 23, 2016. The Committee has not received a request for a hearing from Ms. Baddorf.

In light of Ms. Baddorf's failure to respond to the Governor's investigation, her omission of required information on her notary application, and her failure to request a hearing within 30 days from the date of the notice letter, we find that Ms. Baddorf has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Doris Baddorf from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-13
(Executive Order of Suspension)

WHEREAS, Elsa Candelario, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on December 12, 2013, in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, Florida, Elsa Candelario was charged by Information in Case Numbers 2013CF009972, 2013CF009975, 2013CF012372, 2013CF012369, and 2013CF012370, with one count of Racketeering, a first-degree felony in violation of section 895.03(3), Florida Statutes; one count of Organized Scheme to Defraud, a first-degree felony in violation of section 817.034(4)(a)1., Florida Statutes; four counts of Fraudulent Use of Personal Identification Information, a first-degree felony in violation of section 817.568(2)(c), Florida Statutes; three counts of Forgery, a third-degree felony in violation of section 831.01, Florida Statutes; three counts of Uttering a Forgery, a third-degree felony in violation of section 831.02, Florida Statutes; three counts of Grand Theft (\$100,000 or more), a first-degree felony in violation of section 812.014(2)(a), Florida Statutes; two counts of Burglary of a Dwelling, a second-degree felony in violation of section 810.02(3)(b), Florida Statutes; and one count of Grand Theft

(\$300 or more), a third-degree felony in violation of section 812.014(2)(c), Florida Statutes; and

WHEREAS, the Governor may suspend by executive order an appointed public official who is informed against for commission of any felon offense, as provided in section 112.52(1), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Elsa Candelario be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Elsa Candelario is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Elsa Candelario is commissioned as a Florida notary public from April 4, 2012, through April 3, 2016.

C. Elsa Candelario is presently charged by Information with 18 felony counts in Case Numbers 2013CF009972, 2013CF009975, 2013CF012372, 2013CF012369, and 2013CF012370, in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, Florida.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Elsa Candelario is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 16th day of January 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Candelario, Elsa
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Elsa Candelario.

By Executive Order Number 14-013 filed with the Secretary of State on January 16, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Elsa Candelario as a Notary Public alleging that, while she was commissioned as a Notary Public, she was charged with Racketeering, a first degree felony in violation of Section 895.03(3), Florida Statutes; Organized Scheme to Defraud, a first degree felony in violation of Section 817.034(4)(a)1, Florida Statutes; four counts of Fraudulent Use of Personal Identification Information, a first degree felony in violation of Section 817.568(2)(c), Florida Statutes; three counts of Forgery, a third degree felony in violation of Section 831.01, Florida Statutes;

three counts of Uttering a Forgery, a third degree felony in violation of Section 831.02, Florida Statutes; three counts of Grand Theft (\$100,000 or more), a first degree felony in violation of Section 812.014(2)(a), Florida Statutes; two counts of Burglary of a Dwelling, a second degree felony in violation of Section 810.02(3)(b), Florida Statutes; and, one count of Grand Theft (\$300 or more), a third degree felony in violation of Section 812.041(2)(c)1, Florida Statutes.

By letter dated December 20, 2013, the Committee attempted to notify Elsa Candelario by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Candelario that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file for Elsa Candelario. No request for a hearing was received within 30 days of the date of the letter. Additionally, a review of the Orange County Clerk of Court's website indicates that Ms. Candelario was convicted of a first degree felony count of Grand Theft.

Because Ms. Candelario's failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Elsa Candelario from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-115
(Executive Order of Suspension)

WHEREAS, David Chaves is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about June 13, 2012, David Chaves was convicted in the circuit court of the Ninth Judicial Circuit, in and for Orange County, in case number 2011CF016465, of Possession of a Controlled Substance, a third-degree felony in violation of section 893.13(6)(a), Florida Statutes; and

WHEREAS, on or about June 22, 2012, David Chaves was convicted in the circuit court of the Ninth Judicial Circuit, in and for Osceola County, in case number 2011CF000435, of Trafficking Oxycodone (Four Grams or More), a first-degree felony in violation of section 893.135(1)(c)1., Florida Statutes; and

WHEREAS, David Chaves failed to notify the Department of State of the above-stated changes to his criminal history record during the pendency of his application for the renewal of his commission as a Florida notary public, or at any time thereafter, as required by section 117.01(2); and

WHEREAS, on January 16, 2014, this Office mailed correspondence to David Chaves requiring that he provide a written response regarding his failure to notify the Department of State of the change in his criminal history; and

WHEREAS, to date, this Office has not received the required response from David Chaves; and

WHEREAS, the Governor may suspend an appointed public official from office for the commission of any felony, as provided in Article IV, Section 7 of the Florida Constitution; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that David Chaves be immediately suspended from the public office, which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. David Chaves is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. David Chaves is commissioned as a Florida notary public from July 2, 2012, through July 1, 2016.

C. David Chaves failed to notify the Department of State of the changes to his criminal history record following felony convictions in Orange and Osceola Counties in 2012, as required by section 117.01(2), Florida Statutes.

D. David Chaves refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. David Chaves is suspended from the public office which he now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Chaves, David
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of David Chaves.

By Executive Order Number 14-115 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended David Chaves as a Notary Public alleging that he had been convicted on or about June 13, 2012, of Possession of a Controlled Substance, a third degree felony pursuant to Section 893.13(6)(a), Florida Statutes, and Trafficking Oxycodone, a first degree felony pursuant to Section 893.135(1)(c)1., Florida Statutes. The Executive Order also alleges that he failed to notify the Department of State of the conviction as required by Section 117.01(2), Florida Statutes. Finally, the Executive Order alleges that he refused to cooperate in the investigation by the Executive Office of the Governor as required by Section 117.01(4)(c), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify David Chaves by certified mail that he had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Mr. Chaves that if he failed to respond and request a hearing within that timeframe he would be deemed to have waived his right to a hearing and would be removed from office. That letter was successfully

delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Mr. Chaves failed to request a hearing within 30 days of the date of the letter, he has waived his right to contest the allegations against him.

Based on the foregoing, I advise and recommend that the Senate remove David Chaves from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-114
(Executive Order of Suspension)

WHEREAS, Jenna R. Childs is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about November 20, 2012, Jenna R. Childs was convicted in the Circuit Court of the Fifth Judicial Circuit, in and for Hernando County, in case number 2012CF001959, of one count of Grand Theft (more than \$300, less than \$5,000), a third-degree felony in violation of section 812.014(2)(c)1., Florida Statutes; and

WHEREAS, Jenna R. Childs failed to notify the Department of State of the above-stated change to her criminal history record while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 9, 2014, and February 6, 2014, this Office notified Jenna R. Childs by certified mail, and required that she respond to the investigation conducted by this Office regarding her felony while commissioned as a Florida notary public; and

WHEREAS, during the investigation by this Office, it was discovered that Jenna R. Childs had moved from the address on file and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, to date, this Office has not received the required response from Jenna R. Childs; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Jenna R. Childs be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Jenna R. Childs is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Jenna R. Childs is commissioned as a Florida notary public from March 30, 2012, through March 29, 2016.

C. Jenna R. Childs was convicted of a felony in Hernando County in 2012, while commissioned as a Florida notary public.

D. Jenna R. Childs failed to notify the Department of State of the change to her criminal history record following her felony conviction in Hernando County in 2012, as required by section 117.01(2), Florida Statutes.

E. Jenna R. Childs failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

F. Jenna R. Childs refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Jenna R. Childs is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Childs, Jenna R.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Jenna R. Childs.

By Executive Order Number 14-114 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Jenna R. Childs as a Notary Public alleging that she had been convicted on or about November 20, 2012, of Grand Theft, a third degree felony pursuant to Section 812.014(2)(c)1., Florida Statutes. The Executive Order also alleges that she failed to notify the Department of State of the conviction and her change of address as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Jenna R. Childs by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Childs that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Ms. Childs failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Jenna R. Childs from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-92
(Executive Order of Suspension)

WHEREAS, Lori J. Gulden, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Lori J. Gulden for notary misconduct from the State of Florida Commission on Ethics, and thereafter initiated an investigation of the reported violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, in response to the investigation conducted by the State of Florida Commission on Ethics, Lori J. Gulden admitted that she notarized the signature of an individual without the signatory in her presence, in violation of section 117.107(9), Florida Statutes; and

WHEREAS, based upon the above-stated violation of the presence requirement, Lori J. Gulden made a false or fraudulent acknowledgment by stating the absent party appeared before her at the time of the notarization of the document, in violation of section 117.105, Florida Statutes; and

WHEREAS, on January 15, 2014, this Office notified Lori J. Gulden by certified mail of the investigation of notary misconduct, and required that she provide a sworn written response to the above-stated reported violations; and

WHEREAS, to date, Lori J. Gulden has not cooperated with, or responded to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Lori J. Gulden be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Lori J. Gulden is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Lori J. Gulden is commissioned as a Florida notary public from March 4, 2013, through March 3, 2017.

C. Lori J. Gulden notarized a document when the signer was not in her presence at the time of the notarization, in violation of section 117.107(9), Florida Statutes.

D. Lori J. Gulden made a false or fraudulent acknowledgment of the instrument being notarized, in violation of section 117.105, Florida Statutes.

E. Lori J. Gulden refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Lori J. Gulden is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 18th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 18, 2014.]

The Honorable Andy Gardiner
 President of the Senate
 409, The Capitol
 Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
 Gulden, Lori J.
 Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Lori J. Gulden.

By Executive Order Number 14-92 filed with the Secretary of State on March 18, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Lori J. Gulden as a Notary Public alleging that a complaint had been received that she had committed notarial misconduct. Ms. Gulden admitted that she notarized the signature of an individual without the signatory in her presence in violation of Section 117.107(9), Florida Statutes. It is further alleged that she made a false or fraudulent acknowledgment by stating the absent party was present in violation of Section 117.105, Florida Statutes. The Executive Order further alleges that she was notified that she was required to submit a sworn written response to the violations and that she has failed to cooperate or respond to the investigation.

By letter dated March 5, 2015, the Committee attempted to notify Lori J. Gulden by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Gulden that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Ms. Gulden failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Lori J. Gulden from the office of Notary Public.

Sincerely,
 Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-116
 (Executive Order of Suspension)

WHEREAS, Michael John Lee is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about February 14, 2013, Michael John Lee was convicted in the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, in case number 2012CF006834, of one count of Possession of Cocaine, a third-degree felony in violation of section 893.13(6)(a), Florida Statutes; and

WHEREAS, Michael John Lee failed to notify the Department of State of the above-stated change to his criminal history record during his commission as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 10, 2014, this Office notified Michael John Lee by certified mail, and required that he respond to the investigation by this Office of his felony conviction that occurred while commissioned as a Florida notary public; and

WHEREAS, to date, this Office has not received the required response from Michael John Lee; and

WHEREAS, during the investigation by this Office, it was discovered that Michael John Lee had moved from the address under which he was commissioned and had failed to notify the Department of State of his change of address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Michael John Lee be immediately suspended from the public office, which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Michael John Lee is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Michael John Lee is commissioned as a Florida notary public from October 24, 2012, through October 23, 2016.

C. Michael John Lee failed to notify the Department of State of the change to his criminal history record following his felony conviction in Hillsborough County in 2013, as required by section 117.01(2), Florida Statutes.

D. Michael John Lee was convicted of a felony in Hillsborough County in 2013, while commissioned as a Florida notary public.

E. Michael John Lee failed to notify the Department of State within 60 days of his change of address, in violation of section 117.01(2), Florida Statutes.

F. Michael John Lee refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Michael John Lee is suspended from the public office which he now holds: Notary Public of the State of Florida.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
 GOVERNOR



ATTEST:
 Ken Detzner
 SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
 President of the Senate
 409, The Capitol
 Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
 Lee, Michael John
 Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Michael John Lee.

By Executive Order Number 14-116 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Michael John Lee as a Notary Public alleging that he had been convicted on or about February 14, 2013, of Possession of Cocaine, a third degree felony pursuant to Section 893.13(6)(a), Florida Statutes. The Executive Order also alleges that he failed to notify the Department of State of the conviction and an address change as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Michael John Lee by certified mail that he had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Mr. Lee that if he failed to respond and request a hearing within that timeframe he would be deemed to have waived his right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Mr. Lee failed to request a hearing within 30 days of the date of the letter, he has waived his right to contest the allegations against him.

Based on the foregoing, I advise and recommend that the Senate remove Michael John Lee from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-107
(Executive Order of Suspension)

WHEREAS, Cherie Shannon Smith is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about February 12, 2009, Cherie Shannon Smith was convicted in the circuit court of the Seventh Judicial Circuit in and for Volusia County, in case number 2008CF033805, of Uttering a Forgery, a third degree felony in violation of section 831.02, Florida Statutes; and

WHEREAS, Cherie Shannon Smith failed to disclose her prior felony conviction, as required, on her sworn application for appointment as a Florida notary public, dated May 14, 2012; and

WHEREAS, by refusing to disclose her prior felony conviction, as required, Cherie Shannon Smith made a material false statement on the sworn application for appointment as a Florida notary public, for which the Governor may suspend her commission under section 117.01(4)(a), Florida Statutes; and

WHEREAS, by making a material false statement on the sworn notary application, Cherie Shannon Smith appears to be in violation of sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, on January 10, 2014, January 29, 2014, and February 6, 2014, this Office notified Cherie Shannon Smith by certified mail, and required that she respond to the investigation by this Office of the felony conviction that she failed to disclose on her sworn notary application; and

WHEREAS, during the investigation by this Office, it was discovered that Cherie Shannon Smith had moved from the address under which she is commissioned and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Cherie Shannon Smith be immediately suspended from the

public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Cherie Shannon Smith is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Cherie Shannon Smith is commissioned as a Florida notary public from May 18, 2012, through May 17, 2016.

C. Cherie Shannon Smith made a material false statement on the sworn notary public application submitted on May 14, 2012.

D. Cherie Shannon Smith failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Cherie Shannon Smith is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Smith, Cherie Shannon
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Cherie Shannon Smith.

By Executive Order Number 14-107 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Cherie Shannon Smith as a Notary Public alleging that she had been convicted of Uttering a Forgery, a third degree felony in violation of Section 831.02, Florida Statutes. The Executive Order further alleges that she failed to disclose her conviction on her subsequent application for appointment as a Notary Public and, by doing so, made a false statement on her application, for which the Governor may suspend her pursuant to Section 117.01(4)(a), Florida Statutes. It is alleged that by making a material false statement, she appears to have committed perjury by false written declaration in violation of Sections 92.525(2) and (3), Florida Statutes. Finally, it is alleged that she failed to update her address as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Cherie Shannon Smith by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Smith that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Ms. Smith failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Cherie Shannon Smith from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-112
(Executive Order of Suspension)

WHEREAS, Giancarlo Tommasello is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about January 22, 2013, Giancarlo Tommasello was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, in case number 2012CF009361, of Felony Battery, a third-degree felony in violation of section 784.041, Florida Statutes; and

WHEREAS, Giancarlo Tommasello failed to notify the Department of State of the change to his criminal history record following his conviction of the above-stated felony while commissioned as a Florida notary public, as required by section 117.01(2), Florida Statutes; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order a public official for the commission of a felony; and

WHEREAS, on January 9, 2014, and January 29, 2014, this Office notified Giancarlo Tommasello by certified mail, and required that he respond to the investigation by this Office of his felony conviction while commissioned as a Florida notary public; and

WHEREAS, to date, this Office has not received the required response from Giancarlo Tommasello; and

WHEREAS, during the investigation by this Office, it was discovered that Giancarlo Tommasello had moved from the address on file and had failed to notify the Department of State of the change in his address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Giancarlo Tommasello be immediately suspended from the public office, which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Giancarlo Tommasello a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
- B. Giancarlo Tommasello is commissioned as a Florida notary public from February 2, 2012, through February 1, 2016.
- C. Giancarlo Tommasello was convicted of a felony in Orange County in 2013, while commissioned as a Florida notary public.
- D. Giancarlo Tommasello failed to notify the Department of State of the change to his criminal history record following his conviction in Orange County in 2013, as required by section 117.01(2), Florida Statutes.

E. Giancarlo Tommasello refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Giancarlo Tommasello is suspended from the public office which he now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Tommasello, Giancarlo
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Giancarlo Tommasello.

By Executive Order Number 14-112 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Giancarlo Tommasello as a Notary Public alleging that he had been convicted of Felony Battery, a third degree felony in violation of Section 784.041, Florida Statutes. The Executive Order further alleges that he failed to notify the Department of State of the change to his criminal history as required by Section 117.01(2), Florida Statutes. It is also alleged that he did not respond to the investigation. Finally, it is alleged that he failed to update his address as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Giancarlo Tommasello by certified mail that he had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Mr. Tommasello that if he failed to respond and request a hearing within that timeframe he would be deemed to have waived his right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Mr. Tommasello failed to request a hearing within 30 days of the date of the letter, he has waived his right to contest the allegations against him.

Based on the foregoing, I advise and recommend that the Senate remove Giancarlo Tommasello from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-134
(Executive Order of Suspension)

WHEREAS, Mercedes Martinez is presently serving as a Notary Public of the State of Florida; and

WHEREAS, the Executive Office of the Governor received a complaint against Mercedes Martinez for notary misconduct; and

WHEREAS, the complaint alleges that Mercedes Martinez notarized a signature without the presence of the signator in violation of section 117.107(9), Florida Statutes, and that Mercedes Martinez notarized a signature without personally knowing or obtaining the satisfactory evidence that the person whose signature was to be notarized was in fact that person in violation of section 117.05(5), Florida Statutes; and

WHEREAS, correspondence was sent to Mercedes Martinez on March 16, 2012, April 12, 2012, and May 22, 2012, requesting that she respond to the allegations; and

WHEREAS, Mercedes Martinez's failure to respond to these allegations is a violation of section 117.01(4)(c), Florida Statutes; and

WHEREAS, it is in the best interest of the residents of the State of Florida, that Mercedes Martinez be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to section 117.01(4)(c), Florida Statutes, issue the following Executive Order, effective immediately:

Section 1. Mercedes Martinez is suspended from the public office of Notary Public.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 28th day of May, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Martinez, Mercedes
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Mercedes Martinez.

By Executive Order Number 13-134 filed with the Secretary of State on May 28, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Mercedes Martinez as a Notary Public alleging: that a complaint was filed against Mercedes Martinez which alleged that she notarized a signature without the presence of the signator; that the complaint also alleged that she notarized a signature without personally knowing or obtaining satisfactory evidence that the person whose signature was to be notarized was in fact that person; and the Executive Order further alleged that she failed to respond to the alleged complaint in violation of s. 117.01(4)(c), Florida Statutes. By letters dated December 20, 2013, and February 27, 2015, the Committee notified Mercedes Martinez by certified mail that she had a right to a hearing if requested within 30 days

of the date of the letter. The letter also notified Mercedes Martinez that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. The Committee did not receive a return receipt nor was the parcel returned by the U.S. Postal Service. After confirming Ms. Martinez's address with the Executive Office of the Governor, the Committee attempted a final time to send a letter to Ms. Martinez via certified mail on January 21, 2016. That letter was returned to the Committee marked "Unclaimed/Max Hold Time Expired." The Committee did not receive a response or a request for a hearing within 30 days from the date of the letter.

In light of the foregoing, we find that Ms. Mercedes Martinez has not responded to the allegations, has not accepted certified mailing from the Committee, and has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Mercedes Martinez from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-259
(Executive Order of Suspension)

WHEREAS, Sherri Owens, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Sherri Owens for notary misconduct; and

WHEREAS, the complainant states that Sherri Owens notarized a document outside the geographical bounds of the State of Florida and did not complete a notarial certificate with all of the required information, in violation of sections 117.01(1) and 117.05(4)(a)-(h), Florida Statutes; and

WHEREAS, on July 19, 2013, after Sherri Owens confirmed the above stated violations, this Office required the immediate resignation of Sherri Owens from her commission as a notary public, pursuant to section 117.01(5)(b), Florida Statutes; and

WHEREAS, to date, this Office has not received the required resignation of Sherri Owens; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Sherri Owens be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Sherri Owens is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Sherri Owens is commissioned as a Florida notary public from September 7, 2012, through September 6, 2016.

C. Sherri Owens notarized a document outside the boundaries of the state, in violation of section 117.01(1), Florida Statutes.

D. Sherri Owens failed to complete a notarial certificate with all of the required information, in violation of section 117.05(4), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Sherri Owens is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Sherri Owens is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which period

shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 11th day of September, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Owens, Sherri
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Sherri Owens.

By Executive Order Number 13-259 filed with the Secretary of State on September 11, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Sherri Owens as a Notary Public alleging that a complaint was filed against her alleging that she notarized a document outside of the State of Florida and that she did not complete a notarial certificate with all required information in violation of Sections 117.01(1) and 117.05(4)(a)-(h), Florida Statutes. The Executive Order also alleges that she confirmed the alleged violations and that her resignation was demanded by the Executive Office of the Governor. Ms. Owens did not resign as required by Section 117.01(5)(b), Florida Statutes. By letters dated December 20, 2013, and March 5, 2015, the Committee attempted to notify Sherri Owens by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Sherri Owens that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. Both letters were returned to the Committee by the U.S. Postal Service marked "Forward Time Exp Return to Sender." Upon learning of a possible new address for Ms. Owens, the Committee again attempted to notify her of her right to a hearing via letter dated January 21, 2016. That attempt was also unsuccessful.

In light of Ms. Owens' admission to the allegations, her failure to respond to the Governor's demand for her resignation, and her failure to accept or respond to certified mail on three occasions from the Committee, we find that Ms. Owens has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Sherri Owens from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-274
(Executive Order of Suspension)

WHEREAS, Heather Brown, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Heather Brown for notary misconduct; and

WHEREAS, the complainant states Heather Brown notarized an incomplete or blank document, and failed to include a proper notarial certificate on the notarized document, in violation of sections 117.107(10), and 117.05(4)(f) and (i), Florida Statutes; and

WHEREAS, on July 9, 2013, and July 31, 2013, this Office mailed letters to Heather Brown requiring that she provide a sworn written response as part of the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, to date, Heather Brown has not cooperated with, or responded to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, on August 22, 2013, this Office required Heather Brown's immediate resignation from the office of notary public, pursuant to section 117.01(5)(b); and

WHEREAS, to date, this Office not received the required resignation of Heather Brown; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Heather Brown, be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Heather Brown is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
B. Heather Brown is commissioned as a Florida notary public from March 29, 2012, through March 28, 2016.
C. Heather Brown refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Heather Brown is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 19th day of September, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Brown, Heather
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Heather Brown.

By Executive Order Number 13-274 filed with the Secretary of State on September 19, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended

Heather Brown as a Notary Public alleging that a complaint was filed against her that alleges that she notarized an incomplete document and failed to include a proper notarial certificate. The Executive Order further alleges that she has not responded to the investigation or the Governor's demand for her resignation, as required by Section 117.01(5)(b), Florida Statutes. By letters dated December 20, 2013, and March 5, 2015, the Committee attempted to notify Heather Brown by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Heather Brown that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. Both letters were returned to the Committee by the U.S. Postal Service marked "Unclaimed, Unable to Forward." No additional contact information is known.

In light of Ms. Brown's failure to respond to the Governor's investigation and subsequent demand for her resignation, and her failure to accept certified mail on two occasions from the Committee, we find that Ms. Heather Brown has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Heather Brown from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-330
(Executive Order of Suspension)

WHEREAS, Tanya C. Lollie, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, while commissioned as a Florida notary public, Tanya C. Lollie was convicted of public assistance fraud, a third-degree felony, in violation of section 414.39(2), Florida Statutes; and

WHEREAS, Tanya C. Lollie failed to notify the Department of State of the change in her criminal history within 60 days of her conviction, as required by section 117.01(2), Florida Statutes; and

WHEREAS, in March 2013, Tanya C. Lollie submitted a sworn application to renew her commission as a Florida notary public, but failed to disclose her recent criminal history, and thereby made a material false statement on the application, in violation of section 117.01(4)(a), Florida Statutes; and

WHEREAS, by submitting the sworn notary public application with misleading information, Tanya C. Lollie appears to be in violation of sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, on September 18, 2013, this Office mailed correspondence to Tanya C. Lollie requiring that she provide a sworn written response regarding her failure to include the criminal history information in her most recent notary application and her failure to report a change in her criminal history during her previous notary commission; and

WHEREAS, to date, this Office has not received the required sworn response from Tanya C. Lollie; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Tanya C. Lollie be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Tanya C. Lollie is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Tanya C. Lollie is commissioned as a Florida notary public from April 4, 2013, through April 3, 2017.

C. Tanya C. Lollie made a material false statement on the sworn notary public application submitted in March of 2013.

D. Tanya C. Lollie failed to report a change in her criminal history following her 2009 conviction of welfare fraud.

E. Tanya C. Lollie refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Tanya C. Lollie is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of November, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Lollie, Tanya C.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Tanya C. Lollie.

By Executive Order Number 13-330 filed with the Secretary of State on November 25, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Tanya C. Lollie as a Notary Public alleging that, while she was commissioned as a Notary Public, she was convicted of public assistance fraud, a third degree felony in violation of Section 414.39(2), Florida Statutes. The Executive Order further alleges that she failed to disclose the conviction when she reapplied for a Notary Public commission and that such nondisclosure appears to be perjury by false written declaration in violation of Sections 92.525(2) and (3), Florida Statutes. Finally, the Executive Order alleges that she refused to cooperate or respond to an investigation by the Executive Office of the Governor as required by Section 117.01(4)(c), Florida Statutes.

By letter dated December 20, 2013, the Committee attempted to notify Tanya C. Lollie by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. That letter was returned to the Committee by the U.S. Postal Service marked "Unclaimed, Unable to Forward." The Committee sought address confirmation from the Executive Office of the Governor and received a response indicating that the address on file had not changed. The Committee again attempted to notify Ms. Lollie that she had been suspended and had a right to a hearing by letter dated March 5, 2015. That letter was also returned to the Committee by the U.S. Postal Service marked "Unclaimed, Unable to Forward." No additional contact information is known.

In light of Ms. Lollie's failure to disclose her criminal history, her failure to respond to the Governor's demand for a response, and her failure to accept or respond to certified mail on two occasions from the

Committee, we find that Ms. Lollie has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Tanya C. Lollie from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-63
(Executive Order of Suspension)

WHEREAS, Angela Harris, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Angela Harris for notary misconduct, and thereafter initiated an investigation of alleged violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, on December 9, 2013, and January 6, 2014, this Office notified Angela Harris by certified mail of the investigation conducted by this Office, and required that she provide a sworn written response addressing the complaint of notary misconduct; and

WHEREAS, to date, Angela Harris has refused to cooperate with, or respond to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Angela Harris, be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Angela Harris is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Angela Harris is commissioned as a Florida notary public from January 30, 2013, through January 29, 2017.

C. Angela Harris refused to cooperate with or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Angela Harris is suspended from the public office which she now holds: Notary Public of the State of Florida.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 12th day of February, 2014.

Rick Scott
GOVERNOR



ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Harris, Angela
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Angela Harris.

By Executive Order Number 14-63 filed with the Secretary of State on February 12, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Angela Harris as a Notary Public alleging a complaint was received alleging violations of the laws governing Notaries Public. The Executive Order alleges that Ms. Harris was notified by certified mail and required a sworn written response to the allegations from her. It is further alleged that she has refused to cooperate with, or respond to, the investigation.

By letter dated February 28, 2014, the Committee attempted to notify Angela Harris by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Harris that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Unclaimed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor and, on January 7, 2015, attempted to notify Ms. Harris of her right to a hearing. That parcel was also returned to the Committee. Finally, by letter dated March 5, 2015, the Committee again attempted to notify Ms. Harris of her right to a hearing. That parcel was also returned to the Committee by the U.S. Postal Service.

In light of Ms. Harris' failure to respond to an investigation by the Executive Office of the Governor and her failure to accept certified mail from this Committee, we find that Ms. Harris has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Angela Harris from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-64
(Executive Order of Suspension)

WHEREAS, Angelic D. Davidson, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Angelic D. Davidson for notary misconduct, and thereafter initiated an investigation of alleged violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, Angelic D. Davidson submitted a sworn written response to this Office on October 29, 2013, admitting that she notarized the challenged document, but failed to fully explain the reported violations of the laws governing notary conduct; and

WHEREAS, on December 4, 2013, and January 6, 2014, this Office notified Angelic D. Davidson by certified mail that the investigation of reported notary misconduct remained active, and required that she provide additional information to explain the remaining allegations; and

WHEREAS, to date, Angelic D. Davidson has refused to cooperate with, or respond to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Angelic D. Davidson, be immediately suspended from the

public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Angelic D. Davidson is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Angelic D. Davidson is commissioned as a Florida notary public from February 27, 2013, through February 26, 2017.

C. Angelic D. Davidson refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Angelic D. Davidson is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 12th day of February, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Davidson, Angelic D.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Angelic D. Davidson.

By Executive Order Number 14-64 filed with the Secretary of State on February 12, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Angelic D. Davidson as a Notary Public alleging a complaint was received alleging violations of the laws governing Notaries Public. The Executive Order alleges that Ms. Davidson was notified by certified mail and that she submitted a sworn response. The Executive Order further alleges that additional information was required of her by the Executive Office of the Governor and that she has refused to cooperate with, or respond to, the additional inquiry, in violation of s. 117.01(4)(c), Florida Statutes.

By letter dated February 28, 2014, the Committee attempted to notify Angelic D. Davidson by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Davidson that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Unclaimed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor

and, on February 27, 2015, attempted to notify Ms. Davidson of her right to a hearing. That parcel was also returned to the Committee marked "Unclaimed, Unable to Forward." No additional contact information is known.

In light of Ms. Davidson's failure to respond to an investigation by the Executive Office of the Governor and her failure to accept certified mail from this Committee, we find that Ms. Davidson has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Angelic D. Davidson from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-71
(Executive Order of Suspension)

WHEREAS, Lauri Christensen, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about September 18, 2012, Lauri Christensen was convicted in the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, in case number 2011CF023237, of one count of Burglary of an Unoccupied Dwelling, a third-degree felony in violation of section 810.02(4)(a), Florida Statutes, and one count of Possession of Burglary Tools, a third-degree felony in violation of section 810.06, Florida Statutes; and

WHEREAS, on or about September 18, 2012, Lauri Christensen was convicted in the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, in case number 2012CF007194, of one count of Burglary of an Unoccupied Dwelling, a third-degree felony in violation of section 810.02(4)(a), Florida Statutes; and

WHEREAS, on or about September 18, 2012, Lauri Christensen was convicted in the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, in case number 2012CF007836, of one count of Burglary of an Unoccupied Dwelling, a third-degree felony in violation of section 810.02(4)(a), Florida Statutes; and

WHEREAS, Lauri Christensen failed to notify the Department of State of the above-stated changes to her criminal history record while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 9, 2014, this Office notified Lauri Christensen by certified mail, and required that she respond to the investigation by this Office of the felony convictions that occurred while commissioned as a Florida notary public; and

WHEREAS, during the investigation conducted by this Office, it was discovered that Lauri Christensen had moved from the address listed on file for her notary commission and failed to notify the Department of State of the change to her contact information within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, to date, this Office has not received the required response from Lauri Christensen; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by Executive Order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Lauri Christensen be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follow:

A. Lauri Christensen is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Lauri Christensen is commissioned as a Florida notary public from December 29, 2010, through December 28, 2014.

C. Lauri Christensen was convicted of four separate felonies in Pinellas County in 2012, while commissioned as a Florida notary public.

D. Lauri Christensen failed to notify the Department of State of the changes to her criminal history record following the felony convictions in Pinellas County in 2012, as required by section 117.01(2), Florida Statutes.

E. Lauri Christensen failed to notify the Department of State of the changes to her contact information, as required by section 117.01(2), Florida Statutes.

F. Lauri Christensen refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Lauri Christensen is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of February, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Christensen, Lauri
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Lauri Christensen.

By Executive Order Number 14-71 filed with the Secretary of State on February 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Lauri Christensen as a Notary Public alleging that she had been convicted of three separate counts of Burglary of an Unoccupied Dwelling, a third degree felony in violation of Section 810.02(4)(a), Florida Statutes; and one count of Possession of Burglary Tools, a third degree felony in violation of Section 810.06, Florida Statutes. The Executive Order alleges that Ms. Christensen failed to notify the Department of State of her change in criminal history; a change of address; and failed to respond to the investigation as required by Section 117.01, Florida Statutes. A review of the Pinellas County Clerk of Court's website indicates that Ms. Christensen was convicted of at least three of the aforementioned felonies.

By letter dated February 28, 2014, the Committee attempted to notify Lauri Christensen by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Christensen that if she failed to respond and request a hearing

within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Not Deliverable as Addressed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor and, on January 7, 2015, attempted to notify Ms. Christensen of her right to a hearing. That parcel was returned to the Committee marked "Unclaimed, Unable to Forward" by the U.S. Postal Service. No additional contact information is known.

In light of Ms. Christensen's felony convictions, her failure to respond to an investigation by the Executive Office of the Governor, and her failure to accept certified mail from this Committee, we find that Ms. Christensen has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Lauri Christensen from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-72
(Executive Order of Suspension)

WHEREAS, Kesia Velez, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about January 7, 2011, Kesia Velez was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, in case number 2009CF018540, of one count of Grand Theft (more than \$20,000, less than \$100,000), a second-degree felony in violation of section 812.014(2)(b)2., Florida Statutes, and one count of Obtaining Property by Fraud (more than \$20,000, less than \$50,000), a second-degree felony in violation of section 817.034(4)(a)2., Florida Statutes; and

WHEREAS, on or about October 23, 2012, Kesia Velez was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, of Grand Theft (more than \$300, less than \$5,000), a third-degree felony in violation of section 812.014(2)(c)1., Florida Statutes; and

WHEREAS, Kesia Velez failed to notify the Department of State of the above-stated changes to her criminal history record during her commission as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 16, 2014, this Office notified Kesia Velez by certified mail of the investigation by this Office of the above-stated matters, and required that she provide a written response explaining her failure to notify the Department of State of the changes in her criminal history while commissioned as a Florida notary public; and

WHEREAS, to date, this Office has not received the required response from Kesia Velez; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by Executive Order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Kesia Velez be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Kesia Velez is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Kesia Velez is commissioned as a Florida notary public from March 3, 2013, through March 2, 2017.

C. Kesia Velez was convicted of two felonies in Orange County in 2011, while commissioned as a Florida notary public.

D. Kesia Velez was convicted of a felony in Orange County in 2012, while commissioned as a Florida notary public.

E. Kesia Velez failed to notify the Department of State of the changes to her criminal history record following her felony convictions in Orange County in 2011 and 2012, as required by section 117.01(2), Florida Statutes.

F. Kesia Velez refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Kesia Velez is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of February, 2014.

Rick Scott
GOVERNOR

ATTEST:

Ken Detzner

SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Velez, Kesia
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Kesia Velez.

By Executive Order Number 14-72 filed with the Secretary of State on February 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Kesia Velez as a Notary Public alleging that she had been convicted of Grand Theft (more than \$20,000, less than \$100,000), a second degree felony in violation of Section 812.014(2)(b)2., Florida Statutes; one count of Grand Theft (more than \$300, less than \$5,000), a third degree felony in violation of Section 812.014(2)(c)1., Florida Statutes; and, one count of Obtaining Property by Fraud (more than \$20,000, less than \$50,000), a second degree felony in violation of Section 817.034(4)(a)2., Florida Statutes. The Executive Order alleges that Ms. Velez failed to notify the Department of State of her change in criminal history; a change of address; and failed to respond to the investigation as required by Section 117.01(4)(c), Florida Statutes. A review of the Orange County Clerk of Court's website indicates that Ms. Velez was convicted of the aforementioned felonies.

By letter dated February 28, 2014, the Committee attempted to notify Kesia Velez by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Velez that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Unclaimed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor and, on January 7, 2015, attempted to notify Ms. Velez of her right to a

hearing. That parcel was also returned to the Committee marked "Attempted-Not Known, Unable to Forward" by the U.S. Postal Service. No additional contact information is known.

In light of Ms. Velez's felony convictions, her failure to respond to an investigation by the Executive Office of the Governor, and her failure to accept certified mail from this Committee, we find that Ms. Velez has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Kesia Velez from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-113
(Executive Order of Suspension)

WHEREAS, Erin M. Horton is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about November 1, 2012, Erin M. Horton was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, in case number 2012CF002477, of one count of Grand Theft (more than \$20,000, less than \$100,000), a second-degree felony in violation of section 812.014(2)(b)1., Florida Statutes; and

WHEREAS, Erin M. Horton failed to notify the Department of State of the above-stated change to her criminal history record during her commission as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 10, 2014, and January 16, 2014, this Office notified Erin M. Horton by certified mail, and required that she respond to the investigation by this Office of the felony conviction that occurred while commissioned as a Florida notary public; and

WHEREAS, in a written response dated February 10, 2014, Erin M. Horton confirmed the above-referenced felony conviction; and

WHEREAS, during the investigation by this Office, it was discovered that Erin M. Horton had moved from the address under which she was commissioned and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Erin M. Horton be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Erin M. Horton is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Erin M. Horton is commissioned as a Florida notary public from March 16, 2012, through March 15, 2016.

C. Erin M. Horton was convicted of a felony in Orange County in 2012, while commissioned as a Florida notary public.

D. Erin M. Horton failed to notify the Department of State of the change to her criminal history record following her felony conviction in Orange County in 2012, as required by section 117.01(2), Florida Statutes.

E. Erin M. Horton failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Erin M. Horton is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Horton, Erin M.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Erin M. Horton.

By Executive Order Number 14-113 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Erin M. Horton as a Notary Public alleging that she had been convicted on or about November 1, 2012, of Grand Theft of more than \$20,000, but less than \$100,000, a second degree felony pursuant to s. 812.014(2)(b) 1., Florida Statutes. The Executive Order also alleges that she failed to notify the Department of State of the conviction and her change of address as required by s. 117.01(2), Florida Statutes. Although adjudication was withheld, the Executive Order alleges that she committed a felony and that she "confirmed the above-referenced conviction." By letters dated January 7, 2015, and March 5, 2015, the Committee attempted to notify Ms. Horton by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Erin M. Horton that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. Those letters were returned to the Committee as undeliverable. Upon learning of a possible new address for Ms. Horton, the Committee sent a final notice letter to the new address on January 21, 2016. That letter was returned to the Committee as "Refused."

In light of the foregoing, we find that Ms. Horton failed to update her criminal history, has also refused correspondence from the Committee, and has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Erin M. Horton from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-91
(Executive Order of Suspension)

WHEREAS, Huberta Rejouis, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about January 31, 2014, Huberta Rejouis was convicted in the Circuit Court of the Tenth Judicial Circuit, in and for Polk County, in case number 2013CF008245, of one count of Burglary of an Unoccupied Conveyance, a third-degree felony in violation of section 810.02(4)(b), Florida Statutes, and one count of Grand Theft (more than \$20,000, less than \$100,000), a second-degree felony in violation of section 812.014(2)(b), Florida Statutes, and one count of Uttering a Forged Instrument, a third-degree felony in violation of section 831.02, Florida Statutes, and one count of Fraudulent Use or Possession with Intent to Fraudulently Use Personal Identification Information of a Deceased Individual, a third-degree felony in violation of section 817.568(8)(a), Florida Statutes, and one count of False or Fraudulent Acknowledgment as a Notary Public, a third-degree felony, in violation of section 117.1054(2)(b), Florida Statutes; and

WHEREAS, Huberta Rejouis, failed to notify the Department of State of the above-stated changes to her criminal history record following her felony convictions while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by Executive Order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Huberta Rejouis be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Huberta Rejouis is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
B. Huberta Rejouis is commissioned as a Florida notary public from March 27, 2013, through March 26, 2017.
C. Huberta Rejouis was convicted of five separate felonies in Polk County in 2013, while commissioned as a Florida notary public.

D. Huberta Rejouis failed to notify the Department of State of the changes to her criminal history record following the felony convictions in Polk County in 2013, as required by section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Huberta Rejouis is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 18th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections
March 18, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

RE: Suspension of:
REJOUIS, Huberta
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Huberta Rejouis.

By Executive Order Number 14-91 filed with the Secretary of State on March 18, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Huberta Rejouis as a Notary Public alleging that she had been convicted on or about January 31, 2014, of the following charges:

- Burglary of an unoccupied Conveyance (3rd degree felony pursuant to s. 810.02(4)(b), Florida Statutes);
- Grand Theft (2nd degree felony pursuant to s. 812.014(2)(b), Florida Statutes);
- Uttering a Forged Instrument (3rd degree felony pursuant to s. 831.02, Florida Statutes);
- Fraudulent Use of Possession with Intent to Fraudulently Use Personal Identification Information of a Deceased Individual (3rd degree felony pursuant to s. 817.538(8)(a), Florida Statutes); and
- False or Fraudulent Acknowledgment as a Notary Public (3rd degree felony pursuant to s. 117.105, Florida Statutes).

The Executive Order also alleges that she failed to notify the Department of State of the convictions as required by s. 117.01(2), Florida Statutes. The convictions were confirmed through the Polk County Clerk of Court's and the Florida Department of Corrections' websites.

Because Ms. Rejouis was convicted of a felony, she is ineligible to hold the office of Notary Public unless or until her civil rights have been restored. A convicted felon may not have his or her rights restored until at least 5 years after the completion of any sentence imposed by the court. Ms. Rejouis' notary commission will expire on March 26, 2017. In light of the foregoing, Ms. Rejouis would not be eligible to apply for restoration of rights until after the expiration of her commission as a notary public.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2016 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-154
(Executive Order of Suspension)

WHEREAS, Jacqueline Johnson is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Jacqueline Johnson for notary misconduct, and thereafter initiated an investigation of alleged violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, the complainant, Detective Nephtali Sepulveda, Jr., of the Hillsborough County Sheriff's Office, reported he was investigating the execution of two quit claim deeds containing forged signatures of the property owners that were notarized by Jacqueline Johnson on May 16, 2013, and which resulted in the theft of the property owners' home by sale without their knowledge or consent; and

WHEREAS, Jacqueline Johnson submitted a sworn written response to this Office on February 12, 2014, admitting that she notarized the

challenged documents without the purported signing parties in her presence, in violation of section 117.107(9), Florida Statutes; and

WHEREAS, by notarizing the signatures of parties not in her presence, Jacqueline Johnson took a false or fraudulent acknowledgment of the challenged instruments as a notary public, in violation of section 117.105, Florida Statutes; and

WHEREAS, during the investigation by this Office, it was discovered that Jacqueline Johnson had moved from the address on file and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Jacqueline Johnson, be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Jacqueline Johnson is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Jacqueline Johnson commissioned as a Florida notary public from September 14, 2012, through September 13, 2016.

C. Jacqueline Johnson notarized the challenged documents without the signing parties in her presence at the time of the notarization, in violation of section, 117.107(9), Florida Statutes.

D. Jacqueline Johnson took a false or fraudulent acknowledgment of the challenged documents as a notary public, in violation of section 117.105, Florida Statutes.

E. Jacqueline Johnson failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Jacqueline Johnson is suspended from the public office which she now holds: Notary Public of the State of Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 2nd day of May, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections
May 2, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

RE: Suspension of:
JOHNSON, Jacqueline
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Jacqueline Johnson.

By Executive Order Number 14-154 filed with the Secretary of State on May 2, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Jacqueline Johnson as a Notary Public alleging that she had notarized a signature without the presence of the signator in violation of s. 117.107(9), Florida Statutes, and that such action was a false or fraudulent acknowledgment, in violation of s. 117.105, Florida Statutes. Additionally, it is alleged that she failed to report a change in her address in violation of s. 117.01(2), Florida Statutes. By letter dated February 9, 2016, Ms. Jacqueline Johnson resigned from the office of Notary Public.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2016 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Garrett Richter, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 37, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Finance & Tax Committee and Representative(s) Costello, Miller, Artiles, Burgess, Cortes, B., Eagle, Mayfield, Renner, Roberson, K., Spano, Sprowls—

CS for CS for HB 37—A bill to be entitled An act relating to direct primary care; creating s. 624.27, F.S.; providing definitions; specifying that a direct primary care agreement does not constitute insurance and is not subject to the Florida Insurance Code, including chapter 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to the code; providing that a certificate of authority is not required to market, sell, or offer to sell a direct primary care agreement; specifying criteria for a direct primary care agreement; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 43, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Plakon, Cortes, B., Artiles, Baxley, Broxson, Costello, Drake, Fant, Gonzalez, Harrison, Hill, Mayfield, Moraitis, Stone, Sullivan, Van Zant—

HB 43—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 85 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Fitzenhagen, Renner—

HB 85—A bill to be entitled An act relating to recovery care services; amending s. 395.001, F.S.; providing legislative intent regarding recovery care centers; amending s. 395.002, F.S.; revising and providing definitions; amending s. 395.003, F.S.; including recovery care centers as facilities licensed under chapter 395, F.S.; creating s. 395.0171, F.S.; providing admission criteria for a recovery care center; requiring emergency care, transfer, and discharge protocols; authorizing the Agency for Health Care Administration to adopt rules; amending s. 395.1055, F.S.; authorizing the agency to establish separate standards for the care and treatment of patients in recovery care centers; amending s. 395.10973, F.S.; directing the agency to enforce special-occupancy provisions of the Florida Building Code applicable to recovery care centers; amending s. 395.301, F.S.; providing for format and content of a patient bill from a recovery care center; amending s. 408.802, F.S.; providing applicability of the Health Care Licensing Procedures Act to recovery care centers; amending s. 408.820, F.S.; exempting recovery care centers from specified minimum licensure requirements; amending ss. 394.4787 and 409.975, F.S.; conforming cross-references; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 139 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Health Quality Subcommittee and Representative(s) Cummings, Adkins, Artiles, Berman, Bracy, Broxson, Burgess, Campbell, Clarke-Reed, Combee, Cortes, B., Cortes, J., Costello, Cruz, Drake, DuBose, Dudley, Fresen, Fullwood, Gaetz, Geller, Hill, Jenne, Jones, M., Jones, S., Latvala, Moraitis, Moskowitz, Murphy, Narain, Pafford, Peters, Plakon, Plasencia, Richardson, Rodriguez, J., Santiago, Slosberg, Stark, Steube, Stevenson, Tobia, Torres, Trumbull, Watson, C., Williams, A.—

CS for CS for HB 139—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; providing definitions; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; limiting the number of new dental care access accounts established per fiscal year; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; authorizing the department to distribute state funds to accounts, subject to legislative appropriation; authorizing the department to accept contributions from local sources for deposit in designated accounts; limiting the number of years that an account may remain open; providing for the immediate closure of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time; requiring the department to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account;

requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank shortage areas and medically underserved areas; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; requiring rulemaking for the submission of information for such reporting; providing an appropriation and authorizing a position; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 221, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Appropriations Committee, Insurance & Banking Subcommittee and Representative(s) Trujillo, Adkins, Artiles, Mayfield, O'Toole, Stark—

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 259 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Civil Justice Subcommittee, Children, Families & Seniors Subcommittee and Representative(s) Rodrigues, R., Artiles—

CS for CS for CS for HB 259—A bill to be entitled An act relating to the temporary care of a child; creating s. 409.1761, F.S.; providing legislative findings; authorizing qualified nonprofit organizations to establish programs to provide temporary respite care for children; defining terms; providing registration and recordkeeping requirements for such organizations and the Department of Children and Families; exempting such organizations from specified licensure requirements; providing background screening requirements for certain persons; authorizing a parent or legal guardian to enter into a contract for care to provide temporary respite care for a child; specifying the form and execution of the contract; authorizing inspection of documents by the department; prohibiting certain children from obtaining such care; authorizing the department to refer a child for such care; providing applicability; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 373 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Quality Subcommittee and Representative(s) Burgess, Artiles, Avila, Plasencia—

CS for HB 373—A bill to be entitled An act relating to mental health counseling interns; amending s. 491.0045, F.S.; revising mental health intern registration requirements; revising requirements for supervision of registered interns; deleting specified education and experience requirements; establishing a validity period and providing for expiration of intern registrations; amending s. 491.005, F.S.; requiring a licensed mental health professional to be on the premises when a registered intern provides services in clinical social work, marriage and family therapy, and mental health counseling; deleting a clinical experience requirement for such registered interns; deleting a provision requiring that certain registered interns meet educational requirements for licensure; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 375, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Steube, Fresen, Peters, Van Zant—

CS for HB 375—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; deleting provisions related to examination by the Department of Health; amending s. 459.022, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 423, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Pigman, Campbell, Combee, Fresen, Latvala, Raschein, Rouson, Van Zant—

HB 423—A bill to be entitled An act relating to drug prescription by advanced registered nurse practitioners and physician assistants; providing a short title; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy or state pilot; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances to an advanced registered nurse practitioner; amending s. 456.44, F.S.; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; expanding the prescribing authority of a licensed physician assistant; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, rather than to monitor and alter drug therapies; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license for or disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or physician assistant is an exception from a prohibition relating to the possession of drugs or narcotics during probation; reenacting s. 310.071(3), F.S., relating to deputy pilot certification, to incorporate the amendment made by the act to s. 310.071, F.S., in a reference thereto; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.347(4)(e) and (9)(c), 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the non-applicability of certain provisions to specified health care practitioners, the prescribing or dispensing of medications by physician assistants, the duties of the Council on Physician Assistants, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, standing orders, and established protocols, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting ss. 464.008(2), 464.009(5), 464.018(2), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate

the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to the exclusion as a defense and nonadmissibility as evidence of voluntary intoxication, to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to the receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 563, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Children, Families & Seniors Subcommittee and Representative(s) Gaetz, Drake, Eagle, Smith, Tobia—

CS for CS for HB 563—A bill to be entitled An act relating to public assistance; amending s. 39.5085, F.S.; revising eligibility guidelines for the Relative Caregiver Program with respect to relative and nonrelative caregivers; amending s. 402.82, F.S.; requiring the Department of Children and Families to impose a replacement fee for electronic benefits transfer cards under certain circumstances; amending s. 414.065, F.S.; revising penalties for noncompliance with the work requirements for temporary cash assistance; limiting the receipt of child-only benefits during periods of noncompliance with work requirements; providing applicability of work requirements before expiration of the minimum penalty period; requiring the Department of Children and Families to refer sanctioned participants to appropriate free and low-cost community services, including food banks; amending s. 414.095, F.S.; revising the consideration of income from illegal noncitizen or ineligible non-citizen family members in determining eligibility for temporary cash assistance; amending s. 445.024, F.S.; requiring the Department of Economic Opportunity, in cooperation with CareerSource Florida, Inc., the regional workforce boards, and the Department of Children and Families, to develop and implement a work plan agreement for participants in the temporary cash assistance program; requiring the plan to identify expectations, sanctions, and penalties for noncompliance with work requirements; reenacting s. 414.045(1), F.S., relating to the cash assistance program, to incorporate the amendment made by the act to s. 414.095, F.S., in a reference thereto; providing a contingent appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 599, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Children, Families & Seniors Subcommittee and Representative(s) Combee, Harrell, Campbell, Eagle, Geller, Perry, Pilon, Pritchett, Rooney—

CS for CS for HB 599—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident rapid response team advisory committee; amending s.

39.402, F.S.; revising information that the Department of Children and Families is required to inform the court of at shelter hearings; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing that a child of a certain age must be given the opportunity to be consulted on the creation of the case plan; providing for the child to select certain case planning team members and permit those team members access to confidential information; providing that the child review, sign, and receive a copy of his or her case plan; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child's 18th birthday; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under chapter 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information which must be included in a specified written report under certain circumstances; revising what must be found to maintain or return a child to his or her home; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S.; revising the definition of the term "care" to include intervention services; amending s. 409.988, F.S.; requiring a continuum of care; requiring specified intervention services; requiring the establishment of permanency teams for certain children; authorizing the department to adopt rules; requiring out-of-home care utilization plans by lead agencies; requiring department tracking of lead agency plans; requiring a report to the Governor and Legislature; amending s. 409.996, F.S.; requiring the department to ensure and develop an adequate array of services; requiring the development of a statewide quality rating system; requiring a report to the Governor and Legislature; amending s. 39.01, F.S.; revising definition of the term "permanency goal"; amending s. 39.202, F.S.; changing the designation of an entity; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 769 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Children, Families & Seniors Subcommittee and Representative(s) Peters, Artilles, Pilon—

CS for CS for HB 769—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; provides for continuation of psychotropic medication by forensic and civil facilities for individuals receiving such medication before admission; amending s. 916.13, F.S.; providing a timeframe within which competency hearings must be held; requiring that a defendant be transported for the hearing; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants who remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; requiring that a defendant be transported for the hearing; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 941, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Gonzalez, Campbell, O'Toole—

CS for CS for HB 941—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming the Office of Minority Health within the department; specifying that the office shall be headed by a Senior Health Equity Officer and prescribing his or her duties; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research program; revising the reporting requirements for certain entities that perform or are associated with cancer research or care; amending s. 381.0034, F.S.; deleting the requirement that applicants making initial application for certain licensure complete certain courses; amending s. 381.7355, F.S.; revising the review criteria for Closing the Gap grant proposals; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer's Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer's Disease Research Program; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 381.877, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a prescription or a non-patient specific standing order for an auto injection delivery system or an intranasal delivery system; prohibiting health care practitioners employed by the pharmacist from issuing a non-patient specific standing order for an emergency opioid antagonist; prohibiting a health care practitioner from receiving remuneration for issuing a non-patient specific standing order for an emergency opioid antagonist; requiring pharmacists dispensing emergency opioid antagonists to provide certain information to the patient or caregiver; amending s. 381.922, F.S.; providing reporting requirements for the Biomedical Research Advisory Council under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; amending s. 382.0255, F.S.; prohibiting a fee for a determination or medical certification of the cause of death under certain provisions; amending s. 384.23, F.S.; revising the factors to be considered in designating a condition as a sexually transmissible disease; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide partner therapy under certain conditions; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time that an emergency medical technician or paramedic certificate may remain in an inactive status; revising the requirements for reactivating and renewing such a certificate; revising eligibility for certification; deleting a requirement that applicants successfully complete a certification examination within a specified timeframe; amending s. 456.013, F.S.; revising course requirements for renewing a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard and the spouse of an active duty military member to be issued a license to practice as a health care practitioner in this state; deleting provisions relating to temporary professional licensure for spouses of active duty members of the United States Armed Forces; creating s. 456.0241, F.S.; providing definitions; providing for issuance of a temporary certificate under certain conditions for certain military health care practitioners; providing for the automatic expiration of the temporary certificate unless renewed; providing for application and renewal fees; requiring the department to adopt rules; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; requiring a person or entity appointed by the board as a custodian of medical records to be approved by the department; authorizing the department to contract with a third party to provide custodial services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain

documentation from applicants; amending s. 458.347, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.009, providing training requirements for pharmacists related to opioid antagonist dispensing; authorizing the department to adopt rules; amending 465.027, F.S.; providing an additional exception to pharmacy regulations for manufacturers of dialysis drugs or supplies; amending s. 465.0275, F.S.; revising the amount of emergency prescription refill authorized to be dispensed by a pharmacist; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; revising accrediting agencies that may approve physical therapy assistant programs for purposes of licensing; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit of certain information; amending ss. 499.028, 893.04, and 921.0022, F.S.; conforming provisions and cross-references; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 977 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Quality Subcommittee and Representative(s) Peters, Bernman, Pilon—

CS for HB 977—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and

459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and nonadmissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 989 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Harrell, Caldwell, Cortes, B., Dudley, Eagle, Fitzenhagen, Gonzalez, Hager, Lee, Magar, Mayfield, Pafford, Pilon, Raschein, Renner, Rodrigues, R., Rodríguez, J., Stevenson, Watson, C., Young—

HB 989—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce discharges to the St. Lucie and Caloosahatchee estuaries; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1061, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Pigman, Campbell, Edwards, Renner, Sprowls—

HB 1061—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the department; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions, to conform; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse's multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with state practice laws; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse's multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information; providing for the development of the system, reporting procedures, and the exchange of

certain information between party states; establishing the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rule-making procedures; providing for state enforcement of the compact; providing for the termination of compact membership; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members or employees of the commission as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain judgments or claims; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1063, as amended, by the required Constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Pigman, Campbell, Sprowls—

HB 1063—A bill to be entitled An act relating to public records and meetings; creating s. 464.0096, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health or the Board of Nursing pursuant to the Nurse Licensure Compact; authorizing disclosure of the information under certain circumstances; providing an exemption from public meeting requirements for certain meetings of the Interstate Commission of Nurse Licensure Compact Administrators; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portion of such a meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1083, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Health & Human Services Committee and Representative(s) Renner, Artilles, Wood—

CS for CS for HB 1083—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising and defining terms; repealing s. 393.0641, F.S., relating to a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring an agency to allow a certain individual to receive such services if the individual's parent or legal guardian is an active-duty military servicemember; requiring the agency to send an annual letter to clients and their guardians or families; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.066, F.S.; providing for the use of an agency data management system; providing requirements for persons or entities under contract with the agency; amending s. 393.0662, F.S.; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client's allocated funds; revising duties of the Agency for Health Care Administration relating to the iBudget system; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring certain intermediate care facilities to comply with certain requests and inspections by the agency; amending s. 393.11, F.S.; providing for annual reviews for persons involuntarily admitted to residential services provided by the agency; requiring the agency to contract with a qualified evaluator; providing requirements for annual reviews; requiring a hearing to be held to consider the results of an annual review; requiring the agency to provide a copy of the review to certain persons; providing a definition; repealing ss. 24 and 26 of chapter 2015-222, Laws of Florida; abrogating the scheduled expiration and reversion of amendments to ss. 393.067(15) and 393.18, F.S.; providing for contingent retroactive operation; reenacting s. 393.067(15), F.S., relating to a provision specifying that the agency is not required to contract with certain licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; providing qualification requirements for the supervisor of the clinical director of a specified licensee; revising the organization and operation of components of such a program; providing for the integration of educational components with the local school district; providing that failure of certain licensees to comply with the terms of a settlement agreement is grounds for discipline; authorizing the agency to approve the admission or readmission of an individual to such a program; amending ss. 383.141 and 1002.385, F.S.; conforming cross-references to changes made by the act; providing an appropriation; providing a contingent appropriation; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1125 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Criminal Justice Subcommittee, Children, Families & Seniors Subcommittee and Representative(s) McBurney, Campbell, Kerner—

CS for CS for CS for HB 1125—A bill to be entitled An act relating to eligibility for employment as child care personnel; amending s. 435.07, F.S.; providing criteria for disqualification from employment for child care personnel; requiring that certain persons who have been granted an exemption from disqualification from child care employment be rescreened by a specified date; providing applicability with respect to specified provisions adopted during the same legislative session; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1175, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee and Representative(s) Sprows, Renner—

CS for CS for HB 1175—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under chapter 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; requiring a licensed facility to post certain payment information regarding defined bundles of services and procedures and other specified consumer information and notifications on its website; requiring a facility to provide a good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding its financial assistance policy to a patient or a prospective patient; providing a penalty for failing to provide such estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; amending s. 395.107, F.S.; defining the term "facility" to mean an urgent care center or a diagnostic-imaging center operated by a licensed hospital but not located on the hospital premises; requiring a facility to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the facility's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis; revising requirements for the collection and use of health-related data by the Agency for Health Care Administration; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes and a state-specific data set available to the public; providing vendor qualifications; requiring the agency to design a patient safety culture survey for hospitals and ambulatory surgical centers licensed under chapter 395, F.S.; requiring the survey to measure certain aspects of a facility's patient safety practices; exempting certain licensed facilities from survey requirements; prohibiting the agency from establishing a certain database without express legislative authority; revising the duties of the members of the State Consumer Health Information and Policy Advisory Council; revising provisions relating to the use of certain fees; revising the agency's rulemaking authority; deleting an obsolete provision; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; amending s. 408.810, F.S.; requiring certain licensed hospitals and ambulatory surgical centers to submit a facility patient safety culture survey to the agency; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a good faith estimate of anticipated charges to a patient upon request within a certain timeframe; providing for disciplinary action and a fine for failure to comply; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain information and a method for policyholders to estimate certain health care services costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to provide notice in insurance policies that certain information is available on its website; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health insurers; requiring that an insurer and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 641.54, F.S.; requiring a health maintenance organization to make certain information available to its subscribers on its website; requiring a health insurer to provide a hyperlink to certain health information on its website; requiring a health maintenance organization that participates in the state group health

insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health maintenance organizations; requiring that a health maintenance organization and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 409.967, F.S.; requiring managed care plans to contribute all Florida claims data to the contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to contribute certain data to the vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to contribute Florida claims data to the contracted vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 400.991, 408.07, 408.18, 408.8065, 408.820, 465.0244, and 627.6499, F.S.; conforming cross-references and provisions to changes made by the act; providing intent of the act; declaring all persons or entities required to submit, receive, or publish data under the act to be acting pursuant to state requirements contained therein; exempting such persons or entities from state anti-trust laws; providing an appropriation and authorizing a position; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1241, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Plasencia, Campbell, Costello—

HB 1241—A bill to be entitled An act relating to the ordering of medication; amending s. 381.887, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a non-patient-specific standing order for an autoinjection delivery system or intranasal application delivery system; amending ss. 458.347 and 459.022, F.S.; revising the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to order medication for administration to a specified patient; amending s. 465.003, F.S.; revising the term "prescription" to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.02, F.S.; revising the term "administer" to include the term "administration"; revising the term "prescription" to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.04, F.S.; conforming provisions to changes made by the act; amending s. 893.05, F.S.; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for a specified patient under certain circumstances; reenacting ss. 400.462(26) and 409.906(18), F.S., relating to the definition of the term "physician assistant" for purposes of the Home Health Services Act and physician assistant services under the Medicaid program, respectively, to incorporate the amendments made by the act to ss. 458.347 and 459.022, F.S., in references thereto; reenacting ss. 401.445(1) and 766.103(3), F.S., relating to emergency examination and treatment of incapacitated persons and the Florida Medical Consent Law, respectively, to incorporate the amendments made by the act to ss. 458.347, 459.022, and 464.012, F.S., in references thereto; reenacting ss. 409.9201(1)(a), 465.014(1), 465.1901, 499.003(43), and 831.30(1), F.S., relating to the definition of "prescription drug" for purposes of Medicaid fraud, the supervision of registered pharmacy technicians, applicability of provisions regulating the practice of orthotics or pedorthics to pharmacists, the definition of the term "prescription drug" for purposes of the Florida Drug and Cosmetic Act, and criminal penalties related to the fraudulent obtaining of medicinal drugs, respectively, to incorporate the amendment made by the act to s. 465.003, F.S., in references thereto; reenacting ss. 458.331(1)(pp), 459.015(1)(rr), 465.015(2)(c) and (3), 465.016(1)(s), 465.022(5)(j), and 465.023(1)(h), F.S., relating to

grounds for disciplinary action by the Board of Medicine or the Board of Osteopathic Medicine, unlawful acts and penalties related to the practice of pharmacy, grounds for denial of a pharmacy permit or disciplinary action against a pharmacy permittee, respectively, to incorporate the amendments made by the act to ss. 465.003 and 893.02, F.S., in references thereto; reenacting ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l), 499.0121(14), 768.36(1)(b), 810.02(3)(f), 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1), 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., relating to the Drug-Free Workplace Act, the compassionate use of low-THC cannabis, drug-free workplace program requirements, reporting of prescription drug distribution, the definition of the term "drug" for purposes of defenses from civil actions related to alcohol or drugs, burglary offenses, penalties for grand theft, the definition of the term "drug" for purposes of offenses related to open house parties, unlawful introduction of certain articles into correctional institutions, county detention facilities, or juvenile detention facilities, the definition of the term "controlled substance" for purposes of exceptional student instruction, and duties of school principals related to student discipline, respectively, to incorporate the amendment made by the act to s. 893.02, F.S., in references thereto; reenacting s. 893.0551(3)(d) and (e), F.S., relating to disclosure by the Department of Health of confidential information in prescription drug monitoring program records, to incorporate the amendments made by the act to ss. 893.04 and 893.05, F.S., in references thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1245 and requests the concurrence of the Senate.

Bob Ward, Clerk

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

CS for HB 1245—A bill to be entitled An act relating to Medicaid provider overpayments; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to certify that a Medicaid provider is out of business and that overpayments made to a provider cannot be collected under state law; amending s. 409.9132, F.S.; revising the method for verifying the delivery of home health services under the home health agency monitoring pilot project; reenacting s. 409.8132(4), F.S., relating to the applicability of certain laws to the Medikids program, to incorporate the amendment made by the act to s. 409.908, F.S., in a reference thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1269, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Innovation Subcommittee and Representative(s) Pigman, Campbell, Rogers—

CS for CS for HB 1269—A bill to be entitled An act relating to adult cardiovascular services; amending s. 408.0361, F.S.; expanding rule-making criteria for the Agency for Health Care Administration for licensure of hospitals performing percutaneous cardiac intervention procedures; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1335 and requests the concurrence of the Senate.

Bob Ward, Clerk

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

CS for HB 1335—A bill to be entitled An act relating to long-term care managed care prioritization; amending s. 409.962, F.S.; providing definitions; amending s. 409.979, F.S.; requiring the Department Elderly Affairs to maintain a statewide wait list for enrollment for home and community-based services through the Medicaid long-term care managed care program; requiring the department to prioritize individuals for potential enrollment using a frailty-based screening tool that provides a priority score; providing for determinations regarding offers of enrollment; requiring screening and certain rescreening by aging resource center personnel of individuals requesting long-term care services from the program; requiring the department to adopt by rule a screening tool; requiring the department to make a specified methodology available on its website; requiring the department to notify applicants of placement on the wait list; requiring the department to document attempts to contact an individual to schedule a screening or rescreening; requiring the department to send a letter to an individual who it is unable to contact to schedule an initial screening or rescreening; requiring the department to conduct prerelease assessments upon notification by the agency of available capacity; authorizing certain individuals to enroll in the long-term care managed care program; authorizing the department to terminate an individual from the wait list under certain circumstances; providing for priority enrollment for home and community-based services for certain individuals; authorizing the department and the Agency for Health Care Administration to adopt rules; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7081 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Affairs Committee, Highway & Waterway Safety Subcommittee and Representative(s) Steube—

CS for HB 7081—A bill to be entitled An act relating to issuance of specialty license plates; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty plate; amending s. 320.08056, F.S.; revising provisions for discontinuing issuance of a specialty plate; providing applicability; amending s. 320.08062, F.S.; directing the Department of Highway Safety and Motor Vehicles to audit certain organizations that receive funds from the sale of specialty license plates; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7087, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Select Committee on Affordable Healthcare Access and Representative(s) Sprowls, Ahern, Artiles, Jones, M.—

CS for CS for HB 7087—A bill to be entitled An act relating to telehealth; creating s. 456.47, F.S.; providing definitions; establishing certain practice standards for telehealth providers; providing for the maintenance and confidentiality of medical records; providing registration requirements for out-of-state telehealth providers; providing limitations and notification requirements for out-of-state telehealth providers; requiring the Department of Health to publish certain information on its website; authorizing a board or the department if there is no board, to revoke a telehealth provider's registration under certain circumstances; providing venue; providing exemptions to the registration requirement; providing rulemaking authority; amending s. 636.202, F.S.; revising the definition of the term "discount medical plan" to exclude certain products; requiring the Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation to collect certain information; creating the Telehealth Advisory Council within the agency for specified purposes; specifying council membership; providing for council membership requirements; requiring the council to review certain findings and make recommendations in a report to the Governor and the Legislature by a specified date; requiring the agency to report such information to the Governor and Legislature by a specified date; providing certain enforcement authority to each agency; providing for expiration of the reporting requirement; providing an appropriation and authorizing positions; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 238.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 242.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 340.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 450.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 590.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 636.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 860.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1174.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7020.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

ENROLLING REPORTS

CS for CS for SB 202, CS for SB 350, SB 576, CS for SB 1042, and SB 7016 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 2, 2016.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journals of February 24 and March 1 were corrected and approved.

CO-INTRODUCERS

Senators Grimsley—CS for SB 1294; Latvala—CS for SB 1168.

Senator Flores was recorded as introducer of CS for SB 1294.

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:43 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 3 or upon call of the President.



Journal of the Senate

Number 19—Regular Session

Thursday, March 3, 2016

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CALL TO ORDER

The Senate was called to order by Senator Richter at 10:30 a.m. A quorum present—34:

Mr. President	Flores	Negron
Abruzzo	Gaetz	Richter
Altman	Galvano	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Legg	Thompson
Detert	Margolis	
Diaz de la Portilla	Montford	

Excused: Senator Lee periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Pastor Brant S. Copeland, First Presbyterian Church, Tallahassee:

Almighty God, source of freedom and lover of all people: Bless, we pray, the work of the Senate this day and every day remaining in this legislative session.

Grant these, your servants, a spirit of wisdom, forbearance, and justice, that the work they do might reflect your concern for the poor and most vulnerable among us. Enable the people of Florida to live in peace, prosperity, and safety. Make them faithful stewards of your good creation and mindful of the needs of future generations.

We ask this for your mercy's sake. Amen.

PLEDGE

Senate Pages, John Brockmeier of Tallahassee; Avery Yeats of New Smyrna Beach; Emily Brockmeier of Tallahassee; and Nia Sweet of Hialeah, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Montford—

By Senator Montford—

SR 1726—A resolution congratulating Madison's own Lorenzo Lamar Cain on his exceptional play for the Kansas City Royals in defeating the New York Mets in the 2015 World Series.

WHEREAS, Lorenzo Lamar Cain graduated from Madison County High School, where he played on the school's baseball team and, while attending Tallahassee Community College, was drafted by the Milwaukee Brewers in the 17th round of the 2004 Major League Baseball draft, and

WHEREAS, Lorenzo Lamar Cain made his major league debut with the Milwaukee Brewers on July 16, 2010, against the Atlanta Braves, and

WHEREAS, following a trade that sent him to the Kansas City Royals after the 2010 season, Lorenzo Lamar Cain had a spectacular 2014 postseason in which he had a .533 batting average, eight hits, and five runs; tied George Brett's franchise record for the most hits in a post-season game; and was named the American League Championship Series Most Valuable Player, and

WHEREAS, Lorenzo Lamar Cain was chosen to start in the 2015 Major League Baseball All-Star Game, and

WHEREAS, Lorenzo Lamar Cain completed the 2015 regular season with career highs in batting average, home runs, runs scored, and runs batted in (RBI), and his three-RBI performance in Game 5 of the 2015 World Series assisted the Kansas City Royals in defeating the New York Mets and taking home the Commissioner's Trophy, NOW, THEREFORE,

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

That Madison's own Lorenzo Lamar Cain is congratulated on his exceptional play for the Kansas City Royals in defeating the New York Mets in the 2015 World Series.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Lorenzo Lamar Cain as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Garcia—

By Senator Garcia—

SR 1746—A resolution recognizing and commending nonprofit organizations for their worthy efforts on behalf of, and invaluable services delivered to, the residents of this state.

WHEREAS, throughout the history of our nation, nonprofit organizations have existed primarily to benefit others, and

WHEREAS, nonprofit organizations have traditionally advocated causes at all levels of government, and

WHEREAS, this state is home to nearly 60,000 nonprofit organizations, which address possibly the widest range of issues and problems found anywhere in the nation, and

WHEREAS, nonprofit organizations are vital to this state in that they administer and provide services under critical state contracts for health, cultural, educational, environmental, economic, and social services, and

WHEREAS, nonprofit organizations contribute to the economy by spending \$57 billion per year with approximately 17.7 percent of that total going toward wages, and

WHEREAS, the Florida Association of Nonprofit Organizations, Inc., represents the collective interests of this state's nonprofit organizations, NOW, THEREFORE,

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

That nonprofit organizations are recognized and commended for their worthy efforts on behalf of, and for the invaluable services they deliver to, the residents of this state.

—was introduced, read, and adopted by publication.

At the request of Senator Montford—

By Senator Montford—

SR 1764—A resolution recognizing the 160th anniversary of Taylor County's creation as an independent county.

WHEREAS, Taylor County, which comprises a land area of 1,043 square miles in the Big Bend, was created as a county independent from Madison County in 1856, and

WHEREAS, Taylor County is named for United States President Zachary Taylor, who, after the Second Seminole War, received the brevet of brigadier general and, in 1838, the chief command in Florida, and

WHEREAS, a number of prominent Floridians hailed from Taylor County, including former Governor Cary Hardee; the first state librarian, William Thomas "W.T." Cash; the first chancellor of the State University System, J. Broward Culpepper; and the first state auditor, Ollie Williams, and

WHEREAS, Taylor County was the site of Florida's first full-time county health unit, and

WHEREAS, for more than 60 years, Taylor County has been home to the annual Florida Forest Festival and in 1965 was designated by then-Governor Haydon Burns as "Tree Capital of the South," and

WHEREAS, Perry, the only incorporated city in Taylor County and the county seat, is a family-friendly community with a historic downtown lined with the shops of local merchants, NOW, THEREFORE,

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

That the 160th anniversary of Taylor County's creation as an independent county is recognized.

—was introduced, read, and adopted by publication.

At the request of Senator Legg—

By Senator Legg—

SR 1782—A resolution commending the Florida Association for Behavior Analysis on its 36th anniversary and recognizing the week of September 5-9, 2016, as "Florida Behavior Analysis Week."

WHEREAS, the Florida Association for Behavior Analysis is the nation's largest statewide organization committed to the promotion and support of behavior analysis, and

WHEREAS, for the past 35 years the Florida Association for Behavior Analysis has promoted the ethical, humane, and effective application of behavioral principles in all aspects of society, including education, business, rehabilitation facilities, and government, and

WHEREAS, behavior analysis is a science-based, cost-effective approach for training teachers, parents, and caregivers to prevent and solve serious behavior problems, and

WHEREAS, behavior analysis has demonstrated its effectiveness for many applications, including the treatment of autistic individuals, teaching basic self-help skills and language to persons with developmental disabilities, and helping foster parents lovingly raise emotionally difficult children, and

WHEREAS, the behavior analysts who are members of the Florida Association for Behavior Analysis have diverse backgrounds, including employment in consulting firms, state government programs, private therapy practices, and school administrations, and

WHEREAS, the Florida Association for Behavior Analysis holds an annual conference each fall as a forum for exchanging ideas and data-based research relating to behavior analysis, behavior therapy, performance management, and behavior management programming, NOW, THEREFORE,

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

That the Florida Association for Behavior Analysis is recognized for its 36 years of contributions to the field of behavior analysis and that the week of September 5-9, 2016, is recognized as "Florida Behavior Analysis Week" in this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Association for Behavior Analysis as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

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

SPECIAL ORDER CALENDAR

On motion by Senator Ring—

SB 7028—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.473, F.S.; redefining the term "public fund"; defining the term "board"; requiring the board, rather than the public fund, to maintain a list of certain scrutinized companies rather than assembling the list by a certain time; clarifying provisions; deleting a condition that may no longer be used by the board in scrutinizing companies, relating to a specified declaration; requiring the board to monitor certain events and make specified reports at certain meetings of trustees; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (537108) (with title amendment)—Before line 17 insert:

Section 1. Section 215.4702, Florida Statutes, is created to read:

215.4702 *Investments in publicly traded companies operating in Northern Ireland.*—

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

(a) *"MacBride Principles" means the objectives for companies operating in Northern Ireland to:*

1. *Increase the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.*

2. Provide adequate security for the protection of minority employees both at the workplace and while traveling to and from work.

3. Ban provocative religious or political emblems from the workplace.

4. Publicly advertise all job openings and make special recruitment efforts to attract applicants from underrepresented religious groups.

5. Provide that layoff, recall, and termination procedures should not in practice favor particular religious groups.

6. Abolish job reservations, apprenticeship restrictions, and differential employment criteria that discriminate on the basis of religion or ethnic origin.

7. Develop training programs that will prepare substantial numbers of current minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

8. Establish procedures to assess, identify, and actively recruit minority employees with potential for further advancement.

9. Appoint senior management staff members to oversee affirmative action efforts and to set up timetables to carry out affirmative action principles.

(b) "Operating" means actively engaging in commerce geographically in Northern Ireland through the acquisition, development, maintenance, ownership, sale, possession, lease, or operation of equipment, facilities, personnel, products, services, or personal property.

(c) "Publicly traded company" means any business organization having equity securities listed on a national or an international exchange that is regulated by a national or an international regulatory authority.

(d) "State board" means the State Board of Administration.

(2) The state board is encouraged to determine which publicly traded companies in which the Florida Retirement System Trust Fund is invested operate in Northern Ireland. If the state board determines that a publicly traded company meets such criteria, the state board is encouraged to:

(a) Notify the publicly traded company that the state board supports the MacBride Principles;

(b) Inquire regarding the actions that the publicly traded company has taken in support of or furtherance of the MacBride Principles;

(c) Encourage a publicly traded company that has not adopted the MacBride Principles to make all lawful efforts to implement the fair employment practices embodied in the MacBride Principles; and

(d) Support the adoption of the MacBride Principles in exercising its proxy voting authority. For these purposes, the state board may not be a fiduciary under this section in exercising its proxy voting authority.

(3) In making the determination specified in subsection (2), the state board may, to the extent it deems appropriate, rely on available public information, including information provided by nonprofit organizations, research firms, international organizations, and government entities.

(4) The state board may not be held liable for, and a cause of action does not arise from, any action or inaction by the state board in the administration of this section.

And the title is amended as follows:

Between lines 2 and 3 insert: creating s. 215.4702, F.S.; defining terms; encouraging the State Board of Administration to determine which publicly traded companies in which the Florida Retirement System Trust Fund is invested operate in Northern Ireland; encouraging the state board to take certain action upon making a determination; authorizing the state board to rely on public information in making a determination; providing that the state board is not liable or subject to a cause of action under the act;

Pursuant to Rule 4.19, **SB 7028**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1422**, **CS for CS for SB 548**, and **SB 944** was deferred.

On motion by Senator Negrón—

SB 996—A bill to be entitled An act relating to civil remedies for terrorism; creating s. 772.13, F.S.; creating a cause of action for acts relating to terrorism; specifying a measure of damages; prohibiting claims by specified individuals; providing for attorney fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 996** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1378** was deferred.

CS for CS for SB 1528—A bill to be entitled An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition; revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term "substantially similar"; deleting the term "potential for abuse"; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing, or delivering or for possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for possession of a certain amount of specified controlled substances; deleting certain exclusions from the definition of the term "cannabis"; creating a criminal penalty for possession of specified controlled substances; correcting a cross-reference; amending s. 893.135, F.S.; revising a dosage unit to include a gelatin capsule for the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance; amending s. 893.138, F.S.; authorizing a place or premises that has been used on two or more occasions for specified violations within a certain time period to be declared a public nuisance; amending s. 893.145, F.S.; revising the definition of the term "drug paraphernalia"; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 921.0022, F.S.; adding an adult delivering controlled substances to a minor, using or hiring a minor to sell controlled substances, or using a minor to avoid detection or apprehension to level 3 of the offense severity ranking chart of the Criminal Punishment Code; making technical changes; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3), 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a), 465.0276(1)(b), 499.0121(14) and (15)(a), 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a), 817.563(1), 831.31, 893.0301, 893.035(7)(a), 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b), (c), and (d), and 944.474(2), F.S., to incorporate the amendment made to s. 893.03, F.S., in references thereto; reenacting s. 893.149(4), F.S., to incorporate the amendment made to s. 893.033, F.S., in a reference thereto; reenacting ss. 397.451(4)(b), 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3), 812.014(2), 831.311(1), 893.1351(1), 893.138(3), 893.15, 903.133, and 921.187(1)(1), F.S., to incorporate the amendment made to s. 893.13, F.S., in references thereto; reenacting ss. 893.12(2)(a) and 893.147(6)(a), F.S., to incorporate the amendment made to s. 893.145, F.S., in references thereto; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., to incorporate the amendment made to s. 895.02, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1528**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1347** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Simpson—

CS for CS for HB 1347—A bill to be entitled An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition; revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term “substantially similar”; deleting the term “potential for abuse”; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for possession of a certain amount of specified controlled substances; deleting certain exclusions to the definition of the term “cannabis”; creating a criminal penalty for possession of specified controlled substances; correcting a cross-reference; amending s. 893.135, F.S.; revising a dosage unit to include a gelatin capsule for the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance; amending s. 893.138, F.S.; authorizing a place or premises that has been used on two or more occasions for specified violations within a certain time period to be declared a public nuisance; amending s. 893.145, F.S.; revising the definition of the term “drug paraphernalia”; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity”; amending s. 921.0022, F.S.; adding an adult delivering controlled substances to a minor, using or hiring a minor to sell controlled substances, or using a minor to avoid detection or apprehension to level 3 of the offense severity ranking chart of the Criminal Punishment Code; making technical changes; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3), 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a), 465.0276(1)(b), 499.0121(14) and (15)(a), 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a), 817.563(1), 831.31, 893.0301, 893.035(7)(a), 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b), (c), and (d), and 944.474(2), F.S., to incorporate the amendment made to s. 893.03, F.S., in references thereto; reenacting s. 893.149(4), F.S., to incorporate the amendment made to s. 893.033, F.S., in a reference thereto; reenacting ss. 397.451(4)(b), 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3), 812.014(2), 831.311(1), 893.1351(1), 893.138(3), 893.15, 903.133, and 921.187(1)(l), F.S., to incorporate the amendment made to s. 893.13, F.S., in references thereto; reenacting ss. 893.12(2)(a) and 893.147(6)(a), F.S., to incorporate the amendment made to s. 893.145, F.S., in references thereto; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., to incorporate the amendment made to s. 895.02, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1528** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1347** was placed on the calendar of Bills on Third Reading.

SB 1498—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; making technical changes; authorizing the Department of Agriculture and Consumer Services to specify the circumstances when a written, 24-hour advance notice of fumigation to the department is not required; authorizing the department to determine the notice required in such circumstances; deleting a provision specifying that, under certain emergency situations, the required advance notice may be first given by certain specified communication methods; requiring the department to adopt rules that require certain safety

measures for clearance of residential structures after fumigation; amending s. 487.051, F.S.; authorizing the department to establish certain conditions for fumigant registration or reregistration; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1498**, pursuant to Rule 3.11(3), there being no objection, **HB 1205** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Benacquisto—

HB 1205—A bill to be entitled An act relating to fumigation; amending s. 482.051, F.S.; revising general fumigation notification requirements; authorizing the Department of Agriculture and Consumer Services to adopt safety procedures for the clearance of residential structures before reoccupation after fumigation; amending s. 487.051, F.S.; authorizing the department to establish certain conditions for the registration or continued registration of fumigants; providing an effective date.

—a companion measure, was substituted for **SB 1498** and read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

Amendment 1 (326768) (with title amendment)—Delete lines 82-96 and insert:

(f) Establish conditions of registration or reregistration for structural fumigants which include requirements that registrants:

1. *Train distributors and end users in safety measures and in proper use, safe storage, and management of fumigant materials.*
2. *Obtain continuing education program approval for stewardship training programs.*
3. *Conduct quality assurance reviews.*
4. *Report to the department any probation or stop-sale notice issued to end users. Under such circumstances, the department shall notify all other structural fumigant registrants of the reported probation or stop-sale notice.*
5. *Assist the department, upon request, with the removal of fumigant containers from distributors and end users for compliance with permanent or extended stop-sale notices.*

And the title is amended as follows:

Delete lines 9-10 and insert: certain conditions for the registration or reregistration of fumigants; providing an effective

Pursuant to Rule 4.19, **HB 1205**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for CS for SB 776—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term “utility”; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 776** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for CS for SB 1378—A bill to be entitled An act relating to drug safety; providing a short title; amending s. 893.055, F.S.; requiring pharmacies to offer for sale prescription lock boxes; requiring pharmacies to display a certain sign; defining the term “prescription lock box”; authorizing the Department of Health to develop and distribute a pamphlet containing certain information; providing for the distribution of the pamphlet by pharmacists in certain circumstances; prohibiting a pharmacy from charging a fee for the pamphlet; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1378** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 918** and **CS for CS for SB 372** was deferred.

On motion by Senator Gaetz—

CS for SB 670—A bill to be entitled An act relating to child protection teams; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent,” as it applies to immunity from personal liability in certain actions, to include licensed physicians who are medical directors for or members of a child protection team, in certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 670** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1036** was deferred.

On motion by Senator Bradley—

CS for SB 1662—A bill to be entitled An act relating to sexual offenders; amending s. 775.21, F.S.; revising definitions; revising the criteria for a felony offense for which an offender is designated as a sexual predator; expanding the criteria by removing a requirement that the defendant not be the victim’s parent or guardian; revising the information that a sexual predator is required to provide to specified entities under certain circumstances; revising registration and verification requirements imposed upon a sexual predator; conforming provisions to changes made by the act; amending s. 856.022, F.S.; revising the criteria for loitering or prowling by certain offenders; expanding the criteria by removing a requirement that the offender not be the victim’s parent or guardian; amending s. 943.0435, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; deleting provisions of applicability; amending s. 943.04354, F.S.; modifying the list of offenses for which a sexual offender or sexual predator must be considered by the department for removal from registration requirements; deleting from the list a conviction or adjudication of delinquency for sexual battery; specifying the appropriate venue for a defendant to move the circuit court to remove the requirement to register as a sexual offender or sexual predator; amending s. 944.606, F.S.; revising definitions; revising the information that the Department of Law Enforcement is required to provide about a sexual offender upon his or her release from incarceration; conforming provisions to changes made by the act; amending s. 944.607, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.481, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.4815, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; amending ss. 92.55, 775.0862, 943.0515, 947.1405, 948.30, 948.31, 1012.315, and 1012.467, F.S.; conforming cross-references; reenacting s. 938.085, F.S., relating to additional costs to fund rape crisis centers, to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 794.056(1), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendments made to ss. 775.21

and 943.0435, F.S., in references thereto; reenacting s. 921.0022(3)(g), F.S., relating to level 7 of the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to ss. 775.21, 943.0435, 944.607, and 985.4815, F.S., in references thereto; reenacting s. 985.04(6)(b), F.S., relating to confidential information, to incorporate the amendments made to ss. 775.21, 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S., in references thereto; reenacting ss. 322.141(3) and (4), 948.06(4), and 948.063, F.S., relating to color or markings of certain licenses or identification cards, probation or community control, and violations of probation or community control by designated sexual offenders and sexual predators, respectively, to incorporate the amendments made to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 944.607(10)(c), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 397.4872(2) and 435.07(4)(b), F.S., relating to exemptions from disqualification, to incorporate the amendment made to s. 943.04354, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to ss. 944.606 and 944.607, F.S., in references thereto; reenacting ss. 775.24(2) and 944.608(7), F.S., relating to duty of the court to uphold laws governing sexual predators and sexual offenders and notification to the Department of Law Enforcement of information on career offenders, respectively, to incorporate the amendment made to s. 944.607, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (734542) (with title amendment)—Delete lines 732-784 and insert:

Section 2. Subsections (1) and (4) of section 856.022, Florida Statutes, are amended, and subsections (2) and (3) of that section are repealed, to read:

856.022 Loitering or prowling by certain offenders in close proximity to children; penalty.—

(1) Except as provided in subsection (2), this section applies to a person convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction against a victim who was under 18 years of age at the time of the offense: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor ~~and the offender was not the victim’s parent or guardian~~; s. 787.06(3)(g); s. 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subsection, if the person has not received a pardon for any felony or similar law of another jurisdiction necessary for the operation of this subsection and a conviction of a felony or similar law of another jurisdiction necessary for the operation of this subsection has not been set aside in any postconviction proceeding.

(2) This section does not apply to a person who has been removed from the requirement to register as a sexual offender or sexual predator pursuant to s. 943.04354.

(3) A person described in subsection (1) commits loitering and prowling by a person convicted of a sexual offense against a minor if, in committing loitering and prowling, he or she was within 300 feet of a place where children were congregating.

(4)(a) It is unlawful for a person described in subsection (1) to:

(a) knowingly approach, contact, or communicate with a child under 18 years of age in any public park building or on real property comprising any public park or playground with the intent to engage in conduct of a sexual nature or to make a communication of any type with any content of a sexual nature. This paragraph applies only to a person described in subsection (1) whose offense was committed on or after May 26, 2010.

(b) ~~It is unlawful for a person described in subsection (1) to knowingly be present in any child care facility or school containing any students in prekindergarten through grade 12 or on real property comprising any child care facility or school containing any students in prekindergarten through grade 12 when the child care facility or school is in operation if such person fails to:~~

1. ~~Provide unless the person had previously provided~~ written notification of his or her intent to be present to the school board, superintendent, principal, or child care facility owner;
2. ~~Fail to~~ Notify the child care facility owner or the school principal's office when he or she arrives and departs the child care facility or school; or
3. ~~Fail to~~ Remain under direct supervision of a school

And the title is amended as follows:

Between lines 16 and 17 insert: making technical changes;

Pursuant to Rule 4.19, **CS for SB 1662**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1422—A bill to be entitled An act relating to insurer regulatory reporting; creating s. 628.8015, F.S.; defining terms; requiring an insurer to maintain a risk management framework; requiring certain insurers and insurance groups to conduct an own-risk and solvency assessment; providing requirements for the preparation and submission of an own-risk and solvency assessment summary report; providing exemptions and waivers; requiring certain insurers and members of an insurance group to prepare and submit a corporate governance annual disclosure; requiring the initial corporate governance annual disclosure to be submitted to the Office of Insurance Regulation by a specified date; authorizing the office to require an insurer or insurance group to provide a corporate governance annual disclosure before such date under certain circumstances; specifying requirements for preparing and annually filing the corporate governance annual disclosure; specifying privilege requirements and prohibitions for certain filings and related documents; authorizing the office to retain third-party consultants for certain purposes; authorizing the Financial Services Commission to adopt rules; amending s. 628.803, F.S.; revising provisions relating to penalties to conform to the act; providing for contingent repeal of the act; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (166730) (with title amendment)—Delete lines 339-348 and insert:
governance annual disclosure. The NAIC or a third-party consultant must agree, in writing, to:

(a) *Adhere to confidentiality standards and requirements applicable to the office governing the sharing and use of such filings and related documents as evidenced by specific procedures and protocols for maintaining the confidentiality and security of information shared with the NAIC or a third-party consultant pursuant to this section.*

(b) *Verify to the office, with notice to the insurer, that the consultant is free of any conflict of interest.*

(c) *Monitor compliance with applicable confidentiality and conflict of interest standards pursuant to a system of internal procedures.*

(d) *Not store the information shared pursuant to this section in a permanent database after the underlying analysis is complete.*

(e) *Provide prompt notice to the office and to the insurer or insurance group regarding any subpoena, request for disclosure, or request for*

production of the insurer's filings and related documents submitted pursuant to subsections (2) and (3).

(f) *Intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared within the NAIC or a third-party consultant pursuant to this section.*

And the title is amended as follows:

Delete line 23 and insert: purposes; providing certain requirements for the National Association of Insurance Commissioners or third-party consultants in an agreement; authorizing the Financial Services

Pursuant to Rule 4.19, **CS for CS for SB 1422**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for SB 1664—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing exceptions to the prohibition, subject to certain requirements; defining the term "agricultural pole barn"; providing an effective date.

—was read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (662124)—Delete lines 35-53 and insert:
nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the property consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this paragraph, the term "agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

Section 2. Subsection (4) is added to section 170.01, Florida Statutes, to read:

170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.—

(4) *Notwithstanding any other provision of law, a municipality may not levy special assessments for the provision of fire protection services on lands classified as agricultural lands under s. 193.461 unless such property contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000.*

Pursuant to Rule 4.19, **CS for SB 1664**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 7018** was deferred.

CS for SB 1420—A bill to be entitled An act relating to eligibility for employment as child care personnel; amending s. 435.07, F.S.; prohibiting the removal of or exemption from certain disqualifications from employment for child care personnel under certain circumstances; specifying certain offenses that disqualify a person from child care employment, notwithstanding any prior exemption; requiring that certain persons who have been granted an exemption from disqualification from child care employment be rescreened by a certain date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1420**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1125** was withdrawn from the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Rules.

On motion by Senator Bean—

CS for CS for CS for HB 1125—A bill to be entitled An act relating to eligibility for employment as child care personnel; amending s. 435.07, F.S.; providing criteria for disqualification from employment for child care personnel; requiring that certain persons who have been granted an exemption from disqualification from child care employment be rescreened by a specified date; providing applicability with respect to specified provisions adopted during the same legislative session; providing an effective date.

—a companion measure, was substituted for **CS for SB 1420** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1125** was placed on the calendar of Bills on Third Reading.

CS for SB 7018—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident response team advisory committee; amending s. 39.402, F.S.; revising information that the Department of Children and Families is required to inform the court at shelter hearings; revising the written findings required to be included in an order for placement of a child in shelter care; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans and predisposition studies; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing the purpose of a case plan; requiring a case plan to document that a preplacement plan has been provided and reasonable efforts have been made to prevent out-of-home placement; removing the prohibition of threatening or coercing a parent with the loss of custody or parental rights for failing to admit certain actions in a case plan; providing that a child must be given the opportunity to review, sign, and receive a copy of his or her case plan; providing additional requirements when the child attains a certain age; requiring the case plan to document that each parent has received additional written notices; amending s. 39.6012, F.S.; providing additional requirements for the department and criteria for a case plan, with regard to placement, permanency, education, health care, contact with family, extended family, and fictive kin, and independent living; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child attains 18 years of age; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under ch. 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information that must be included in a specified written report under certain circumstances; requiring a court, if possible, to order the department to file a written notification; creating s. 409.143, F.S.; requiring every child placed in out-of-home care to be referred within a certain time for a comprehensive behavioral health assessment; providing requirements and procedures for such assessment; requiring the department or the community-based care lead agency to establish permanency teams; requiring an assessment within a certain timeframe from the beginning of a new placement in group care; providing for judicial review of certain placements; requiring the department to submit an annual report to the Governor and the Legislature on the placement of children in licensed out-of-home care; creating s. 409.144, F.S.; providing legislative findings and intent; defining terms; requiring the department to develop a continuum of care for the placement of children in care settings; requiring a plan to recruit and retain specialized placements for specific children and young adults; requiring the department to develop a quality rating system for group home and foster homes; providing requirements for the rating system; requiring the department to submit a report annually to the Governor and the Legislature; requiring the department to adopt rules; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S., revising the definition of the term “care”; amending s. 409.988, F.S.; requiring lead agencies to ensure the availability of a full array of services; requiring specified intervention services; requiring the department to submit annually to the Governor and the Legislature a report that evaluates the adequacy of intervention services; requiring the department to adopt rules; amending s. 409.996, F.S.; requiring the department to ensure quality and availability of services; amending s. 39.202, F.S.; conforming provisions to

changes made by the act; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 7018**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 599** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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

CS for CS for HB 599—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident rapid response team advisory committee; amending s. 39.402, F.S.; revising information that the Department of Children and Families is required to inform the court of at shelter hearings; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing that a child of a certain age must be given the opportunity to be consulted on the creation of the case plan; providing for the child to select certain case planning team members and permit those team members access to confidential information; providing that the child review, sign, and receive a copy of his or her case plan; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child’s 18th birthday; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under chapter 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information which must be included in a specified written report under certain circumstances; revising what must be found to maintain or return a child to his or her home; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S.; revising the definition of the term “care” to include intervention services; amending s. 409.988, F.S.; requiring a continuum of care; requiring specified intervention services; requiring the establishment of permanency teams for certain children; authorizing the department to adopt rules; requiring out-of-home care utilization plans by lead agencies; requiring department tracking of lead agency plans; requiring a report to the Governor and Legislature; amending s. 409.996, F.S.; requiring the department to ensure and develop an adequate array of services; requiring the development of a statewide quality rating system; requiring a report to the Governor and Legislature; amending s. 39.01, F.S.; revising definition of the term “permanency goal”; amending s. 39.202, F.S.; changing the designation of an entity; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

—a companion measure, was substituted for **CS for SB 7018** and read the second time by title.

Senator Detert moved the following amendment which was adopted:

Amendment 1 (909994) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 39.013, Florida Statutes, is amended to read:

39.013 Procedures and jurisdiction; right to counsel.—

(2) The circuit court has exclusive original jurisdiction of all proceedings under this chapter, of a child voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, or the department, and of the adoption of children whose parental rights have been terminated under this chapter. Jurisdiction attaches when the initial shelter petition, dependency petition, or termination of parental rights petition, or a petition for an injunction to prevent child abuse issued pursuant to s. 39.504, is filed or when a child is taken into the custody of the department. The circuit court may assume jurisdiction over any such proceeding regardless of whether the child was in the physical custody of both parents, was in the sole legal or physical custody of only one parent, caregiver, or some other person, or was not in the physical or legal custody of any person when the event or condition occurred that brought the child to the attention of the court. When the court obtains jurisdiction of any child who has been found to be dependent, the court shall retain jurisdiction, unless relinquished by its order, until the child reaches 21 years of age, or 22 years of age if the child has a disability, with the following exceptions:

(a) If a young adult chooses to leave foster care upon reaching 18 years of age.

(b) If a young adult does not meet the eligibility requirements to remain in foster care under s. 39.6251 or chooses to leave care under that section.

(c) If a young adult petitions the court at any time before his or her 19th birthday requesting the court's continued jurisdiction, the juvenile court may retain jurisdiction under this chapter for a period not to exceed 1 year following the young adult's 18th birthday for the purpose of determining whether appropriate services that were required to be provided to the young adult before reaching 18 years of age have been provided.

(d) If a petition for special immigrant juvenile status and an application for adjustment of status have been filed on behalf of a foster child and the petition and application have not been granted by the time the child reaches 18 years of age, the court may retain jurisdiction over the dependency case solely for the purpose of allowing the continued consideration of the petition and application by federal authorities. Review hearings for the child shall be set solely for the purpose of determining the status of the petition and application. The court's jurisdiction terminates upon the final decision of the federal authorities. Retention of jurisdiction in this instance does not affect the services available to a young adult under s. 409.1451. The court may not retain jurisdiction of the case after the immigrant child's 22nd birthday.

Section 2. Subsection (11) of section 39.2015, Florida Statutes, is amended to read:

39.2015 Critical incident rapid response team.—

(11) The secretary shall appoint an advisory committee made up of experts in child protection and child welfare, including the Statewide Medical Director for Child Protection under the Department of Health, a representative from the institute established pursuant to s. 1004.615, an expert in organizational management, and an attorney with experience in child welfare, to conduct an independent review of investigative reports from the critical incident rapid response teams and to make recommendations to improve policies and practices related to child protection and child welfare services. The advisory committee shall meet at least once each quarter and shall submit quarterly reports to the secretary ~~which include findings and recommendations. The quarterly reports must include findings and recommendations and must describe the implementation status of all recommendations contained within the advisory committee reports, including an entity's reason for not implementing a recommendation, if applicable.~~ The secretary shall submit each report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 3. Paragraphs (f) and (h) of subsection (8) of section 39.402, Florida Statutes, are amended to read:

39.402 Placement in a shelter.—

(8)

(f) At the shelter hearing, the department shall inform the court of:

1. Any identified current or previous case plans negotiated *under this chapter* in any *judicial circuit district* with the parents or caregivers ~~under this chapter~~ and problems associated with compliance;
2. Any adjudication of the parents or caregivers of delinquency;
3. Any past or current injunction for protection from domestic violence *or any past or current order of no contact*; and
4. All of the child's places of residence during the prior 12 months.

(h) The order for placement of a child in shelter care must identify the parties present at the hearing and must contain written findings:

1. That placement in shelter care is necessary based on the criteria in subsections (1) and (2).
2. That placement in shelter care is in the best interest of the child.
3. That continuation of the child in the home is contrary to the welfare of the child because the home situation presents a substantial and immediate danger to the child's physical, mental, or emotional health or safety which cannot be mitigated by the provision of *safety management preventive* services.
4. That based upon the allegations of the petition for placement in shelter care, there is probable cause to believe that the child is dependent or that the court needs additional time, which may not exceed 72 hours, in which to obtain and review documents pertaining to the family in order to appropriately determine *whether placement in shelter care is necessary to ensure the child's safety risk to the child*.
5. That the department has made reasonable efforts to prevent or eliminate the need for removal of the child from the home. A finding of reasonable effort by the department to prevent or eliminate the need for removal may be made and the department is deemed to have made reasonable efforts to prevent or eliminate the need for removal if:
 - a. The first contact of the department with the family occurs during an emergency;
 - b. The appraisal of the home situation by the department indicates that the home situation presents a substantial and immediate danger to the child's physical, mental, or emotional health or safety which cannot be mitigated by the provision of *safety management preventive* services, *including issuance of an injunction against a perpetrator of domestic violence pursuant to s. 39.504*;
 - c. The child cannot safely remain at home, either because there are no *safety management preventive* services that can ensure the health and safety of the child or because, even with appropriate and available services being provided, the health and safety of the child cannot be ensured; or
 - d. The parent or legal custodian is alleged to have committed any of the acts listed as grounds for expedited termination of parental rights in s. 39.806(1)(f)-(i).

6. That the department has made reasonable efforts to keep siblings together if they are removed and placed in out-of-home care unless such placement is not in the best interest of each child. It is preferred that siblings be kept together in a foster home, if available. Other reasonable efforts shall include short-term placement in a group home with the ability to accommodate sibling groups if such a placement is available. The department shall report to the court its efforts to place siblings together unless the court finds that such placement is not in the best interest of a child or his or her sibling.

7. That the court notified the parents, relatives that are providing out-of-home care for the child, or legal custodians of the time, date, and location of the next dependency hearing and of the importance of the active participation of the parents, relatives that are providing out-of-home care for the child, or legal custodians in all proceedings and hearings.

8. That the court notified the parents or legal custodians of their right to counsel to represent them at the shelter hearing and at each

subsequent hearing or proceeding, and the right of the parents to appointed counsel, pursuant to the procedures set forth in s. 39.013.

9. That the court notified relatives who are providing out-of-home care for a child as a result of the shelter petition being granted that they have the right to attend all subsequent hearings, to submit reports to the court, and to speak to the court regarding the child, if they so desire.

Section 4. Paragraph (a) of subsection (1) of section 39.521, Florida Statutes, is amended, and present paragraphs (b) through (f) of that subsection are redesignated as paragraphs (c) through (g), respectively, to read:

39.521 Disposition hearings; powers of disposition.—

(1) A disposition hearing shall be conducted by the court, if the court finds that the facts alleged in the petition for dependency were proven in the adjudicatory hearing, or if the parents or legal custodians have consented to the finding of dependency or admitted the allegations in the petition, have failed to appear for the arraignment hearing after proper notice, or have not been located despite a diligent search having been conducted.

(a) A written case plan and a predisposition study prepared by an authorized agent of the department must be approved by ~~filed with~~ the court. ~~The department must file the case plan and the predisposition study with the court, serve a copy of the case plan on, served upon~~ the parents of the child, ~~and provide a copy of the case plan provided~~ to the representative of the guardian ad litem program, if the program has been appointed, and ~~provided~~ to all other parties:

1. Not less than 72 hours before the disposition hearing, ~~if the disposition hearing occurs on or after the 60th day after the date the child was placed in out-of-home care.~~ All such case plans must be approved by the court.

2. ~~Not less than 72 hours before the case plan acceptance hearing, if the disposition hearing occurs before the 60th day after the date the child was placed in out-of-home care and a case plan has not been submitted pursuant to this paragraph, or if the court does not approve the case plan at the disposition hearing. The case plan acceptance hearing must occur, the court must set a hearing~~ within 30 days after the disposition hearing to review and approve the case plan.

(b) The court may grant an exception to the requirement for a predisposition study by separate order or within the judge's order of disposition upon finding that all the family and child information required by subsection (2) is available in other documents filed with the court.

Section 5. Subsection (2) of section 39.522, Florida Statutes, is amended to read:

39.522 Postdisposition change of custody.—The court may change the temporary legal custody or the conditions of protective supervision at a postdisposition hearing, without the necessity of another adjudicatory hearing.

(2) In cases where the issue before the court is whether a child should be reunited with a parent, the court shall determine whether the circumstances that caused the out-of-home placement and issues subsequently identified have been remedied ~~parent has substantially complied with the terms of the case plan~~ to the extent that the return of the child to the home with an in-home safety plan will not be detrimental to the child's safety, well-being, and physical, mental, and emotional health ~~of the child is not endangered by the return of the child to the home.~~

Section 6. Section 39.6011, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 39.6011, F.S., for present text.)

39.6011 Case plan purpose; requirements; procedures.—

(1) *PURPOSE.*—The purpose of the case plan is to promote and facilitate change in parental behavior and to address the treatment and long-term well-being of children receiving services under this chapter.

(2) *GENERAL REQUIREMENTS.*—The department shall draft a case plan for each child receiving services under this chapter. The case plan must:

(a) Document that an assessment of the service needs of the child and family, and preventive services, if appropriate, have been provided pursuant to s. 409.143 and that reasonable efforts to prevent out-of-home placement have been made.

(b) Be developed in a face-to-face conference with the parent of the child, any court-appointed guardian ad litem, the child's attorney, and, if appropriate, the temporary custodian of the child. The parent may receive assistance from any person or social service agency in preparing the case plan. The social service agency, the department, and the court, when applicable, shall inform the parent of the right to receive such assistance, including the right to assistance of counsel.

(c) Be written simply and clearly in English and, if English is not the principal language of the child's parent, in the parent's principal language, to the extent practicable.

(d) Describe a process for making available to all physical custodians and family services counselors the information required by s. 39.6012(2) and for ensuring that this information follows the child until permanency has been achieved.

(e) Specify the period of time for which the case plan is applicable, which must be as short a period as possible for the parent to comply with the terms of the plan. The case plan's compliance period expires no later than 12 months after the date the child was initially removed from the home, the date the child is adjudicated dependent, or the date the case plan is accepted by the court, whichever occurs first.

(f) Be signed by all of the parties. Signing the case plan constitutes an acknowledgment by each of the parties that they have been involved in the development of the case plan and that they are in agreement with the terms and conditions contained in the case plan. The refusal of a parent to sign the case plan does not preclude the court's acceptance of the case plan if it is otherwise acceptable to the court. The parent's signing of the case plan does not constitute an admission to any allegation of abuse, abandonment, or neglect and does not constitute consent to a finding of dependency or termination of parental rights. The department shall explain the provisions of the case plan to all persons involved in its implementation, before the signing of the plan.

(3) *PARTICIPATION BY THE CHILD.*—If the child has attained 14 years of age or is otherwise of an appropriate age and capacity, the child must:

(a) Be consulted on the development of the case plan; have the opportunity to attend a face-to-face conference, if appropriate; have the opportunity to express a placement preference; and have the option to choose two members for the case planning team who are not a foster parent or caseworker for the child.

1. An individual selected by a child to be a member of the case planning team may be rejected at any time if there is good cause to believe that the individual would not act in the best interest of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate with respect to the application of the reasonable and prudent parent standard to the child.

2. The child may not be included in an aspect of the case planning process when information will be revealed or discussed which is of a nature that would best be presented to the child in a more therapeutic setting.

(b) Sign the case plan, unless there is reason to waive the child's signature.

(c) Receive an explanation of the provisions of the case plan from the department.

(d) After the case plan is agreed upon and signed by all of the parties, and after jurisdiction attaches and the case plan is filed with the court, be provided a copy of the case plan within 72 hours before the disposition hearing.

(e) Notwithstanding s. 39.202, the department may discuss confidential information during the case planning conference in the presence of individuals who participate in the staffing. All individuals who participate in the staffing shall maintain the confidentiality of all information shared during the case planning staffing.

(4) NOTICE TO PARENTS.—The case plan must document that each parent has been advised of the following by written notice:

(a) That he or she may not be coerced or threatened with the loss of custody or parental rights for failing to admit the abuse, neglect, or abandonment of the child in the case plan. Participation in the development of a case plan is not an admission to any allegation of abuse, abandonment, or neglect and does not constitute consent to a finding of dependency or termination of parental rights.

(b) That the department must document a parent's unwillingness or inability to participate in developing a case plan and provide such documentation in writing to the parent when it becomes available for the court record. In such event, the department shall prepare a case plan that, to the extent possible, conforms with the requirements of this section. The parent must also be advised that his or her unwillingness or inability to participate in developing a case plan does not preclude the filing of a petition for dependency or for termination of parental rights. If the parent is available, the department shall provide a copy of the case plan to the parent and advise him or her that, at any time before the filing of a petition for termination of parental rights, he or she may enter into a case plan and that he or she may request judicial review of any provision of the case plan with which he or she disagrees at any court hearing set for the child.

(c) That his or her failure to substantially comply with the case plan may result in the termination of parental rights and that a material breach of the case plan may result in the filing of a petition for termination of parental rights before the scheduled completion date.

(5) DISTRIBUTION AND FILING WITH THE COURT.—The department shall adhere to the following procedural requirements in developing and distributing a case plan:

(a) After the case plan has been agreed upon and signed by the parties, a copy of the case plan must immediately be given to the parties and to other persons, as directed by the court.

(b) In each case in which a child has been placed in out-of-home care, a case plan must be prepared within 60 days after the department removes the child from the home and must be submitted to the court for review and approval before the disposition hearing.

(c) After jurisdiction attaches, all case plans must be filed with the court and a copy provided to all of the parties whose whereabouts are known not less than 72 hours before the disposition hearing. The department shall file with the court all case plans prepared before jurisdiction of the court attaches, and the department shall provide copies of all such case plans to all of the parties.

(d) A case plan must be prepared, but need not be submitted to the court, for a child who will be in care for 30 days or less unless that child is placed in out-of-home care for a second time within a 12-month period.

Section 7. Section 39.6012, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 39.6012, F.S., for present text.)

39.6012 Services and parental tasks under the case plan; safety, permanency, and well-being of the child.—The case plan must include a description of the identified problem that is being addressed, including the parent's behavior or acts that have resulted in a threat to the safety of the child and the reason for the department's intervention. The case plan must be designed to improve conditions in the child's home to facilitate the child's safe return and ensure proper care of the child, or to facilitate the child's permanent placement. The services offered must be as unobtrusive as possible in the lives of the parent and the child, must focus on clearly defined objectives, and must provide the most timely and efficient path to reunification or permanent placement, given the circumstances of the case and the child's need for safe and proper care.

(1) CASE PLAN SERVICES AND TASKS.—The case plan must be based upon an assessment of the circumstances that required intervention by the child welfare system. The case plan must describe the role of the foster parents or legal custodians and must be developed in conjunction with the determination of the services that are to be provided under the case plan to the child, foster parents, or legal custodians. If a parent's substantial compliance with the case plan requires the department to provide services to the parent or the child and the parent agrees to begin compliance with the case plan before it is accepted by the court, the department shall make appropriate referrals for services which will allow the parent to immediately begin the agreed-upon tasks and services.

(a) Itemization in the case plan.—The case plan must describe each of the tasks that the parent must complete and the services that will be provided to the parent, in the context of the identified problem, including:

1. The type of services or treatment that will be provided.
2. If the service is being provided by the department or its agent, the date the department will provide each service or referral for service.
3. The date by which the parent must complete each task.
4. The frequency of services or treatment to be provided, which shall be determined by the professionals providing the services and may be adjusted as needed based on the best professional judgment of the providers.
5. The location of the delivery of the services.
6. Identification of the staff of the department or of the service provider who are responsible for the delivery of services or treatment.
7. A description of measurable outcomes, including the timeframes specified for achieving the objectives of the case plan and addressing the identified problem.

(b) Meetings with case manager.—The case plan must include a schedule of the minimum number of face-to-face meetings to be held each month between the parent and the case manager to review the progress of the case plan, eliminate barriers to completion of the plan, and resolve conflicts or disagreements.

(c) Request for notification from relative.—The case manager shall advise the attorney for the department of a relative's request to receive notification of proceedings and hearings submitted pursuant to s. 39.301(14)(b).

(d) Financial support.—The case plan must specify the parent's responsibility for the financial support of the child, including, but not limited to, health insurance and child support. The case plan must list the costs associated with any services or treatment that the parent and child are expected to receive which are the financial responsibility of the parent. The determination of child support and other financial support must be made independently of any determination of dependency under s. 39.013.

(2) SAFETY, PERMANENCY, AND WELL-BEING OF THE CHILD.—The case plan must include all available information that is relevant to the child's care, including a detailed description of the identified needs of the child while in care and a description of the plan for ensuring that the child receives safe and proper care that is appropriate to his or her needs. Participation by the child must meet the requirements under s. 39.6011.

(a) Placement.—To comply with federal law, the department must ensure that the placement of a child in foster care is in the least restrictive, most family-like environment; must review the family assessment, safety plan, and case plan for the child to assess the necessity for and the appropriateness of the placement; must assess the progress that has been made toward case plan outcomes; and must project a likely date by which the child may be safely reunified or placed for adoption or legal guardianship. The family assessment must indicate the type of placement to which the child has been assigned and must document the following:

1. That the child has undergone the placement assessments required pursuant to s. 409.143.

2. That the child has been placed in the least restrictive and most family-like setting available consistent with the best interest and special needs of the child and in as close proximity as possible to the child's home.

3. If the child is placed in a setting that is more restrictive than recommended by the placement assessments or is placed more than 50 miles from the child's home, the reasons for which the placement is necessary and in the best interest of the child and the steps required to place the child in the placement recommended by the assessment.

4. If residential group care is recommended for the child, the needs of the child which necessitate such placement, the plan for transitioning the child to a family setting, and the projected timeline for the child's transition to a less restrictive environment.

5. If the child is placed in residential group care, that his or her case plan is reviewed and updated within 90 days after the child's admission to the residential group care facility and at least every 60 days thereafter.

(b) *Permanency.*—If reunifying a child with his or her family is not possible, the department shall make every effort to provide other forms of permanency, such as adoption or guardianship. If a child is placed in an out-of-home placement, the case plan, in addition to any other requirements imposed by law or department rule, must include:

1. If concurrent planning is being used, a description of the permanency goal of reunification with the parent or legal custodian and a description of one of the remaining permanency goals defined in s. 39.01; or, if concurrent case planning is not being used, an explanation as to why it is not being used.

2. If the case plan has as its goal the adoption of the child or his or her placement in another permanent home, a statement of the child's wishes regarding his or her permanent placement plan and an assessment of those stated wishes. The case plan must also include documentation of the steps the social service agency is taking to find an adoptive family or other permanent living arrangements for the child; to place the child with an adoptive family, an appropriate and willing relative, or a legal guardian; and to finalize the adoption or legal guardianship. At a minimum, the documentation must include child-specific recruitment efforts, such as the use of state, regional, and national adoption exchanges, including electronic exchange systems, after he or she has become legally eligible for adoption.

3. If the child has been in out-of-home care for at least 12 months and the permanency goal is not adoptive placement, the documentation of the compelling reason for a finding that termination of parental rights is not in the child's best interest.

(c) *Education.*—A case plan must ensure the educational stability of the child while in foster care. To the extent available and accessible, the names and addresses of the child's educational providers, a record of his or her grade level performance, and his or her school record must be attached to the case plan and updated throughout the judicial review process. The case plan must also include documentation that the placement:

1. Takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.

2. Has been coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement or, if remaining in that school is not in the best interest of the child, assurances by the department and the local education agency to provide immediate and appropriate enrollment in a new school and to provide all of the child's educational records to the new school.

(d) *Health care.*—To the extent that they are available and accessible, the names and addresses of the child's health and behavioral health providers, a record of the child's immunizations, the child's known medical history, including any known health issues, the child's medications, and any other relevant health and behavioral health in-

formation must be attached to the case plan and updated throughout the judicial review process.

(e) *Contact with family, extended family, and fictive kin.*—When out-of-home placement is made, the case plan must include provisions for the development and maintenance of sibling relationships and visitation, if the child has siblings and is separated from them, a description of the parent's visitation rights and obligations, and a description of any visitation rights with extended family members as defined in s. 751.011. As used in this paragraph, the term "fictive kin" means individuals who are unrelated to the child by birth or marriage, but who have an emotionally significant relationship with the child which would take on the characteristics of a family relationship. As soon as possible after a court order is entered, the following must be provided to the child's out-of-home caregiver:

1. Information regarding any court-ordered visitation between the child and the parents and the court-ordered terms and conditions necessary to facilitate the visits and protect the safety of the child.

2. Information regarding the schedule and frequency of the visits between the child and his or her siblings, as well as any court-ordered terms and conditions necessary to facilitate the visits and protect the safety of the child.

3. Information regarding the schedule and frequency of the visits between the child and any extended family member or fictive kin, as well as any court-ordered terms and conditions necessary to facilitate the visits and protect the safety of the child.

(f) *Independent living.*—

1. When appropriate, the case plan for a child who is 13 years of age or older must include a written description of the life skills services to be provided by the caregiver which will assist the child, consistent with his or her best interests, in preparing for the transition from foster care to independent living. The case plan must be developed with the child and individuals identified as important to the child and must include the steps the social service agency is taking to ensure that the child has a connection with a caring adult.

2. During the 180-day period after a child reaches 17 years of age, the department and the community-based care provider, in collaboration with the caregiver and any other individual whom the child would like to include, shall assist the child in developing a transition plan pursuant to s. 39.6035, which is in addition to standard case management requirements. The transition plan must address specific options that the child may use in obtaining services, including housing, health insurance, education, and workforce support and employment services. The transition plan must also consider establishing and maintaining naturally occurring mentoring relationships and other personal support services. The transition plan may be as detailed as the child chooses and must be attached to the case plan and updated before each judicial review.

Section 8. Subsection (4) of section 39.6035, Florida Statutes, is amended to read:

39.6035 Transition plan.—

(4) ~~If a child is planning to leave care upon reaching 18 years of age, The transition plan must be approved by the court before the child attains 18 years of age and must be attached to the case plan and updated before each judicial review child leaves care and the court terminates jurisdiction.~~

Section 9. Subsection (2) of section 39.621, Florida Statutes, is amended, and present subsections (3) through (11) of that section are redesignated as subsections (4) through (12), respectively, to read:

39.621 Permanency determination by the court.—

(2) The permanency goal of maintaining and strengthening the placement with a parent may be used in the following circumstances:

(a) If a child has not been removed from a parent but is found to be dependent, even if adjudication of dependency is withheld, the court may leave the child in the current placement with maintaining and strengthening the placement as a permanency option.

(b) *If a child has been removed from a parent and is placed with the parent from whom the child was not removed, the court may leave the child in the placement with the parent from whom the child was not removed with maintaining and strengthening the placement as a permanency option.*

(c) *If a child has been removed from a parent and is subsequently reunified with that parent, the court may leave the child with that parent with maintaining and strengthening the placement as a permanency option.*

(3) *Except as provided in subsection (2), the permanency goals available under this chapter, listed in order of preference, are:*

- (a) Reunification;
- (b) Adoption, if a petition for termination of parental rights has been or will be filed;
- (c) Permanent guardianship of a dependent child under s. 39.6221;
- (d) Permanent placement with a fit and willing relative under s. 39.6231; or
- (e) Placement in another planned permanent living arrangement under s. 39.6241.

Section 10. Paragraphs (a) and (d) of subsection (2) of section 39.701, Florida Statutes, are amended to read:

39.701 Judicial review.—

(2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF AGE.—

(a) *Social study report for judicial review.*—Before every judicial review hearing or citizen review panel hearing, the social service agency shall make an investigation and social study concerning all pertinent details relating to the child and shall furnish to the court or citizen review panel a written report that includes, but is not limited to:

1. A description of the type of placement the child is in at the time of the hearing, including the safety of the child, ~~and the continuing necessity for and appropriateness of the placement, and that the placement is in the least restrictive and most family-like setting that meets the assessed needs of the child, or an explanation of why the placement is not in the least restrictive and most family-like setting available that meets the assessed needs of the child.~~
2. Documentation of the diligent efforts made by all parties to the case plan to comply with each applicable provision of the case plan.
3. The amount of fees assessed and collected during the period of time being reported.
4. The services provided to the foster family or legal custodian in an effort to address the needs of the child as indicated in the case plan.
5. A statement that either:
 - a. The parent, though able to do so, did not comply substantially with the case plan, and the agency recommendations;
 - b. The parent did substantially comply with the case plan; or
 - c. The parent has partially complied with the case plan, with a summary of additional progress needed and the agency recommendations.
6. *A statement of whether the circumstances that caused the out-of-home placement and issues subsequently identified have been remedied to the extent that the return of the child to the home with an in-home safety plan will not be detrimental to the child's safety, well-being, and physical, mental, and emotional health.*

7.6. A statement from the foster parent or legal custodian providing any material evidence concerning the return of the child to the parent or parents.

8.7. A statement concerning the frequency, duration, and results of the parent-child visitation, if any, and the agency recommendations for an expansion or restriction of future visitation.

9.8. The number of times a child has been removed from his or her home and placed elsewhere, the number and types of placements that have occurred, and the reason for the changes in placement.

10.9. The number of times a child's educational placement has been changed, the number and types of educational placements which have occurred, and the reason for any change in placement.

11.10. If the child has reached 13 years of age but is not yet 18 years of age, a statement from the caregiver on the progress the child has made in acquiring independent living skills.

12.11. Copies of all medical, psychological, and educational records that support the terms of the case plan and that have been produced concerning the parents or any caregiver since the last judicial review hearing.

13.12. Copies of the child's current health, mental health, and education records as identified in s. 39.6012.

(d) *Orders.*—

1. Based upon the criteria ~~set forth~~ in paragraph (c) and the recommended order of the citizen review panel, if any, the court shall determine whether ~~or not~~ the social service agency shall initiate proceedings to have a child declared a dependent child, return the child to the parent, continue the child in out-of-home care for a specified period of time, or initiate termination of parental rights proceedings for subsequent placement in an adoptive home. Amendments to the case plan must be prepared as prescribed in s. 39.6013. ~~If the court finds that remaining in the home with an in-home safety plan will not be detrimental to the child's safety, well-being, and physical, mental, and emotional health the prevention or reunification efforts of the department will allow the child to remain safely at home or be safely returned to the home, the court shall allow the child to remain in or return to the home after making a specific finding of fact that the reasons for the creation of the case plan have been remedied to the extent that the child's safety, well-being, and physical, mental, and emotional health will not be endangered.~~

2. The court shall return the child to the custody of the parents at any time it determines that ~~the circumstances that caused the out-of-home placement and issues subsequently identified have been remedied to the extent that the return of the child to the home with an in-home safety plan they have substantially complied with the case plan, if the court is satisfied that reunification will not be detrimental to the child's safety, well-being, and physical, mental, and emotional health.~~

3. If, in the opinion of the court, the social service agency has not complied with its obligations as specified in the written case plan, the court may find the social service agency in contempt, shall order the social service agency to submit its plans for compliance with the agreement, and shall require the social service agency to show why the child could not safely be returned to the home of the parents.

4. *If possible, the court shall order the department to file a written notification before a child changes placements or living arrangements. If such notification is not possible before the change, the department must file a notification immediately after a change. A written notification filed with the court must include assurances from the department that the provisions of s. 409.145 and administrative rule relating to placement changes have been met.*

5.4. If, at any judicial review, the court finds that the parents have failed to substantially comply with the case plan to the degree that further reunification efforts are without merit and not in the best interest of the child, on its own motion, the court may order the filing of a petition for termination of parental rights, whether or not the time period as contained in the case plan for substantial compliance has expired.

6.5. Within 6 months after the date that the child was placed in shelter care, the court shall conduct a judicial review hearing to review the child's permanency goal as identified in the case plan. At the hearing the court shall make findings regarding the likelihood of the

child's reunification with the parent or legal custodian within 12 months after the removal of the child from the home. If the court makes a written finding that it is not likely that the child will be reunified with the parent or legal custodian within 12 months after the child was removed from the home, the department must file with the court, and serve on all parties, a motion to amend the case plan under s. 39.6013 and declare that it will use concurrent planning for the case plan. The department must file the motion within 10 business days after receiving the written finding of the court. The department must attach the proposed amended case plan to the motion. If concurrent planning is already being used, the case plan must document the efforts the department is taking to complete the concurrent goal.

7.6. The court may issue a protective order in assistance, or as a condition, of any other order made under this part. In addition to the requirements included in the case plan, the protective order may set forth requirements relating to reasonable conditions of behavior to be observed for a specified period of time by a person or agency who is before the court; and the order may require any person or agency to make periodic reports to the court containing such information as the court in its discretion may prescribe.

Section 11. Section 409.143, Florida Statutes, is created to read:

409.143 *Assessment of children in out-of-home placement.*—

(1) *NEEDS ASSESSMENT.*—

(a) *Each child placed in out-of-home care shall be referred by the department for a comprehensive behavioral health assessment within 7 days after the child enters out-of-home care.*

(b) *The comprehensive assessment shall measure the strengths and needs of the child and family and provide recommendations for developing the case plan to ensure that the child has the services and supports that are necessary to maintain the child in the least restrictive out-of-home care setting, promote the child's well-being, accomplish family preservation and reunification, and facilitate permanency planning.*

(c) *Completion of the comprehensive assessment must occur within 30 days after the child enters out-of-home care.*

(d) *Upon receipt of a child's completed comprehensive assessment, the child's case manager shall review the assessment and document whether a less restrictive, more family-like setting for the child is recommended and available. The department shall document determinations resulting from the comprehensive assessment in the Florida Safe Families Network and update the case plan to include identified needs of the child and specified services and supports to be provided in the out-of-home care placement setting to meet the assessed needs of the child. The case manager shall refer the child and family for all services identified through a comprehensive assessment. The planned services shall be implemented within 30 days after the child's needs are identified. If services are not initiated within 30 days, the case manager shall document reasons in the case file as to why services were not initiated.*

(e) *The department and the community-based care lead agency may conduct additional assessments of a child in out-of-home care if necessary.*

(2) *CHILDREN IN GROUP CARE WITH A RESIDENTIAL CHILD-CARING AGENCY.*—

(a) *Within 30 days after a placement of a child in group care with a residential child-caring agency, a qualified individual shall make an assessment, using a validated and evidence-based assessment tool, and determine whether or not the child's needs can be met with family members or in a family foster home and if not, which of the approved foster care placement settings would provide a more effective and appropriate level of care. The assessment must be done in conjunction with a permanency team that must be established by the department or the community-based care lead agency that places children pursuant to this section. The team must include a representative from the community-based care lead agency, the caseworker for the child, the out-of-home care provider, the guardian ad litem, any provider of services to the child, teachers, clergy, relatives, and fictive kin.*

(b) *Within 60 days after a placement of a child in group care with a residential child-caring agency, a court must review the assessment and*

approve or disapprove the placement. At each judicial review and permanency, the department shall demonstrate why the child cannot be served in a family foster home, demonstrate why the placement in group care with a residential child-caring agency continues to be necessary and consistent with the child's short and long-term goals, and document efforts to step the child down into a more family-like setting.

(c) *If it is determined during any assessment that a child may be suitable for residential treatment as defined in s. 39.407, the procedures in that section must be followed.*

(3) *ANNUAL REPORT.*—*By October 1 of each year, the department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the placement of children in licensed out-of-home care, including family foster homes and residential group care, during the year. At a minimum, the report must include:*

(a) *The number of children placed in family foster homes and residential group care.*

(b) *The number of children placed outside of the county, outside of the circuit, and outside of the region in which they were removed from their homes.*

(c) *The number of children who had to change schools as a result of a placement decision.*

(d) *The use of each type of placement setting on a local, regional, and statewide level.*

(e) *An inventory of services available, by community-based care lead agency, which are necessary to maintain children in the least restrictive settings.*

(f) *An inventory of permanency teams that are created by each community-based care lead agency and the progress made by each lead agency to use those teams.*

Section 12. Section 409.144, Florida Statutes, is created to read:

409.144 *Continuum of care for children.*—

(1) *LEGISLATIVE FINDINGS AND INTENT.*—

(a) *The Legislature finds that permanency, well-being, and safety are critical goals for all children, especially for those in care, and that children in foster care or at risk of entering foster care are best supported through a continuum of care that provides appropriate ongoing services, supports, and a place to live from entry to exit.*

(b) *The Legislature also finds that federal law requires that out-of-home placements for children be in the least restrictive, most family-like setting available which is in close proximity to the home of their parents and consistent with the best interests and needs of the child, and that children be transitioned from out-of-home care to a permanent home in a timely manner.*

(c) *The Legislature further finds that permanency can be achieved through preservation of the family, through reunification with the birth family, or through legal guardianship or adoption by relatives or other caring and committed adults. Planning for permanency should begin at entry into care and should be child-driven, family-focused, culturally appropriate, and continuous and approached with the highest degree of urgency.*

(d) *It is, therefore, the intent of the Legislature that the department and the larger child welfare community establish and maintain a continuum of care that affords every child the opportunity to benefit from the most appropriate and least restrictive interventions, both in or out of the home, while ensuring that well-being and safety are addressed.*

(2) *DEFINITIONS.*—*As used in this section, the term:*

(a) *"Continuum of care" means the complete range of programs, services, and placement options for children served by, or at risk of being served by, the dependency system.*

(b) *"Family foster care" means a family foster home as defined in s. 409.175.*

(c) “Level of care” means a tiered approach to the type of placements used and the acuity and intensity of intervention services provided to meet the severity of a dependent child’s specific physical, emotional, psychological, and social needs.

(d) “Out-of-home care” means the placement of a child in licensed and nonlicensed settings, arranged and supervised by the department or contracted service provider, outside the home of the parent.

(e) “Residential group care” means a 24-hour, live-in environment that provides supervision, care, and services to meet the physical, emotional, social, and life skills needs of children served by the dependency system. Services may be provided by residential group care staff who are qualified to perform the needed services or by a community-based service provider with clinical expertise, credentials, and training to provide services to the children being served.

(3) **DEVELOPMENT OF CONTINUUM OF CARE.**—The department, in collaboration with the Florida Institute for Child Welfare and other stakeholders, shall develop a continuum of care for the placement of children in care, including, but not limited to, both family foster care and residential group care. Stakeholders involved in the development of the continuum of care must include representatives from providers, child advocates, children who are currently in care, and young adults who have aged out of care. To implement the continuum of care, the department shall, by December 31, 2017:

(a) Establish levels of care in the continuum of care which are clearly and concisely defined with the qualifying criteria for placement for each level of care identified.

(b) Revise licensure standards and rules to reflect the supports and services provided by a placement at each level of care and the complexity of the needs of the children served. Revisions must include attention to the need for a particular category of provider in a community before licensure may be considered, the quality standards of operation which must be met by all licensed providers, the numbers and qualifications of staff which are adequate to effectively address the issues and meet the needs of the children that the staff’s facility seeks to serve, and a well-defined process tied to specific criteria which leads to licensure suspension or revocation.

(c) Develop policies and procedures necessary to ensure that placement in any level of care is appropriate for each specific child, is determined by the required assessments and staffing, and lasts only as long as necessary to resolve the issue that required the placement.

(d) Develop a plan to recruit and retain specialized placements that may be appropriate and necessary for the following:

1. Placements for pregnant and parenting children and young adults must include family foster homes that are designed to provide an out-of-home placement option for young parents and their children to enable them to live in the same family foster home while caring for their children and working toward independent care of the child.

2. Placements for sibling groups must be family foster homes or residential group homes designed to keep sibling groups together unless such placements are not in the best interest of each child.

3. Young adults who have chosen to remain in foster care after the age of 18 and need independent living arrangements that provide services and case management.

4. Children who are involved in both the dependency and the juvenile justice systems. A plan for living arrangements and access to services for these children shall be developed by the department, in collaboration with the Department of Juvenile Justice.

(4) **QUALITY RATING SYSTEM.**—By June 30, 2017, the department shall develop, in collaboration with lead agencies, service providers, and other community stakeholders, a statewide quality rating system for providers of residential group care. This system must promote high quality in services and accommodations by creating measurable minimum quality standards. Domains addressed by a quality rating system for residential group care may include, but are not limited to, admissions, service planning and treatment planning, living environment, and program and service requirements. The system must be implemented by July 1, 2018, and must include:

(a) Delineated levels of quality which are clearly and concisely defined, including the domains measured and criteria that must be met to be placed in each level of quality.

(b) A well-defined process for notice, inspection, remediation, appeal, and enforcement.

(5) **REPORTING REQUIREMENT.**—The department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1 of each year, with the first report due October 1, 2016. At a minimum, the report must include the following:

(a) An update on the development of the continuum of care required by this section.

(b) An inventory of existing placements for children by type and by community-based care lead agency.

(c) An inventory of existing services available by community-based care lead agency and a plan for filling any identified gap, as well as a determination of what services are available that can be provided to children in family foster care without having to move the child to a more restrictive placement.

(d) The strategies being used by community-based care lead agencies to recruit, train, and support an adequate number of families to provide home-based family care.

(e) For every placement of a child made which is contrary to an appropriate placement as determined by the assessment process in s. 409.143, an explanation from the community-based care lead agency as to why the placement was made.

(f) The strategies being used by the community-based care lead agencies to reduce the high percentage of turnover in caseworkers.

(g) A plan for oversight by the department over the implementation of the continuum of care by the community-based care lead agencies.

(h) An update on the development of a statewide quality rating system for residential group care and family foster homes, and in 2018 and subsequent years, a list of providers meeting minimum quality standards and their quality ratings, the percentage of children placed in residential group care with highly rated providers, any negative action taken against contracted providers for not meeting minimum quality standards, and a plan for department oversight of the implementation of the statewide quality rating system for residential group care by the community-based lead agencies.

(6) **RULEMAKING.**—The department shall adopt rules to implement this section.

Section 13. Paragraph (a) of subsection (3) of section 409.1451, Florida Statutes, is amended to read:

409.1451 The Road-to-Independence Program.—

(3) **AFTERCARE SERVICES.**—

(a) Aftercare services are available to a young adult who was living in licensed care on his or her 18th birthday, who ~~has reached 18 years of age but~~ is not yet 23 years of age, and who is:

1. Not in foster care.

2. Temporarily not receiving financial assistance under subsection (2) to pursue postsecondary education.

Section 14. Paragraph (a) of subsection (3) of section 409.986, Florida Statutes, is amended to read:

409.986 Legislative findings and intent; child protection and child welfare outcomes; definitions.—

(3) **DEFINITIONS.**—As used in this part, except as otherwise provided, the term:

(a) “Care” means services of any kind which are designed to facilitate a child remaining safely in his or her own home, returning safely to

his or her own home if he or she is removed from the home, or obtaining an alternative permanent home if he or she cannot remain at home or be returned home. The term includes, but is not limited to, prevention, intervention, diversion, and related services.

Section 15. Subsection (3) of section 409.988, Florida Statutes, is amended to read:

409.988 Lead agency duties; general provisions.—

(3) SERVICES.—

(a) General services.—

1. A lead agency must provide dependent children with services that are supported by research or that are recognized as best practices in the child welfare field. The agency shall give priority to the use of services that are evidence-based and trauma-informed and may also provide other innovative services, including, but not limited to, family-centered and cognitive-behavioral interventions designed to mitigate out-of-home placements.

2. A lead agency must ensure the availability of a full array of services to address the complex needs of all children, adolescents, parents, and caregivers served within its local system of care and that sufficient flexibility exists within the service array to adequately match services to the unique characteristics of families served, including the ages of the children, cultural considerations, and parental choice.

3. The department shall annually complete an evaluation of the adequacy of the lead agencies service array, their use of trauma-informed and evidence-based programming, and the impact of available services on outcomes for the children served by the lead agencies and any sub-contracted providers of lead agencies. The evaluation report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1 of each year.

(b) Intervention services.—

1. Intervention services and supports shall be made available to a child and the parent of a child who is unsafe but can, with services, remain in his or her home or to a child who is placed in out-of-home care and the nonmaltreating parent or relative or nonrelative caregivers with whom an unsafe child is placed. Intervention services and supports must include:

a. Safety management services provided to an unsafe child as part of a safety plan that immediately and actively protects the child from dangerous threats if the parent or other caregiver cannot protect the child, including, but not limited to, behavior management, crisis management, social connection, resource support, and separation;

b. Treatment services provided to a parent or caregiver which are used to achieve a fundamental change in behavioral, cognitive, and emotional functioning associated with the reason that the child is unsafe, including, but not limited to, parenting skills training, support groups, counseling, substance abuse treatment, mental and behavioral health services, certified domestic violence center services for survivors of domestic violence and their children, and batterers' intervention programs that comply with s. 741.325 and other intervention services for perpetrators of domestic violence;

c. Child well-being services provided to an unsafe child which address a child's physical, emotional, developmental, and educational needs, including, but not limited to, behavioral health services, substance abuse treatment, tutoring, counseling, and peer support; and

d. Services provided to nonmaltreating parents or relative or nonrelative caregivers to stabilize the child's placement, including, but not limited to, transportation, clothing, household goods, assistance with housing and utility payments, child care, respite care, and assistance connecting families with other community-based services.

2. A lead agency shall prepare a case plan for each child and his or her family receiving services and support under this section. The plan must identify the permanency goal for the child and list the services and supports provided. Services must be tied to the placement and permanency goal and must be specified in advance of delivery. Priority must be given to services that are evidence-based and trauma-informed.

3. By October 1, 2016, each community-based care lead agency shall submit a monitoring plan to the department describing how the lead agency will monitor and oversee the safety of children who receive intervention services and supports. The monitoring plan must include a description of training and support for caseworkers handling intervention cases, including how caseload size and type will be determined, managed, and overseen.

4. Beginning October 1, 2016, each community-based care lead agency shall collect and report annually to the department, as part of the child welfare results-oriented accountability program required under s. 409.997, the following with respect to each child for whom, or on whose behalf, intervention services and supports are provided:

a. The number of children and families served;

b. The specific services provided and the total expenditures for each such service;

c. The child's placement status at the beginning and at the end of service provision; and

d. The child's placement status 1 year after the end of service provision.

5. Outcomes for this subsection shall be included in the annual report required under s. 409.997.

6. The department shall use programmatic characteristics and research and evaluation characteristics for well-supported, promising, and emerging programs and practices to inventory intervention services and supports by type and by lead agency. The inventory shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1 of each year.

7. The department may adopt rules to implement this subsection.

Section 16. Section 409.996, Florida Statutes, is amended to read:

409.996 Duties of the Department of Children and Families.—The department shall contract for the delivery, administration, or management of care for children in the child protection and child welfare system. In doing so, the department retains responsibility to ensure for the quality of contracted services and programs and shall ensure that an adequate array of services are available to be delivered in accordance with applicable federal and state statutes and regulations.

Section 17. Paragraph (s) of subsection (2) of section 39.202, Florida Statutes, is amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(s) Persons with whom the department is seeking to place the child or to whom placement has been granted, including foster parents for whom an approved home study has been conducted, the designee of a licensed residential child-caring agency defined ~~group home described~~ in s. 409.175 ~~s. 39.523~~, an approved relative or nonrelative with whom a child is placed pursuant to s. 39.402, preadoptive parents for whom a favorable preliminary adoptive home study has been conducted, adoptive parents, or an adoption entity acting on behalf of preadoptive or adoptive parents.

Section 18. Paragraph (a) of subsection (2) of section 39.5085, Florida Statutes, is amended to read:

39.5085 Relative Caregiver Program.—

(2)(a) The Department of Children and Families shall establish and operate the Relative Caregiver Program pursuant to eligibility guidelines established in this section as further implemented by rule of the department. The Relative Caregiver Program shall, within the limits of available funding, provide financial assistance to:

1. Relatives who are within the fifth degree by blood or marriage to the parent or stepparent of a child and who are caring full-time for that dependent child in the role of substitute parent as a result of a court's determination of child abuse, neglect, or abandonment and subsequent placement with the relative under this chapter.

2. Relatives who are within the fifth degree by blood or marriage to the parent or stepparent of a child and who are caring full-time for that dependent child, and a dependent half-brother or half-sister of that dependent child, in the role of substitute parent as a result of a court's determination of child abuse, neglect, or abandonment and subsequent placement with the relative under this chapter.

3. Nonrelatives who are willing to assume custody and care of a dependent child in the role of substitute parent as a result of a court's determination of child abuse, neglect, or abandonment and subsequent placement with the nonrelative caregiver under this chapter. The court must find that a proposed placement under this subparagraph is in the best interest of the child.

The placement may be court-ordered temporary legal custody to the relative or nonrelative under protective supervision of the department pursuant to s. 39.521(1)(c)3. ~~s. 39.521(1)(b)3.~~, or court-ordered placement in the home of a relative or nonrelative as a permanency option under s. 39.6221 or s. 39.6231 or under former s. 39.622 if the placement was made before July 1, 2006. The Relative Caregiver Program shall offer financial assistance to caregivers who would be unable to serve in that capacity without the caregiver payment because of financial burden, thus exposing the child to the trauma of placement in a shelter or in foster care.

Section 19. Subsection (11) of section 1002.3305, Florida Statutes, is amended to read:

1002.3305 College-Preparatory Boarding Academy Pilot Program for at-risk students.—

(11) STUDENT HOUSING.—Notwithstanding s. 409.176 ~~ss. 409.1677(3)(d) and 409.176~~ or any other provision of law, an operator may house and educate dependent, at-risk youth in its residential school for the purpose of facilitating the mission of the program and encouraging innovative practices.

Section 20. *Section 39.523, Florida Statutes, is repealed.*

Section 21. *Section 409.141, Florida Statutes, is repealed.*

Section 22. *Section 409.1676, Florida Statutes, is repealed.*

Section 23. *Section 409.1677, Florida Statutes, is repealed.*

Section 24. *Section 409.1679, Florida Statutes, is repealed.*

Section 25. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident response team advisory committee; amending s. 39.402, F.S.; revising information that the Department of Children and Families is required to inform the court at shelter hearings; revising the written findings required to be included in an order for placement of a child in shelter care; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans and predisposition studies; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing the purpose of a case plan; requiring a case plan to document that a preplacement plan has been provided and reasonable efforts have been made to prevent out-of-home placement; removing the prohibition of threatening or coercing a parent with the loss of custody or parental rights for failing to admit certain actions in a case plan; providing that a child must be given the opportunity to review, sign, and receive a copy of his or her case plan; providing additional requirements when the child attains a certain age; requiring the case plan to document that each parent has received additional written notices; amending s. 39.6012, F.S.; providing additional

requirements for the department and criteria for a case plan, with regard to placement, permanency, education, health care, contact with family, extended family, and fictive kin, and independent living; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child attains 18 years of age; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under ch. 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information that must be included in a specified written report under certain circumstances; requiring a court, if possible, to order the department to file a written notification; creating s. 409.143, F.S.; requiring every child placed in out-of-home care to be referred within a certain time for a comprehensive behavioral health assessment; providing requirements and procedures for such assessment; requiring the department or the community-based care lead agency to establish permanency teams; requiring an assessment within a certain timeframe from the beginning of a new placement in group care; providing for judicial review of certain placements; requiring the department to submit an annual report to the Governor and the Legislature on the placement of children in licensed out-of-home care; creating s. 409.144, F.S.; providing legislative findings and intent; defining terms; requiring the department to develop a continuum of care for the placement of children in care settings; requiring a plan to recruit and retain specialized placements for specific children and young adults; requiring the department to develop a quality rating system for group home and foster homes; providing requirements for the rating system; requiring the department to submit a report annually to the Governor and the Legislature; requiring the department to adopt rules; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S., revising the definition of the term "care"; amending s. 409.988, F.S.; requiring lead agencies to ensure the availability of a full array of services; requiring specified intervention services; requiring the department to submit annually to the Governor and the Legislature a report that evaluates the adequacy of intervention services; requiring the department to adopt rules; amending s. 409.996, F.S.; requiring the department to ensure quality and availability of services; amending s. 39.202, F.S.; conforming provisions to changes made by the act; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 599**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz de la Portilla—

CS for SB 1152—A bill to be entitled An act relating to classified advertisement websites; creating s. 501.180, F.S.; defining the term "safe-haven facility"; authorizing local governmental bodies to designate a specified number of safe-haven facilities in each county based upon population size; authorizing a local governmental body to approve the use of local government buildings to serve as safe-haven facilities; limiting the liability of any local governmental entity that provides a safe-haven facility; limiting actions against the state or local government related to transactions taking place at a safe-haven facility; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1152** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 1044—A bill to be entitled An act relating to contraband forfeiture; amending s. 932.701, F.S.; conforming provisions to changes made by the act; amending s. 932.703, F.S.; specifying that property may be seized only under certain circumstances; defining the

term “monetary instrument”; requiring that specified persons approve a settlement; providing circumstances when property may be deemed contraband; allocating responsibility for damage to seized property and payment of storage and maintenance expenses; requiring the seizing agency to apply for an order, within a certain timeframe, making a probable cause determination after the agency seizes property; providing application requirements; requiring a court to make specified determinations; providing procedures upon certain court findings; authorizing the court to seal any portion of the application and of specified proceedings under certain circumstances; providing for construction; amending s. 932.704, F.S.; providing requirements for a filing fee and a bond to be paid to the clerk of court; increasing the evidentiary standard from clear and convincing evidence to proof beyond a reasonable doubt that a contraband article was being used in violation of the Florida Contraband Forfeiture Act for a court to order the forfeiture of the seized property; increasing the attorney fees and costs awarded to claimant under certain circumstances; requiring a sizing agency to annually review seizures, settlements, and forfeiture proceedings to determine compliance with the Florida Contraband Forfeiture Act; providing requirements for seizing law enforcement agencies; requiring seizing law enforcement agencies to adopt and implement specified written policies, procedures, and training; requiring law enforcement agency personnel to receive basic training and continuing education; requiring the maintenance of training records; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; creating s. 932.7061, F.S.; providing reporting requirements for seized property for forfeiture; creating s. 932.7062, F.S.; providing penalties for non-compliance with reporting requirements; amending s. 322.34, F.S.; providing for payment of court costs, fines, and fees from proceeds of certain forfeitures; conforming provisions to changes made by the act; amending ss. 323.001, 328.07, and 817.625, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Brandes moved the following amendment:

Amendment 1 (829662)—Delete lines 70-78 and insert:
only if the owner of the property is arrested for a criminal offense that forms the basis for determining that the property is a contraband article under s. 932.701, or one or more of the following circumstances apply:

1. *The owner of the property cannot be identified after a diligent search;*
2. *The owner of the property is a fugitive from justice or is deceased; or*
3. *An individual who does not own the property is arrested for a criminal offense that forms the basis for determining that the property is a contraband article under s. 932.701 and the owner of the property had actual*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment to **Amendment 1 (829662)** which was adopted:

Amendment 1A (675102)—Delete line 12 and insert:
is deceased;

Amendment 1 (829662), as amended, was adopted.

Senator Brandes moved the following amendments which were adopted:

Amendment 2 (615322)—Delete lines 135-137 and insert:

2. *Unless otherwise expressly agreed to in writing by the parties, the agency seeking forfeiture of the seized property is responsible for any damage to the property*

Amendment 3 (347020) (with title amendment)—Delete lines 151-177 and insert:

1. *The owner was arrested under paragraph (1)(a), and if not, whether an exception to the arrest requirement specified in paragraph (1)(a) applies; and*

2. *Probable cause exists for the property seizure under the Florida Contraband Forfeiture Act.*

(c) *If the court finds that the requirements specified in paragraph (1)(a) were satisfied and that probable cause exists for the seizure, the forfeiture may proceed as set forth in the Florida Contraband Forfeiture Act, and no additional probable cause determination is required unless the claimant requests an adversarial preliminary hearing as set forth in the act. Upon such a finding, the court shall issue a written order finding probable cause for the seizure and order the property held until the issue of a determination of title is resolved pursuant to the procedures defined in the act.*

(d) *If the court finds that the requirements in paragraph (1)(a) were not satisfied or that probable cause does not exist for the seizure, any forfeiture hold, lien, lis pendens, or other civil encumbrance must be released within 5 days.*

(e) *The court may seal any portion of the application and the record of any proceeding under the Florida Contraband Forfeiture Act which is exempt or confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution or may otherwise be sealed pursuant to Rule 2.420, Florida Rules of Judicial Administration.*

And the title is amended as follows:

Delete line 19 and insert: *circumstances; amending s.*

Amendment 4 (266500) (with title amendment)—Delete lines 186-188 and insert:

a bond of \$1,500 to the clerk of the court. Unless otherwise expressly agreed to in writing by the parties, the bond shall be payable to the claimant if the claimant prevails in the forfeiture proceeding and in any appeal.

And the title is amended as follows:

Between lines 21 and 22 insert: *requiring that the bond be made payable to the claimant under certain circumstances unless otherwise expressly agreed to in writing;*

Pursuant to Rule 4.19, **CS for CS for SB 1044**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for SB 668—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring a court to consider certain alimony factors and make specific written findings of fact under certain circumstances; prohibiting a court from using certain presumptive alimony guidelines in calculating alimony pendente lite; amending s. 61.08, F.S.; defining terms; requiring a court to make specified initial written findings in a dissolution of marriage proceeding where a party has requested alimony; requiring a court to make specified findings before ruling on a request for alimony; providing for determinations of presumptive alimony amount range and duration range; providing presumptions concerning alimony awards depending on the duration of marriages; providing for imputation of income in certain circumstances; specifying exceptions to the guidelines for the amount and duration of alimony awards; providing for awards of nominal alimony in certain circumstances; providing for taxability and deductibility of alimony awards; prohibiting a combined award of alimony and child support from constituting more than a specified percentage of a payor's net income; authorizing the court to order a party to protect an alimony award by specified means; providing for termination of an award; authorizing a court to modify or terminate the amount of an initial alimony award; prohibiting a court from modifying the duration of an alimony award; providing for payment of awards; amending s. 61.13, F.S.; specifying a premise that a minor child should spend approximately equal amounts of time with each parent; revising a finite list of factors that a court must evaluate when establishing or modifying parental responsibility or a parenting plan; requiring a court order to be supported by written findings of fact under certain circumstances; amending s. 61.14, F.S.; prohibiting a court from changing the duration of alimony; authorizing a party to pursue an immediate modification of alimony in certain circumstances; revising factors to be considered in determining whether

an existing award of alimony should be reduced or terminated because of an alleged supportive relationship; providing for burden of proof for claims concerning the existence of supportive relationships; providing for the effective date of a reduction or termination of an alimony award; providing that the remarriage of an alimony obligor is not a substantial change in circumstance; providing that the financial information of a spouse of a party paying or receiving alimony is inadmissible and undiscoverable; providing an exception; providing for modification or termination of an award based on a party's retirement; providing a presumption upon a finding of a substantial change in circumstance; specifying factors to be considered in determining whether to modify or terminate an award based on a substantial change in circumstance; providing for a temporary suspension of an obligor's payment of alimony while his or her petition for modification or termination is pending; providing for an award of attorney fees and costs for unreasonably pursuing or defending a modification of an award; providing for an effective date of a modification or termination of an award; amending s. 61.30, F.S.; requiring that a child support award be adjusted to reduce the combined alimony and child support award under certain circumstances; creating s. 61.192, F.S.; providing for motions to advance the trial of certain actions if a specified period has passed since the initial service on the respondent; amending ss. 61.1827 and 409.2579, F.S.; conforming cross-references; providing applicability; providing an effective date.

—was read the second time by title.

SENATOR GAETZ PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 668** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for SB 1298—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing for construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; revising provisions authorizing the bringing of actions and specified remedies under the Patent Troll Prevention Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1298** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1442** was deferred.

On motion by Senator Simmons—

CS for SB 1418—A bill to be entitled An act relating to supplemental academic instruction; amending s. 1011.62, F.S.; requiring supplemental academic instruction categorical funds and research-based reading instruction allocation funds to be used by a school district that has one or more of the lowest-performing elementary schools for additional intensive reading instruction at the school during the summer program in addition to instruction during the school year; requiring certain school districts to provide additional instruction under certain circumstances; requiring such districts to provide the Department of Education with certain plans; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (929824) (with title amendment)—Delete lines 38-135 and insert:

2. *The categorical fund funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the 2014-2015 fiscal year, Each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective in teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers may shall not be included in the 300 schools. For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size reduction, an extended school year, intensive skills development in summer school, and other methods of for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.*

3. *Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that shall have a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.*

4.3. *Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.*

5.4. *The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.*

6.5. *Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d) 3.*

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~ In each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. *For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment.* Students enrolled in these schools who have Level 5 assessment scores may participate in the additional hour of instruction on an optional basis.

And the title is amended as follows:

Delete lines 3-13 and insert: amending s. 1011.62, F.S.; deleting the fiscal year for the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; conforming provisions relating to the research-based reading instruction allocation to changes made by the act; deleting obsolete provisions; providing

Pursuant to Rule 4.19, **CS for SB 1418**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for CS for SB 1170—A bill to be entitled An act relating to health plan regulatory administration; amending s. 112.08, F.S.; authorizing local governmental units to contract for certain group insurance with a corporation not for profit whose membership consists of specified local governmental units; adding such a corporation not for profit as an alternative entity that a local governmental unit must contract with to administer certain insurance plans; amending s. 408.909, F.S.; redefining the terms “health care coverage” and “health flex plan coverage”; amending s. 409.817, F.S.; deleting a provision authorizing group insurance plans to impose a certain preexisting condition exclusion; amending s. 624.123, F.S.; conforming a cross-reference; amending s. 626.88, F.S.; revising the definition of the term “administrator”; amending s. 627.402, F.S.; redefining the term “nongrandfathered health plan”; amending s. 627.411, F.S.; deleting a provision relating to a minimum loss ratio standard for specified health insurance coverage; deleting provisions specifying certain incurred claims; amending s. 627.6011, F.S., conforming a cross-reference; amending s. 627.602, F.S.; conforming a cross-reference; amending s. 627.642, F.S.; revising the policies to which certain outline of coverage requirements apply; amending s. 627.6425, F.S.; redefining the term “individual health insurance”; revising applicability; amending s. 627.6487, F.S.; redefining terms; repealing s. 627.64871, F.S., relating to certification of coverage; amending s. 627.6512, F.S.; revising a provision specifying that certain sections of the Florida Insurance Code do not apply to a group health insurance policy as that policy relates to specified benefits, under certain circumstances; amending s. 627.6513, F.S.; excluding applicability as to certain types of benefits or coverages; amending s. 627.6561, F.S.; conforming a cross-reference; revising conditions under which an insurer may impose a preexisting condition exclusion; deleting the definition of the term “creditable coverage”; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 627.6562, F.S.; redefining the term “creditable coverage”; providing exceptions and applicability; amending s. 627.65626, F.S.; conforming a cross-reference; amending s. 627.6699, F.S.; redefining terms; deleting a provision that requires a certain health benefit plan to comply with specified preexisting condition provisions; amending s. 627.6741, F.S.; conforming cross-references; conforming a provision to changes made by the act; amending s. 641.31, F.S.; deleting a provision specifying that a law restricting or limiting deductibles, coinsurance, copayments, or annual or lifetime maximum payments may not apply to a certain health maintenance organization contract; conforming a cross-reference; amending s. 641.31071, F.S.; conforming a cross-reference;

deleting the definition of the term “creditable coverage”; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 641.31074; requiring a health maintenance organization that issues a health insurance contract, rather than a group health insurance contract, to renew or continue in force such coverage at the contract holder’s option; revising conditions under which a health maintenance organization may discontinue offering a particular contract form; adding to the conditions under which a health maintenance organization may, at the time of coverage renewal, modify coverage for a product offered; amending s. 641.312, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1170** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 524** was deferred.

On motion by Senator Ring—

CS for CS for SB 794—A bill to be entitled An act relating to dissolution of marriage parenting plans; amending s. 61.13, F.S.; requiring that parenting plans provide that either parent may consent to mental health treatment for the child if the court orders shared parental responsibility; providing that the responsibility for the health care costs for the mental health treatment of the child shall be governed by the marital settlement agreement or court order; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 794** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for CS for SB 936—A bill to be entitled An act relating to criminal justice system interviews of individuals with autism or an autism spectrum disorder; providing a short title; creating s. 943.0439, F.S.; requiring a law enforcement officer, correctional officer, or another public safety official to make a good faith effort, upon the request of a parent, a guardian, or the individual, to ensure that specified professionals are present at all interviews of an individual diagnosed with autism or an autism spectrum disorder; providing specifications for the professional; specifying that the parent, guardian, or individual bears the expense of hiring the professional; requiring a convicted defendant to pay for the professional under certain circumstances; specifying that not having a professional present is not a basis for suppressing statements or for bringing a cause of action; providing applicability; requiring law enforcement agencies to develop and implement appropriate policies and provide training; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Sobel offered the following amendment which was moved by Senator Ring and adopted:

Amendment 1 (609018) (with title amendment)—Delete lines 25-61 and insert:

Section 1. *The amendments made by this act to s. 943.0439, Florida Statutes, may be cited as “The Wes Kleinert Fair Interview Act.”*

Section 2. Effective October 1, 2016, paragraph (c) is added to subsection (8) of section 322.051, Florida Statutes, to read:

322.051 Identification cards.—

(8)

(c)1. *Upon request by a person who has a developmental disability, or by a parent or guardian of a child or ward who has a developmental*

disability, the department shall issue an identification card exhibiting a capital "D" for the person, child, or ward if the person or the parent or guardian of the child or ward submits:

- a. Payment of an additional \$1 fee; and
 - b. Proof acceptable to the department of a diagnosis by a licensed physician of a developmental disability as defined in s. 393.063.
2. The department shall deposit the additional \$1 fee into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund under s. 20.1971(2).
 3. A replacement identification card that includes the designation may be issued without payment of the fee required under s. 322.21(1)(f).
 4. The department shall develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards under this section.

Section 3. *Effective October 1, 2016, the amendments made by this act to s. 322.051, Florida Statutes, shall apply upon implementation of new designs for the driver license and identification card by the Department of Highway Safety and Motor Vehicles.*

Section 4. Section 943.0439, Florida Statutes, is created to read:

943.0439 Interviews of victims, suspects, or defendants with autism or an autism spectrum disorder.—A law enforcement officer, a correctional officer, or another public safety official shall, upon the request of an individual diagnosed with autism or an autism spectrum disorder or his or her parent or guardian, make a good faith effort to ensure that a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional is present at all interviews of the individual. The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with autism or an autism spectrum disorder or related developmental disability or must be certified in special education with a concentration focused on persons with autism or an autism spectrum disorder. All expenses related to the attendance of the professional at interviews shall be borne by the requesting parent, guardian, or individual. If the individual is a victim, the defendant shall reimburse the victim for all expenses related to the attendance of the professional at the interview, in addition to other restitution or penalties provided by law, upon conviction of the offense of which the individual is a victim. Failure to have a professional as defined by this subsection present at the time of the interview is not a basis for suppression of the statement or the contents of the interview or for a cause of action against the law enforcement officer or agency. This subsection applies to such an individual who is the victim, a suspect, or a defendant formally accused of a crime.

(2) *Each law enforcement agency must ensure that appropriate policies are developed which implement this section and that training is provided to its law enforcement and correctional officers based on those policies.*

Section 5. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete lines 2-21 and insert: An act relating to persons with disabilities; providing a short title; amending s. 322.051, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue an identification card exhibiting a special designation for a person who has a developmental disability under certain circumstances; requiring payment of an additional fee and proof of diagnosis by a licensed physician; requiring the fee to be deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund; authorizing issuance of a replacement identification card that includes the special designation without payment of a specified fee; requiring the department to develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards; providing applicability; creating s. 943.0439, F.S.; requiring a law enforcement officer, correctional officer, or another public safety official to make a good faith effort, upon the request of a parent, a guardian, or the individual, to ensure that specified professionals are present at all interviews of an individual diagnosed with autism or an autism spectrum disorder; providing specifications for the professional; specifying that

the parent, guardian, or individual bears the expense of hiring the professional; requiring a convicted defendant to pay for the professional under certain circumstances; specifying that not having a professional present is not a basis for suppressing statements or for bringing a cause of action; providing applicability; requiring law enforcement agencies to develop and implement appropriate policies and provide training; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for SB 936**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 1282—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 379.2223, F.S.; revising penalties for violations of commission rules relating to control and management of state game lands; amending s. 379.2257, F.S.; revising penalties for violations of commission rules relating to cooperative agreements with the United States Forest Service; amending s. 379.2425, F.S.; authorizing exceptions to the prohibition on spearfishing; specifying penalties for violating the prohibition; amending s. 379.2431, F.S.; prohibiting certain possession of any marine turtle species or hatchling or parts thereof; providing penalties; amending s. 379.29, F.S.; revising penalties related to the contamination of fresh waters; amending s. 379.295, F.S.; specifying penalties associated with the prohibition on the use of explosives and other substances injurious to fish; amending s. 379.33, F.S.; deleting penalty provisions associated with the general enforcement of commission rules; amending s. 379.3502, F.S.; deleting a provision regarding the alteration of licenses or permits; specifying penalties for the unlawful transfer of a license or permit; amending s. 379.3503, F.S.; specifying penalties for swearing or affirming a false statement in an application for a license or permit; amending s. 379.3504, F.S.; specifying penalties for entering false information on an application for a license or permit; amending s. 379.3511, F.S.; revising penalties for violations related to subagent sales of hunting, fishing, and trapping licenses and permits; amending s. 379.354, F.S.; specifying penalties for violations related to recreational licenses, permits, and authorization numbers; amending s. 379.357, F.S.; providing that the purchase of a tarpon tag does not accord the purchaser with certain rights; revising penalties related to the tarpon license program; amending s. 379.359, F.S.; authorizing, rather than requiring, the commission to retain a portion of voluntary contributions for Southeastern Guide Dogs, Inc.; amending s. 379.363, F.S.; specifying penalties for violations related to freshwater fish dealer licenses; amending s. 379.364, F.S.; specifying penalties for violations related to the licensure of fur and hide dealers; amending s. 379.365, F.S.; revising penalties for violations related to stone crabs; amending s. 379.3751, F.S.; specifying penalties for violations related to the taking and possession of alligators; amending s. 379.3752, F.S.; specifying penalties for violations of requirements related to tagging of alligators and alligator hides; amending s. 379.401, F.S.; revising the penalties associated with the violation of commission rules related to the filing of documentation; specifying penalties for the violation of commission rules or orders related to the return of unused Convention on the International Trade on Endangered Species (CITES) tags; authorizing the imposition of a modified penalty for a specified offense if certain conditions are met; specifying that persons who commit certain Level One violations may be required to provide proof of a license or permit to satisfy a citation; providing that violations of commission rules or orders regarding all traps are Level Two violations unless otherwise specified; providing that violations of rules or orders of the commission relating certain alligator-related programs are Level Two violations; providing that certain specified unclassified violations are Level Two violations; revising the levels to which specified violations are assigned; revising penalty provisions for Level Four violations; specifying penalties for certain violations while engaged in trespass; specifying that certain fines collected for trespass violations be deposited in the State Game Trust Fund; repealing s. 379.403, F.S., relating to the illegal killing, taking, possessing, or selling of wildlife or game and related fines; amending s. 379.409, F.S.; revising penalties for the illegal killing, possessing, or capturing of alligators or other crocodilia or crocodilian eggs; amending s. 379.411, F.S.; revising penalties for the unlawful intentional killing or wounding of any species designated as endangered, threatened, or of special concern; amending s. 379.4115, F.S.; revising penalties for the killing of Florida or wild panthers; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1282**, pursuant to Rule 3.11(3), there being no objection, **HB 7013** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Dean—

HB 7013—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 379.2223, F.S.; revising penalties for violations of commission rules or regulations relating to control and management of state game lands; amending s. 379.2257, F.S.; revising penalties for violations of wildlife management area rules and regulations on United States Forest Service lands; amending s. 379.2425, F.S.; authorizing spearfishing in specified areas by commission rule or order; providing a penalty for violations of commission rules or orders relating to spearfishing; amending s. 379.2431, F.S.; prohibiting certain possession of any marine turtle species or hatchling or parts thereof; providing penalties; amending s. 379.29, F.S.; revising penalties for violations relating to the contamination of fresh waters; amending s. 379.295, F.S.; providing a penalty for violations relating to the use of explosives and other substances or force in fresh waters; amending s. 379.33, F.S.; deleting base penalty provisions for violation of or failure to comply with any commission rule; amending s. 379.3502, F.S.; deleting violation provisions for altering or changing, in any manner, a license or permit; providing a penalty for violations relating to loaning or transferring a license or permit to another person or using a borrowed or transferred license or permit; amending s. 379.3503, F.S.; revising penalties for violations of swearing or affirming to a false statement on a license or permit application; amending s. 379.3504, F.S.; revising penalties for violations relating to entering false information on a license or permit; amending s. 379.3511, F.S.; revising penalties relating to the sale of specified licenses and permits by appointed subagents; amending s. 379.354, F.S.; providing a penalty for violations relating to possession of recreational hunting, fishing, and trapping licenses, permits, and authorization numbers; amending s. 379.357, F.S.; revising penalties for violations relating to the purchase of a tarpon tag and the sale of tarpon; amending s. 379.359, F.S.; authorizing, rather than requiring, the commission to retain a portion of voluntary contributions to Southeastern Guide Dogs, Inc.; amending s. 379.363, F.S.; providing a penalty for violations relating to freshwater fish dealers' licenses; amending s. 379.364, F.S.; providing a penalty for violations relating to fur and hide dealers' licenses; amending s. 379.365, F.S.; deleting penalty provisions for violations of stone crab regulations by persons other than commercial harvesters; amending s. 379.3751, F.S.; providing a penalty for violations relating to trapping licenses for taking and possessing alligators; amending s. 379.3752, F.S.; providing a penalty for violations relating to the tagging of alligators and hides; amending s. 379.401, F.S.; providing penalties for violations relating to filing reports and documents by persons who hold alligator licenses and permits; reducing the penalties for failure to return CITES tags issued under the Statewide Alligator Harvest Program and the Stateside Nuisance Alligator Program; providing an alternative penalty for specified violations relating to recreational fishing, hunting, and trapping licenses; increasing the civil penalty amount for Level One repeat violations; providing that the unlawful use of any trap is a Level Two violation; providing that violations relating to record requirements for alligators is a Level Two violation; providing that violations relating to the return of CITES tags issued in a program other than the Statewide Alligator Harvest Program or the Statewide Nuisance Alligator Program is a Level Two violation; deleting penalty provisions for the sale, purchase, harvest, or attempted harvest of any saltwater product with intent to sell; providing additional criminal penalties for Level Four violations; providing additional penalties for the illegal taking of fish and wildlife while trespassing; repealing s. 379.403, F.S., relating to the illegal killing, taking, possessing, or selling of wildlife or game; amending s. 379.409, F.S.; revising penalties for the illegal killing, possessing, or capturing of alligators or other crocodilia or their eggs; amending s. 379.411, F.S.; revising penalties for the intentional killing or wounding of any species designated as endangered, threatened, or of special concern; amending s. 379.4115, F.S.; revising penalties for violations relating to killing a Florida or wild panther; providing an effective date.

—a companion measure, was substituted for **CS for SB 1282** and read the second time by title.

Pursuant to Rule 4.19, **HB 7013** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for SB 1256—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term “technical violation”; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender's participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1256** was placed on the calendar of Bills on Third Reading.

CS for SB 1370—A bill to be entitled An act relating to Medicaid provider overpayments; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to certify that a Medicaid provider is out of business and that overpayments made to a provider cannot be collected under state law; amending s. 409.9132, F.S.; revising the manner in which the Medicaid program verifies a vendor's visits for the delivery of home health services; reenacting s. 409.8132(4), F.S., to incorporate the amendment made to s. 409.908, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1370**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1245** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

CS for HB 1245—A bill to be entitled An act relating to Medicaid provider overpayments; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to certify that a Medicaid provider is out of business and that overpayments made to a provider cannot be collected under state law; amending s. 409.9132, F.S.; revising the method for verifying the delivery of home health services under the home health agency monitoring pilot project; reenacting s. 409.8132(4), F.S., relating to the applicability of certain laws to the Medikids program, to incorporate the amendment made by the act to s. 409.908, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 1370** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1245** was placed on the calendar of Bills on Third Reading.

CS for SB 1306—A bill to be entitled An act relating to public records and meetings; creating s. 464.0096, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health or the Board of Nursing pursuant to the Nurse Licensure Compact; authorizing disclosure of the information under certain circumstances; providing an exemption from public meeting requirements for certain meetings of the Interstate Commission of Nurse Licensure Compact Administrators; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portion of such a meeting; providing for future

legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1306**, pursuant to Rule 3.11(3), there being no objection, **HB 1063** was withdrawn from the Committees on Health Policy; Governmental Oversight and Accountability; and Rules.

On motion by Senator Grimsley—

HB 1063—A bill to be entitled An act relating to public records and meetings; creating s. 464.0096, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health or the Board of Nursing pursuant to the Nurse Licensure Compact; authorizing disclosure of the information under certain circumstances; providing an exemption from public meeting requirements for certain meetings of the Interstate Commission of Nurse Licensure Compact Administrators; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portion of such a meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1306** and read the second time by title.

Pursuant to Rule 4.19, **HB 1063** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 548—A bill to be entitled An act relating to title insurance; amending s. 627.778, F.S.; increasing a title insurer's limit of risk from one-half of its surplus as to policyholders to the entirety of its surplus; revising an exception to the limit; providing that the risk limitation does not prohibit ceding portions of the total risk to specified reinsurers; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 548**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 413** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Richter—

CS for CS for HB 413—A bill to be entitled An act relating to title insurance; amending s. 627.778, F.S.; revising certain limitations on assumption of risk by title insurers; authorizing a title insurer to obtain reinsurance from an eligible reinsurer; revising applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 548** and read the second time by title.

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

SB 944—A bill to be entitled An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; requiring state universities, Florida College System institutions, and certain centers to waive out-of-state fees for active duty members of the United States Armed Forces residing or stationed outside of this state; prohibiting tuition and fees charged to such students from exceeding a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; requiring the Board of Governors and the State Board of education to adopt related regulations and rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 944**, pursuant to Rule 3.11(3), there being no objection, **HB 799** was withdrawn from the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Richter—

HB 799—A bill to be entitled An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; providing that active duty members of the Armed Forces of the United States residing or stationed outside of this state may receive out-of-state fee waivers; requiring that tuition and fees charged to such students be below a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; providing for regulations and rules to administer such provisions; providing an effective date.

—a companion measure, was substituted for **SB 944** and read the second time by title.

Pursuant to Rule 4.19, **HB 799** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 918—A bill to be entitled An act relating to the Department of Health; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research Program; revising the reporting requirements for entities that perform or are associated with cancer research or care and that receive a specific appropriation; amending s. 381.0034, F.S.; revising the requirements for certain license applications; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer's Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer's Disease Research Program; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer's Disease Research Program; amending s. 381.922, F.S.; requiring the Biomedical Research Advisory Council under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program to submit a report to the Legislature; providing reporting requirements; amending s. 384.23, F.S.; requiring the department to designate by rule sexually transmissible diseases; deleting references to specific diseases that may be considered sexually transmissible diseases; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide expedited partner therapy under certain circumstances; authorizing licensed pharmacists to dispense medication to a person diagnosed with a sexually transmissible disease under a prescription written for his or her partner, regardless of whether the person for whom the prescription was written has been physically examined by the prescribing practitioner; requiring that a pharmacist or a health care practitioner check for allergies before dispensing a prescription or providing medication; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time a certificate may remain in an inactive status; clarifying the process for reactivating and renewing a certificate in an inactive status; authorizing emergency medical technicians or paramedics that are trained in the military to apply for certification; deleting a requirement that emergency medical technicians or paramedics who are trained outside the state or are trained in the military successfully complete a certification examination; amending s. 456.013, F.S.; revising course requirements for obtaining a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for certain members of the Armed Forces of the United States and their spouses to obtain licensure to practice as a health care practitioner in this state; authorizing the spouse of an active duty military member to be licensed as a health care practitioner in this state if he or she meets specified criteria; creating s. 456.0241, F.S.; establishing a temporary certificate for active duty health care practitioners; defining terms; authorizing the department to issue a temporary certificate to active duty military health care practitioners to allow them to practice in specified professions; providing eligibility requirements; requiring the department to verify information submitted in support of establishing eligibility; providing for the automatic expiration of the temporary certificate within a specified time frame; providing for renewal of the temporary certificate if certain conditions are met; providing an exemption from specified requirements to military practitioners who apply for a temporary certificate; providing circumstances under which an applicant is ineligible to receive a temporary certificate; requiring the department to adopt by rule application and renewal fees, which may not exceed a specified amount; requiring the department to adopt necessary rules; amending s. 456.025, F.S.; deleting the requirement for an annual meeting of chairpersons of Division of Medical Quality Assurance boards and councils; deleting the requirement that certain recommendations be included in a report to the Legislature; deleting a requirement that the Department of Health set license fees and recommend fee cap increases

in certain circumstances; providing that a profession may operate at a deficit for a certain time period; deleting a provision authorizing the department to advance funds under certain circumstances; deleting a requirement that the department implement an electronic continuing education tracking system; authorizing the department to waive specified costs under certain circumstances; revising legislative intent; deleting a prohibition against the expenditure of funds by the department from the account of a profession to pay for the expenses of another profession; deleting a requirement that the department include certain information in an annual report to the Legislature; amending s. 456.031, F.S.; providing that certain licensing boards must require specified licensees to complete a specified continuing education course that includes a section on human trafficking as a condition of relicensure or recertification; providing requirements and procedures related to the course; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; revising a provision for a person or an entity appointed by the board to be approved by the department; authorizing the department to contract with a third party to provide record custodian services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain documentation from applicants; amending ss. 458.347 and 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; making technical changes; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; deleting a rulemaking requirement; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists in the department; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; deleting references to specific accrediting agencies; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit for certain information; amending ss. 499.028 and 921.0022, F.S.; conforming cross-references; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 918**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 941** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Richter—

CS for CS for HB 941—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming the Office of Minority Health within the department; specifying that the office shall be headed by a Senior Health Equity Officer and prescribing his or her duties; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research program; revising the reporting requirements for certain entities that perform or are associated with cancer research or care; amending s. 381.0034, F.S.; deleting the requirement that applicants making initial application for certain licensure complete certain courses; amending s. 381.7355, F.S.; revising the review criteria for Closing the Gap grant proposals; amending s.

381.82, F.S.; revising the reporting requirements for the Alzheimer's Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer's Disease Research Program; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 381.877, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a prescription or a non-patient specific standing order for an auto injection delivery system or an intranasal delivery system; prohibiting health care practitioners employed by the pharmacist from issuing a non-patient specific standing order for an emergency opioid antagonist; prohibiting a health care practitioner from receiving remuneration for issuing a non-patient specific standing order for an emergency opioid antagonist; requiring pharmacists dispensing emergency opioid antagonists to provide certain information to the patient or caregiver; amending s. 381.922, F.S.; providing reporting requirements for the Biomedical Research Advisory Council under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; amending s. 382.0255, F.S.; prohibiting a fee for a determination or medical certification of the cause of death under certain provisions; amending s. 384.23, F.S.; revising the factors to be considered in designating a condition as a sexually transmissible disease; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide partner therapy under certain conditions; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time that an emergency medical technician or paramedic certificate may remain in an inactive status; revising the requirements for reactivating and renewing such a certificate; revising eligibility for certification; deleting a requirement that applicants successfully complete a certification examination within a specified timeframe; amending s. 456.013, F.S.; revising course requirements for renewing a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard and the spouse of an active duty military member to be issued a license to practice as a health care practitioner in this state; deleting provisions relating to temporary professional licensure for spouses of active duty members of the United States Armed Forces; creating s. 456.0241, F.S.; providing definitions; providing for issuance of a temporary certificate under certain conditions for certain military health care practitioners; providing for the automatic expiration of the temporary certificate unless renewed; providing for application and renewal fees; requiring the department to adopt rules; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; requiring a person or entity appointed by the board as a custodian of medical records to be approved by the department; authorizing the department to contract with a third party to provide custodial services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain documentation from applicants; amending s. 458.347, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.009, providing training requirements for pharmacists related to opioid antagonist dispensing; authorizing the department to adopt rules; amending 465.027, F.S.; providing an additional exception to pharmacy regulations for manufacturers of dialysis drugs or supplies; amending s. 465.0275, F.S.; revising the amount of emergency prescription refill authorized to be dispensed by a pharmacist; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing

s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; revising accrediting agencies that may approve physical therapy assistant programs for purposes of licensing; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit of certain information; amending ss. 499.028, 893.04, and 921.0022, F.S.; conforming provisions and cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 918** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment which was adopted:

Amendment 1 (355616) (with title amendment)—Delete lines 352-384.

And the title is amended as follows:

Delete lines 22-35 and insert: appropriation for the program; amending s. 381.922, F.S.;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment:

Amendment 2 (436938) (with title amendment)—Delete lines 1020-1036.

And the title is amended as follows:

Delete lines 97-100 and insert: on Certified Nursing Assistants; amending s. 465.027, F.S.;

On motion by Senator Richter, further consideration of **CS for CS for HB 941**, as amended, with pending **Amendment 2 (436938)** was deferred.

SB 764—A bill to be entitled An act relating to public food service establishments; amending s. 509.013, F.S.; revising the definition of the term “public food service establishment” to exclude certain events; amending s. 509.032, F.S.; clarifying that a food service license is not required to be obtained if an event is excluded under the definition of the term “public food service establishment”; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 764**, pursuant to Rule 3.11(3), there being no objection, **HB 633** was withdrawn from the Committees on Health Policy; Regulated Industries; and Fiscal Policy.

On motion by Senator Hays—

HB 633—A bill to be entitled An act relating to public food service establishments; amending s. 509.013, F.S.; revising the definition of the term “public food service establishment” to exclude certain events; amending s. 509.032, F.S.; clarifying that a food service license is not required to be obtained if an event is excluded under the definition of the term “public food service establishment”; providing an effective date.

—a companion measure, was substituted for **SB 764** and read the second time by title.

Pursuant to Rule 4.19, **HB 633** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 124** and **CS for SB 126** was deferred.

CS for SB 152—A bill to be entitled An act relating to the ordering of medication; amending ss. 458.347 and 459.022, F.S.; revising the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for a patient at a licensed nursing home facility; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to order medication for administration to patients in specialized facilities; amending s. 465.003, F.S.; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.02, F.S.; revising the term “administer” to include the term “administration”; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.04, F.S.; conforming provisions to changes made by act; amending s. 893.05, F.S.; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for administration to patients in specified facilities under certain circumstances; reenacting ss. 400.462(26), 401.445(1), 409.906(18), and 766.103(3), F.S., to incorporate the amendments made to ss. 458.347 and 459.022, F.S., in references thereto; reenacting ss. 401.445(1) and 766.103(3), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting ss. 409.9201(1)(a), 458.331(1)(pp), 459.015(1)(rr), 465.014(1), 465.015(2)(c), 465.016(1)(s), 465.022(5)(j), 465.023(1)(h), 465.1901, 499.003(43), and 831.30(1), F.S., to incorporate the amendment made to s. 465.003, F.S., in references thereto; reenacting ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l), 458.331(1)(pp), 459.015(1)(rr), 465.015(3), 465.016(1)(s), 465.022(5)(j), 465.023(1)(h), 499.0121(14), 768.36(1)(b), 810.02(3)(f), 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1), 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., to incorporate the amendment made to s. 893.02, F.S., in references thereto; reenacting s. 893.0551(3)(e), F.S., to incorporate the amendment made to s. 893.04, F.S., in a reference thereto; reenacting s. 893.0551(3)(d), F.S., to incorporate the amendment made to s. 893.05, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 152**, pursuant to Rule 3.11(3), there being no objection, **HB 1241** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

HB 1241—A bill to be entitled An act relating to the ordering of medication; amending s. 381.887, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a non-patient-specific standing order for an autoinjection delivery system or intranasal application delivery system; amending ss. 458.347 and 459.022, F.S.; revising the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to order medication for administration to a specified patient; amending s. 465.003, F.S.; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.02, F.S.; revising the term “administer” to include the term “administration”; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.04, F.S.; conforming provisions to changes made by the act; amending s. 893.05, F.S.; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for a specified patient under certain circumstances; reenacting ss. 400.462(26) and 409.906(18), F.S., relating to the definition of the term “physician assistant” for purposes of the Home Health Services Act and physician assistant services under the Medicaid program, respectively, to incorporate the amendments made by the act to ss. 458.347 and 459.022, F.S., in references thereto; reenacting ss. 401.445(1) and 766.103(3), F.S., relating to emergency examination and treatment of incapacitated persons and the Florida Medical Consent Law, respectively, to incorporate the amendments made by the act to ss. 458.347, 459.022, and 464.012, F.S., in references thereto; reenacting ss. 409.9201(1)(a), 465.014(1), 465.1901, 499.003(43), and 831.30(1), F.S., relating to the definition of “prescription drug” for purposes of Medicaid

fraud, the supervision of registered pharmacy technicians, applicability of provisions regulating the practice of orthotics or pedorthics to pharmacists, the definition of the term “prescription drug” for purposes of the Florida Drug and Cosmetic Act, and criminal penalties related to the fraudulent obtaining of medicinal drugs, respectively, to incorporate the amendment made by the act to s. 465.003, F.S., in references thereto; reenacting ss. 458.331(1)(pp), 459.015(1)(rr), 465.015(2)(c) and (3), 465.016(1)(s), 465.022(5)(j), and 465.023(1)(h), F.S., relating to grounds for disciplinary action by the Board of Medicine or the Board of Osteopathic Medicine, unlawful acts and penalties related to the practice of pharmacy, grounds for denial of a pharmacy permit or disciplinary action against a pharmacy permittee, respectively, to incorporate the amendments made by the act to ss. 465.003 and 893.02, F.S., in references thereto; reenacting ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l), 499.0121(14), 768.36(1)(b), 810.02(3)(f), 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1), 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., relating to the Drug-Free Workplace Act, the compassionate use of low-THC cannabis, drug-free workplace program requirements, reporting of prescription drug distribution, the definition of the term “drug” for purposes of defenses from civil actions related to alcohol or drugs, burglary offenses, penalties for grand theft, the definition of the term “drug” for purposes of offenses related to open house parties, unlawful introduction of certain articles into correctional institutions, county detention facilities, or juvenile detention facilities, the definition of the term “controlled substance” for purposes of exceptional student instruction, and duties of school principals related to student discipline, respectively, to incorporate the amendment made by the act to s. 893.02, F.S., in references thereto; reenacting s. 893.0551(3)(d) and (e), F.S., relating to disclosure by the Department of Health of confidential information in prescription drug monitoring program records, to incorporate the amendments made by the act to ss. 893.04 and 893.05, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 152** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Grimsley moved the following amendments which were adopted:

Amendment 1 (646650) (with title amendment)—Delete lines 120-222 and insert:

~~of chapter 400, notwithstanding any provisions in chapter 465 or chapter 893 which may prohibit this delegation. For the purpose of this paragraph, an order is not considered a prescription. A licensed physician assistant working in a facility that is licensed under chapter 395 may order any medication under the direction of the supervisory physician.~~

Section 3. Paragraph (f) of subsection (4) of section 459.022, Florida Statutes, is amended to read:

459.022 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(f) A supervisory physician may delegate to a licensed physician assistant the authority to, *and the licensed physician assistant acting under the direction of the supervisory physician may*, order any medication ~~medications~~ for administration to the supervisory physician’s patient ~~during his or her care~~ in a facility licensed under chapter 395 or part II of chapter 400, notwithstanding any provisions in chapter 465 or chapter 893 which may prohibit this delegation. ~~For the purpose of this paragraph, an order is not considered a prescription. A licensed physician assistant working in a facility that is licensed under chapter 395 may order any medication under the direction of the supervisory physician.~~

Section 4. Paragraph (e) is added to subsection (3) of section 464.012, Florida Statutes, to read:

464.012 Certification of advanced registered nurse practitioners; fees.—

(3) An advanced registered nurse practitioner shall perform those functions authorized in this section within the framework of an established protocol that is filed with the board upon biennial license renewal and within 30 days after entering into a supervisory relationship with a physician or changes to the protocol. The board shall review the protocol to ensure compliance with applicable regulatory standards for protocols. The board shall refer to the department licensees submitting protocols that are not compliant with the regulatory standards for protocols. A practitioner currently licensed under chapter 458, chapter 459, or chapter 466 shall maintain supervision for directing the specific course of medical treatment. Within the established framework, an advanced registered nurse practitioner may:

(e) *Order any medication for administration to a patient in a facility licensed under chapter 395 or part II of chapter 400, notwithstanding any provisions in chapter 465 or chapter 893.*

Section 5. Subsections (1) and (22) of section 893.02, Florida Statutes, are amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(1) “Administer” or “administration” means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a person or animal.

(22) “Prescription” ~~means and includes any an~~ order for drugs or medicinal supplies ~~which is written, signed, or transmitted by any word of mouth, telephone, telegram, or other means of communication by a duly licensed practitioner authorized licensed~~ by the laws of ~~this the~~ state to prescribe such drugs or medicinal supplies, ~~is~~ issued in good faith and in the course of professional practice, ~~is~~ intended to be ~~filled, compounded, or dispensed by a another person authorized licensed~~ by the laws of ~~this the~~ state to do so, and ~~meets meeting~~ the requirements of s. 893.04.

(a) The term also includes an order for drugs or medicinal supplies ~~so~~ transmitted or written by a physician, dentist, veterinarian, or other practitioner licensed to practice in a state other than Florida, but only if the pharmacist called upon to fill such an order determines, in the exercise of his or her professional judgment, that the order was issued pursuant to a valid patient-physician relationship, that it is authentic, and that the drugs or medicinal supplies ~~so~~ ordered are considered necessary for the continuation of treatment of a chronic or recurrent illness.

(b) ~~However,~~ If the physician writing the prescription is not known to the pharmacist, the pharmacist shall obtain proof to a reasonable certainty of the validity of ~~the said~~ prescription.

(c) A prescription ~~order~~ for a controlled substance *may*

And the title is amended as follows:

Delete lines 17-21 and insert: amending s. 893.02, F.S.; revising the term “administer” to include the term “administration”; revising the definition of the term “prescription”; amending s. 893.04, F.S.; conforming

Amendment 2 (173452) (with directory and title amendments)—Between lines 162 and 163 insert:

(6) *This section shall be known as “The Barbara Lumpkin Prescribing Act.”*

And the directory clause is amended as follows:

Delete line 143 and insert: section 464.012, Florida Statutes, and subsection (6) is added to that section, to read:

And the title is amended as follows:

Between lines 13 and 14 insert: providing a short title;

Pursuant to Rule 4.19, **HB 1241**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia, the Senate resumed consideration of—

CS for CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—which was previously considered and amended March 2.

Pending further consideration of **CS for CS for CS for SB 1442**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 221** was withdrawn from the Committees on Health Policy; Banking and Insurance; and Appropriations.

On motion by Senator Garcia—

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance,

blanket health insurance, and franchise health insurance; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1442**, as amended, and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (253290) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (3) of section 627.6686, Florida Statutes, is amended to read:

627.6686 Coverage for individuals with autism spectrum disorder required; exception.—

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(b) Treatment of autism spectrum disorder *and developmental disability as defined in s. 393.063(9)* through speech therapy, occupational therapy, physical therapy, and applied behavior analysis. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

Section 2. Paragraph (b) of subsection (3) of section 641.31098, Florida Statutes, is amended to read:

641.31098 Coverage for individuals with developmental disabilities.—

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(b) Treatment of autism spectrum disorder *and developmental disability, as defined in s. 393.063(9)*, through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

Section 3. Subsection (11) of section 627.6131, Florida Statutes, is amended to read:

627.6131 Payment of claims.—

(11) A health insurer may not retroactively deny a claim because of insured ineligibility:

(a) *At any time, if the health insurer verified the eligibility of an insured who is not a recipient of advance payments of the federal premium tax credit and the insurer issued an authorization for payment to a provider.*

(b) *For services authorized by the insurer and rendered during the first 30 days of a federally required grace period when an insured is a recipient of advance payments of the federal premium tax credit.*

(c) More than 1 year after the date of payment of the claim.

Section 4. Subsection (10) of section 641.3155, Florida Statutes, is amended to read:

641.3155 Prompt payment of claims.—

(10) A health maintenance organization may not retroactively deny a claim because of subscriber ineligibility:

(a) *At any time, if the health maintenance organization verified the eligibility of a subscriber who is not a recipient of advance payments of the federal premium tax credit and the health maintenance organization issued an authorization for payment to a provider.*

(b) *For services authorized by the health maintenance organization and rendered during the first 30 days of a federally required grace period*

when a subscriber is a recipient of advance payments of the federal premium tax credit.

(c) More than 1 year after the date of payment of the claim.

Section 5. Paragraph (d) is added to subsection (5) of section 395.003, Florida Statutes, to read:

395.003 Licensure; denial, suspension, and revocation.—

(5)

(d) A hospital, an ambulatory surgical center, a specialty hospital, or an urgent care center shall comply with ss. 627.64194 and 641.513 as a condition of licensure.

Section 6. Subsection (13) is added to section 395.301, Florida Statutes, to read:

395.301 Itemized patient bill; form and content prescribed by the agency; patient admission status notification.—

(13) A hospital shall post on its website:

(a) The names and hyperlinks for direct access to the websites of all health insurers and health maintenance organizations for which the hospital contracts as a network provider or participating provider.

(b) A statement that:

1. Services may be provided in the hospital by the facility as well as by other health care practitioners who may separately bill the patient;

2. Health care practitioners who provide services in the hospital may or may not participate with the same health insurers or health maintenance organizations as the hospital; and

3. Prospective patients should contact the health care practitioner who will provide services in the hospital to determine which health insurers and health maintenance organizations the practitioner participates in as a network provider or preferred provider.

(c) As applicable, the names, mailing addresses, and telephone numbers of the health care practitioners and medical practice groups with which it contracts to provide services in the hospital, and instructions on how to contact the practitioners and groups to determine which health insurers and health maintenance organizations they participate in as network providers or preferred providers.

Section 7. Paragraph (h) is added to subsection (2) of section 408.7057, Florida Statutes, and subsections (3) and (4) of that section are amended, to read:

408.7057 Statewide provider and health plan claim dispute resolution program.—

(2)

(h) Either the contracted or noncontracted provider or the health plan may make an offer to settle the claim dispute when it submits a request for a claim dispute and supporting documentation. The offer to settle the claim dispute must state its total amount, and the party to whom it is directed has 15 days to accept the offer once it is received. If the party receiving the offer does not accept the offer and the final order amount is more than 90 percent or less than 110 percent of the offer amount, the party receiving the offer must pay the final order amount to the offering party and is deemed a nonprevailing party for purposes of this section. The amount of an offer made by a contracted or noncontracted provider to settle an alleged underpayment by the health plan must be greater than 110 percent of the reimbursement amount the provider received. The amount of an offer made by a health plan to settle an alleged overpayment to the provider must be less than 90 percent of the alleged overpayment amount by the health plan. Both parties may agree to settle the disputed claim at any time, for any amount, regardless of whether an offer to settle was made or rejected.

(3) The agency shall adopt rules to establish a process to be used by the resolution organization in considering claim disputes submitted by a provider or health plan which must include:

(a) That the resolution organization review and consider all documentation submitted by both the health plan and the provider;

(b) That the resolution organization's recommendation make findings of fact;

(c) That either party may request that the resolution organization conduct an evidentiary hearing in which both sides can present evidence and examine witnesses, and for which the cost of the hearing is equally shared by the parties;

(d) That the resolution organization may not communicate ex parte with either the health plan or the provider during the dispute resolution;

(e) That the resolution organization's written recommendation, including findings of fact relating to the calculation under s. 641.513(5) for the recommended amount due for the disputed claim, include any evidence relied upon; and

(f) That the issuance by the resolution organization of a written recommendation, supported by findings of fact, to the agency within 60 days after the requested information is received by the resolution organization within the timeframes specified by the resolution organization. In no event shall the review time exceed 90 days following receipt of the initial claim dispute submission by the resolution organization.

(4) Within 30 days after receipt of the recommendation of the resolution organization, the agency shall adopt the recommendation as a final order. The final order is subject to judicial review pursuant to s. 120.68.

Section 8. Paragraph (oo) is added to subsection (1) of section 456.072, Florida Statutes, to read:

456.072 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(oo) Willfully failing to comply with s. 627.64194 or s. 641.513 with such frequency as to indicate a general business practice.

Section 9. Paragraph (tt) is added to subsection (1) of section 458.331, Florida Statutes, to read:

458.331 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(tt) Willfully failing to comply with s. 627.64194 or s. 641.513 with such frequency as to indicate a general business practice.

Section 10. Paragraph (vv) is added to subsection (1) of section 459.015, Florida Statutes, to read:

459.015 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(vv) Willfully failing to comply with s. 627.64194 or s. 641.513 with such frequency as to indicate a general business practice.

Section 11. Paragraph (gg) is added to subsection (1) of section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(gg) Out-of-network reimbursement.—Willfully failing to comply with s. 627.64194 with such frequency as to indicate a general business practice.

Section 12. Section 627.64194, Florida Statutes, is created to read:

627.64194 Coverage requirements for services provided by non-participating providers; payment collection limitations.—

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

(a) *“Emergency services” means emergency services and care, as defined in s. 641.47(8), which are provided in a facility.*

(b) *“Facility” means a licensed facility as defined in s. 395.002(16) and an urgent care center as defined in s. 395.002(30).*

(c) *“Insured” means a person who is covered under an individual or group health insurance policy delivered or issued for delivery in this state by an insurer authorized to transact business in this state.*

(d) *“Nonemergency services” means the services and care that are not emergency services.*

(e) *“Nonparticipating provider” means a provider who is not a preferred provider as defined in s. 627.6471 or a provider who is not an exclusive provider as defined in s. 627.6472. For purposes of covered emergency services under this section, a facility licensed under chapter 395 or an urgent care center defined in s. 395.002(30) is a nonparticipating provider if the facility has not contracted with an insurer to provide emergency services to its insureds at a specified rate.*

(f) *“Participating provider” means, for purposes of this section, a preferred provider as defined in s. 627.6471 or an exclusive provider as defined in s. 627.6472.*

(2) *An insurer is solely liable for payment of fees to a nonparticipating provider of covered emergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees for covered services to a nonparticipating provider of emergency services, other than applicable copayments, coinsurance, and deductibles. An insurer must provide coverage for emergency services that:*

(a) *May not require prior authorization.*

(b) *Must be provided regardless of whether the services are furnished by a participating provider or a nonparticipating provider.*

(c) *May impose a coinsurance amount, copayment, or limitation of benefits requirement for a nonparticipating provider only if the same requirement applies to a participating provider.*

The provisions of s. 627.638 apply to this subsection.

(3) *An insurer is solely liable for payment of fees to a nonparticipating provider of covered nonemergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees to a nonparticipating provider, other than applicable copayments, coinsurance, and deductibles, for covered nonemergency services that are:*

(a) *Provided in a facility that has a contract for the nonemergency services with the insurer which the facility would be otherwise obligated to provide under contract with the insurer; and*

(b) *Provided when the insured does not have the ability and opportunity to choose a participating provider at the facility who is available to treat the insured.*

The provisions of s. 627.638 apply to this subsection.

(4) *An insurer must reimburse a nonparticipating provider of services under subsections (2) and (3) as specified in s. 641.513(5), reduced only by insured cost share responsibilities as specified in the health insurance policy, within the applicable timeframe provided in s. 627.6131.*

(5) *A nonparticipating provider of emergency services as provided in subsection (2) or a nonparticipating provider of nonemergency services as provided in subsection (3) may not be reimbursed an amount greater than the amount provided in subsection (4) and may not collect or attempt to collect from the insured, directly or indirectly, any excess amount, other than copayments, coinsurance, and deductibles. This*

section does not prohibit a nonparticipating provider from collecting or attempting to collect from the insured an amount due for the provision of noncovered services.

(6) *Any dispute with regard to the reimbursement to the nonparticipating provider of emergency or nonemergency services as provided in subsection (4) shall be resolved in a court of competent jurisdiction or through the voluntary dispute resolution process in s. 408.7057.*

Section 13. Subsection (2) of section 627.6471, Florida Statutes, is amended to read:

627.6471 Contracts for reduced rates of payment; limitations; coinsurance and deductibles.—

(2) *Any insurer issuing a policy of health insurance in this state, which insurance includes coverage for the services of a preferred provider, must provide each policyholder and certificateholder with a current list of preferred providers and must make the list available on its website. The list must include, when applicable and reported, a listing by specialty of the names, addresses, and telephone numbers of all participating providers, including facilities, and, in the case of physicians, must also include board certifications, languages spoken, and any affiliations with participating hospitals. Information posted on the insurer’s website must be updated on at least a calendar-month basis with additions or terminations of providers from the insurer’s network or reported changes in physicians’ hospital affiliations for public inspection during regular business hours at the principal office of the insurer within the state.*

Section 14. Effective upon this act becoming a law, subsection (7) is added to section 627.6471, Florida Statutes, to read:

627.6471 Contracts for reduced rates of payment; limitations; coinsurance and deductibles.—

(7) *Any policy issued under this section after January 1, 2017, must include the following disclosure: “WARNING: LIMITED BENEFITS WILL BE PAID WHEN NONPARTICIPATING PROVIDERS ARE USED. You should be aware that when you elect to utilize the services of a nonparticipating provider for a covered nonemergency service, benefit payments to the provider are not based upon the amount the provider charges. The basis of the payment will be determined according to your policy’s out-of-network reimbursement benefit. Nonparticipating providers may bill insureds for any difference in the amount. YOU MAY BE REQUIRED TO PAY MORE THAN THE COINSURANCE OR COPAYMENT AMOUNT. Participating providers have agreed to accept discounted payments for services with no additional billing to you other than coinsurance, copayment, and deductible amounts. You may obtain further information about the providers who have contracted with your insurance plan by consulting your insurer’s website or contacting your insurer or agent directly.”*

Section 15. Subsection (15) is added to section 627.662, Florida Statutes, to read:

627.662 Other provisions applicable.—The following provisions apply to group health insurance, blanket health insurance, and franchise health insurance:

(15) *Section 627.64194, relating to coverage requirements for services provided by nonparticipating providers and payment collection limitations.*

Section 16. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care services; amending s. 627.6686, F.S.; requiring a specified health insurance plan to provide specified coverage for treatment of a developmental disability; amending s. 641.31098, F.S.; requiring a specified health maintenance contract to provide specified coverage for treatment of a developmental disability; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; amending s.

641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for CS for HB 221**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for CS for SB 298—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; revising exceptions to a prohibition on the installation of tracking devices or tracking applications to specify that the exception applies only to private investigators under certain circumstances; deleting a provision concerning persons engaged in private investigation; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 298** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 124—A bill to be entitled An act relating to public-private partnerships; transferring, renumbering, and amending s. 287.05712, F.S.; revising definitions; deleting provisions creating the Public-Private Partnership Guidelines Task Force; requiring a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs; specifying payment methods; requiring a professional review and evaluation of design and construction to be completed for certain unsolicited proposals; specifying requirements; authorizing a responsible public entity to alter the statutory timeframe for accepting proposals for a qualifying project under certain circumstances; requiring a design criteria package to be submitted to a responsible public entity if such entity solicits specific proposals; deleting a provision that requires approval of the local governing body before a school board enters into a comprehensive agreement; revising the conditions necessary for a responsible public entity to approve a comprehensive agreement; deleting provisions relating to notice to affected local jurisdictions; providing that fees imposed by a private entity must be applied as set forth in the comprehensive agreement; authorizing a negotiated portion of revenues from

fee-generating uses to be returned to the responsible public entity; restricting provisions in financing agreements that could result in a responsible public entity's losing ownership of real or tangible personal property; deleting a provision that required a responsible public entity to comply with specific financial obligations; providing duties of the Department of Management Services relating to comprehensive agreements; revising provisions relating to construction of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 124** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 126—A bill to be entitled An act relating to public records and public meetings; transferring, renumbering, and amending s. 287.05712, F.S., relating to public-private partnerships for public facilities and infrastructure; providing a definition; providing an exemption from public records requirements for a specified period for unsolicited proposals received by a responsible public entity; providing an exemption from public meeting requirements for any portion of a meeting of a responsible public entity during which exempt proposals are discussed; requiring that a recording be made of the closed meeting; providing an exemption from public records requirements for a specified period for the recording of, and any records generated during, a closed meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 126** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

CS for SB 440—A bill to be entitled An act relating to care for retired law enforcement dogs; creating s. 943.69, F.S.; providing a short title; defining terms; providing legislative findings; creating the Care for Retired Law Enforcement Dogs Program within the Department of Law Enforcement; requiring the department to contract with a corporation not for profit to administer and manage the program; providing requirements for the corporation not for profit; providing requirements for the disbursement of funds for the veterinary care of eligible retired law enforcement dogs; placing an annual cap on the amount of funds available for the care of an eligible retired law enforcement dog; prohibiting a former handler or adopter from receiving reimbursement if funds are depleted for the year for which such reimbursement is sought; providing for administrative fees; requiring the department to adopt rules; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 440** was placed on the calendar of Bills on Third Reading.

SB 612—A bill to be entitled An act relating to the slungshot; amending s. 790.001, F.S.; revising the definition of the term "concealed weapon" to delete its inclusion of a slungshot; amending s. 790.09, F.S.; deleting provisions prohibiting the manufacture or sale of any instrument or weapon usually known as a slungshot; amending s. 790.18, F.S.; deleting a provision prohibiting a dealer in arms from selling or transferring a slungshot to a minor; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 612**, pursuant to Rule 3.11(3), there being no objection, **HB 4009** was withdrawn from the Committees on Criminal Justice; Commerce and Tourism; and Rules.

On motion by Senator Hays—

HB 4009—A bill to be entitled An act relating to slungshot; amending s. 790.09, F.S.; deleting provisions prohibiting the manufacture or sale

of any instrument or weapon usually known as slungshot; amending s. 790.001, F.S.; revising the definition of the term “concealed weapon” to delete the inclusion of a slungshot; amending s. 790.18, F.S.; deleting a provision prohibiting a dealer in arms from selling or transferring a slungshot to a minor; providing an effective date.

—a companion measure, was substituted for **SB 612** and read the second time by title.

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **HB 4009** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for SB 1294—A bill to be entitled An act relating to offenses involving minors and vulnerable persons; amending ss. 92.53 and 92.54, F.S.; increasing the maximum age at which a victim or witness under may be allowed to testify via closed circuit television rather than in a courtroom in certain circumstances; amending s. 92.55, F.S.; revising the definition of the term “sexual offense victim or witness”; increasing the maximum age of victims and witnesses for whom the court may enter protective orders; authorizing certain advocates to file motions for such orders on behalf of certain persons; amending s. 741.281, F.S.; requiring a court to order that a defendant attend and complete a parenting course if domestic violence was committed upon or in the presence of a child; amending s. 741.283, F.S.; increasing the minimum sentence that a court is required to order a person to serve if he or she is adjudicated guilty of domestic violence and intentionally causes bodily harm to another person; amending s. 775.08435, F.S.; prohibiting a court from withholding adjudication for a third degree felony offense of domestic violence; providing exceptions; amending s. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; reclassifying specified felony offenses under certain circumstances; prohibiting certain defenses to prosecution under certain circumstances; amending s. 794.022, F.S.; including human trafficking and lewd and lascivious offenses in the rules of evidence applicable to sexually-related offenses; amending ss. 90.404, 775.21, 943.0435, 944.606, and 944.607, F.S.; conforming provisions to changes made by the act; reenacting s. 924.07(1)(m), F.S., relating to an appeal by the state, to incorporate the amendment made to s. 775.08135, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (397030) (with title amendment)—Delete lines 238-696 and insert:

Section 5. Subsections (1), (3), and (4) of section 782.04, Florida Statutes, are amended to read:

782.04 Murder.—

(1)(a) The unlawful killing of a human being:

1. When perpetrated from a premeditated design to effect the death of the person killed or any human being;

2. When committed by a person engaged in the perpetration of, or in the attempt to perpetrate, any:

- a. Trafficking offense prohibited by s. 893.135(1),
- b. Arson,
- c. Sexual battery,
- d. Robbery,
- e. Burglary,
- f. Kidnapping,
- g. Escape,

- h. Aggravated child abuse,
- i. Aggravated abuse of an elderly person or disabled adult,
- j. Aircraft piracy,
- k. Unlawful throwing, placing, or discharging of a destructive device or bomb,
- l. Carjacking,
- m. Home-invasion robbery,
- n. Aggravated stalking,
- o. Murder of another human being,
- p. Resisting an officer with violence to his or her person,
- q. Aggravated fleeing or eluding with serious bodily injury or death,
- r. Felony that is an act of terrorism or is in furtherance of an act of terrorism, ~~or~~
- s. *Human trafficking, or*

3. Which resulted from the unlawful distribution of any substance controlled under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., opium or any synthetic or natural salt, compound, derivative, or preparation of opium, or methadone by a person 18 years of age or older, when such drug is proven to be the proximate cause of the death of the user,

is murder in the first degree and constitutes a capital felony, punishable as provided in s. 775.082.

(b) In all cases under this section, the procedure set forth in s. 921.141 shall be followed in order to determine sentence of death or life imprisonment.

(3) When a human being is killed during the perpetration of, or during the attempt to perpetrate, any:

- (a) Trafficking offense prohibited by s. 893.135(1),
- (b) Arson,
- (c) Sexual battery,
- (d) Robbery,
- (e) Burglary,
- (f) Kidnapping,
- (g) Escape,
- (h) Aggravated child abuse,
- (i) Aggravated abuse of an elderly person or disabled adult,
- (j) Aircraft piracy,
- (k) Unlawful throwing, placing, or discharging of a destructive device or bomb,
- (l) Carjacking,
- (m) Home-invasion robbery,
- (n) Aggravated stalking,
- (o) Murder of another human being,
- (p) Aggravated fleeing or eluding with serious bodily injury or death,
- (q) Resisting an officer with violence to his or her person, ~~or~~
- (r) Felony that is an act of terrorism or is in furtherance of an act of terrorism, *or*

(s) *Human trafficking,*

by a person other than the person engaged in the perpetration of or in the attempt to perpetrate such felony, the person perpetrating or attempting to perpetrate such felony commits murder in the second degree, which constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) The unlawful killing of a human being, when perpetrated without any design to effect death, by a person engaged in the perpetration of, or in the attempt to perpetrate, any felony other than any:

- (a) Trafficking offense prohibited by s. 893.135(1),
- (b) Arson,
- (c) Sexual battery,
- (d) Robbery,
- (e) Burglary,
- (f) Kidnapping,
- (g) Escape,
- (h) Aggravated child abuse,
- (i) Aggravated abuse of an elderly person or disabled adult,
- (j) Aircraft piracy,
- (k) Unlawful throwing, placing, or discharging of a destructive device or bomb,
- (l) Unlawful distribution of any substance controlled under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., or opium or any synthetic or natural salt, compound, derivative, or preparation of opium by a person 18 years of age or older, when such drug is proven to be the proximate cause of the death of the user,
- (m) Carjacking,
- (n) Home-invasion robbery,
- (o) Aggravated stalking,
- (p) Murder of another human being,
- (q) Aggravated fleeing or eluding with serious bodily injury or death,
- (r) Resisting an officer with violence to his or her person, ~~or~~
- (s) Felony that is an act of terrorism or is in furtherance of an act of terrorism, *or*
- (t) *Human trafficking,*

is murder in the third degree and constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 6. Subsection (10) is added to section 787.06, Florida Statutes, to read:

787.06 Human trafficking.—

(10) *A victim's lack of chastity or the willingness or consent of a victim is not a defense to prosecution under this section if the victim was under 18 years of age at the time of the offense.*

Section 7. Section 794.022, Florida Statutes, is amended to read:

794.022 Rules of evidence.—

(1) The testimony of the victim need not be corroborated in a prosecution under s. 787.06, s. 794.011, or s. 800.04.

(2) Specific instances of prior consensual sexual activity between the victim and any person other than the offender *may shall* not be ad-

mitted into evidence in a prosecution under s. 787.06, s. 794.011, or s. 800.04. However, such evidence may be admitted if it is first established to the court in a proceeding in camera that such evidence may prove that the defendant was not the source of the semen, pregnancy, injury, or disease; or, when consent by the victim is at issue, such evidence may be admitted if it is first established to the court in a proceeding in camera that such evidence tends to establish a pattern of conduct or behavior on the part of the victim which is so similar to the conduct or behavior in the case that it is relevant to the issue of consent.

(3) Notwithstanding any other provision of law, reputation evidence relating to a victim's prior sexual conduct or evidence presented for the purpose of showing that manner of dress of the victim at the time of the offense incited the sexual battery *may shall* not be admitted into evidence in a prosecution under s. 787.06, s. 794.011, or s. 800.04.

(4) When consent of the victim is a defense to prosecution under s. 787.06, s. 794.011, or s. 800.04, evidence of the victim's mental incapacity or defect is admissible to prove that the consent was not intelligent, knowing, or voluntary; and the court shall instruct the jury accordingly.

(5) An offender's use of a prophylactic device, or a victim's request that an offender use a prophylactic device, is not, by itself, relevant to either the issue of whether or not the offense was committed or the issue of whether or not the victim consented.

And the title is amended as follows:

Delete lines 16-37 and insert: upon or in the presence of a child; amending s. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; prohibiting certain defenses to prosecution under certain circumstances; amending s. 794.022, F.S.; including human trafficking and lewd and lascivious offenses in the rules of evidence applicable to sexually-related offenses;

Pursuant to Rule 4.19, **CS for SB 1294**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for CS for SB 562—A bill to be entitled An act relating to consumer debt collection; amending s. 559.72, F.S.; specifying methods by which a debtor, represented by an attorney, may notify a creditor of such representation; specifying methods by which an attorney representing a debtor may notify a creditor of such representation; requiring a creditor to identify the manner by which a debtor may communicate notice of representation; providing that a creditor must cease direct communication with the debtor under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hukill moved the following amendment which was adopted:

Amendment 1 (136334)—Delete line 65 and insert: *limitations and exceptions of this subsection within 3 business*

Pursuant to Rule 4.19, **CS for CS for CS for SB 562**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1248, SB 1312, and CS for SB 460** was deferred.

On motion by Senator Richter, the Senate resumed consideration of—

CS for CS for HB 941—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming the Office of Minority Health within the department; specifying that the office shall be headed by a Senior Health Equity Officer and prescribing his or her duties; amending s. 215.5602, F.S.; revising the reporting requirements

for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research program; revising the reporting requirements for certain entities that perform or are associated with cancer research or care; amending s. 381.0034, F.S.; deleting the requirement that applicants making initial application for certain licensure complete certain courses; amending s. 381.7355, F.S.; revising the review criteria for Closing the Gap grant proposals; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer's Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer's Disease Research Program; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 381.877, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a prescription or a non-patient specific standing order for an auto injection delivery system or an intranasal delivery system; prohibiting health care practitioners employed by the pharmacist from issuing a non-patient specific standing order for an emergency opioid antagonist; prohibiting a health care practitioner from receiving remuneration for issuing a non-patient specific standing order for an emergency opioid antagonist; requiring pharmacists dispensing emergency opioid antagonists to provide certain information to the patient or caregiver; amending s. 381.922, F.S.; providing reporting requirements for the Biomedical Research Advisory Council under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; amending s. 382.0255, F.S.; prohibiting a fee for a determination or medical certification of the cause of death under certain provisions; amending s. 384.23, F.S.; revising the factors to be considered in designating a condition as a sexually transmissible disease; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide partner therapy under certain conditions; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time that an emergency medical technician or paramedic certificate may remain in an inactive status; revising the requirements for reactivating and renewing such a certificate; revising eligibility for certification; deleting a requirement that applicants successfully complete a certification examination within a specified timeframe; amending s. 456.013, F.S.; revising course requirements for renewing a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard and the spouse of an active duty military member to be issued a license to practice as a health care practitioner in this state; deleting provisions relating to temporary professional licensure for spouses of active duty members of the United States Armed Forces; creating s. 456.0241, F.S.; providing definitions; providing for issuance of a temporary certificate under certain conditions for certain military health care practitioners; providing for the automatic expiration of the temporary certificate unless renewed; providing for application and renewal fees; requiring the department to adopt rules; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; requiring a person or entity appointed by the board as a custodian of medical records to be approved by the department; authorizing the department to contract with a third party to provide custodial services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain documentation from applicants; amending s. 458.347, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.009, providing training requirements for pharmacists related to opioid antagonist dispensing; authorizing the department to adopt rules; amending 465.027, F.S.; providing an additional exception to pharmacy regulations for manufacturers of dialysis drugs or supplies; amending s. 465.0275, F.S.; revising the amount of emergency prescription refill authorized to be dispensed by a pharmacist; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to

request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; revising accrediting agencies that may approve physical therapy assistant programs for purposes of licensing; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit of certain information; amending ss. 499.028, 893.04, and 921.0022, F.S.; conforming provisions and cross-references; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (436938)** by Senator Richter was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (241586) (with title amendment)—Delete lines 424-430.

And the title is amended as follows:

Delete lines 39-41 and insert: Program; amending s.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment which was adopted:

Amendment 4 (689716) (with title amendment)—Delete lines 534-685 and insert:

Section 13. Subsection (3) of section 456.024, Florida Statutes, is amended to read:

456.024 Members of Armed Forces in good standing with administrative boards or the department; spouses; licensure.—

(3)(a) A person *is eligible for licensure as a health care practitioner in this state if he or she:*

1. ~~who~~ Serves or has served as a health care practitioner in the United States Armed Forces, the United States Reserve Forces, or the National Guard;

2. ~~or a person who~~ Serves or has served on active duty with the United States Armed Forces as a health care practitioner in the United States Public Health Service; *or*

3. *Is a health care practitioner, other than a dentist, in another state, the District of Columbia, or a possession or territory of the United States and is the spouse of a person serving on active duty with the United States Armed Forces is eligible for licensure in this state.*

The department shall develop an application form, and each board, or the department if there is no board, shall waive the application fee, licensure fee, and unlicensed activity fee for such applicants. For purposes of this subsection, "health care practitioner" means a health care practitioner as defined in s. 456.001 and a person licensed under part III of chapter 401 or part IV of chapter 468.

(b)(~~a~~) The board, or the department if there is no board, shall issue a license to practice in this state to a person who:

1. Submits a complete application.

2. If he or she is member of the United States Armed Forces, the United States Reserve Forces, or the National Guard, submits proof that he or she has received ~~Receives~~ an honorable discharge within 6 months before, or will receive an honorable discharge within 6 months after, the date of submission of the application.

3.a. Holds an active, unencumbered license issued by another state, the District of Columbia, or a possession or territory of the United States and who has not had disciplinary action taken against him or her in the 5 years preceding the date of submission of the application;

b. Is a military health care practitioner in a profession for which licensure in a state or jurisdiction is not required to practice in the United States Armed Forces, if he or she submits to the department evidence of military training or experience substantially equivalent to the requirements for licensure in this state in that profession and evidence that he or she has obtained a passing score on the appropriate examination of a national or regional standards organization if required for licensure in this state; or

c. Is the spouse of a person serving on active duty in the United States Armed Forces and is a health care practitioner in a profession, excluding dentistry, for which licensure in another state or jurisdiction is not required, if he or she submits to the department evidence of training or experience substantially equivalent to the requirements for licensure in this state in that profession and evidence that he or she has obtained a passing score on the appropriate examination of a national or regional standards organization if required for licensure in this state.

4. Attests that he or she is not, at the time of submission of the application, the subject of a disciplinary proceeding in a jurisdiction in which he or she holds a license or by the United States Department of Defense for reasons related to the practice of the profession for which he or she is applying.

5. Actively practiced the profession for which he or she is applying for the 3 years preceding the date of submission of the application.

6. Submits a set of fingerprints for a background screening pursuant to s. 456.0135, if required for the profession for which he or she is applying.

The department shall verify information submitted by the applicant under this subsection using the National Practitioner Data Bank.

(c)(b) Each applicant who meets the requirements of this subsection shall be licensed with all rights and responsibilities as defined by law. The applicable board, or the department if there is no board, may deny an application if the applicant has been convicted of or pled guilty or nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession regulated by this state.

(d)(e) An applicant for initial licensure under this subsection must submit the information required by ss. 456.039(1) and 456.0391(1) no later than 1 year after the license is issued.

And the title is amended as follows:

Delete lines 62-64 and insert: creating s. 456.0241,

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment which was adopted:

Amendment 5 (881510)—Delete line 1069 and insert:

(a) A one-time emergency refill of up to a 144-hour ~~72-hour~~ supply

Pursuant to Rule 4.19, **CS for CS for HB 941**, as amended, was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Simmons, the rules were waived and the following bills were added to the Special Order Calendar for Friday, March 4, 2016: **CS for SB 750, CS for CS for SB 800, CS for SB 1106, CS**

for CS for SB 1118, CS for SB 1322, CS for CS for SB 1394, CS for CS for SB 1630, and CS for CS for SB 1652.

On motion by Senator Simmons, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Friday, March 4, 2016.

BILLS ON THIRD READING

SB 7076—A bill to be entitled An act relating to the Legislature; fixing the date for convening the 2018 Regular Session of the Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 7076** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Flores	Legg
Abruzzo	Gaetz	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Bradley	Gibson	Richter
Dean	Hays	Simmons
Detert	Hukill	Simpson
Diaz de la Portilla	Hutson	Stargel
Evers	Joyner	Thompson

Nays—11

Benacquisto	Clemens	Smith
Brandes	Grimsley	Sobel
Braynon	Latvala	Soto
Bullard	Ring	

CS for SB 1534—A bill to be entitled An act relating to housing assistance; amending s. 420.503, F.S.; redefining the term “service provider”; amending s. 420.507, F.S.; revising the powers that the Florida Housing Finance Corporation may exercise in developing and administering the State Apartment Incentive Loan Program; deleting a specified timeframe in which the corporation may preclude certain applicants or affiliates of an applicant from further participation in any of the corporation’s programs; authorizing the corporation to reserve a specified minimum percentage of its annual appropriation from the State Housing Trust Fund for certain housing projects, subject to certain requirements; amending s. 420.5087, F.S.; requiring that State Apartment Incentive Loan Program funds be made available through a competitive solicitation process, subject to certain requirements; requiring program funds be made available for use by certain sponsors during the first 6 months of loan or loan guarantee availability, subject to certain requirements; revising requirements related to all state apartment incentive loans, with the exception of certain loans made to housing communities for the elderly; deleting provisions related to the reservation of funds related to certain tenant groups; conforming a cross-reference; amending s. 420.511, F.S.; deleting a requirement that the corporation’s business plan and annual report recognize certain fiscal periods; amending s. 420.622, F.S.; requiring that the State Office on Homelessness coordinate among certain agencies and providers to produce a statewide consolidated inventory for the state’s entire system of homeless programs which incorporates regionally developed plans; requiring the office, in consultation with the designated lead agencies for a local homeless continuum of care and with the Council on Homelessness, to develop the system and process of data collection from all lead agencies, subject to certain requirements; deleting the requirement that the Council on Homelessness explore the potential of creating a statewide Homeless Management Information System and encourage future participation of certain award or grant recipients; requiring the State Office on Homelessness to accept and administer moneys appropriated to it to provide annual Challenge Grants to certain lead agencies of homeless assistance continuums of care; removing the requirement that levels of grant awards be based upon the total population within the continuum of care catchment area and reflect the differing degrees

of homelessness in the respective areas; revising the requirement that a lead agency document the commitment of local government and private organizations to provide matching funds or in-kind support in an amount equal to the grant requested; authorizing expenditures of leveraged funds or resources only for eligible activities, subject to certain requirements; revising the preference given to certain lead agencies that have demonstrated the ability to leverage federal homeless-assistance funding under the Stewart B. McKinney Act; requiring the State Office on Homelessness, in conjunction with the Council on Homelessness, to establish specific objectives by which it may evaluate the outcomes of certain lead agencies; requiring that certain funding through the State Office on Homelessness be distributed to lead agencies based on their performance and achievement of specified objectives; revising the factors that may be included as criteria for evaluating the performance of lead agencies; authorizing the State Office on Homelessness to administer moneys appropriated to it for distribution among certain local homeless continuums of care; amending s. 420.624, F.S.; revising requirements for the local homeless assistance continuum of care plan; providing that the components of a continuum of care plan should include Rapid ReHousing; requiring that specified components of a continuum of care plan be coordinated and integrated with other specified services and programs; creating s. 420.6265, F.S.; providing legislative findings and intent relating to Rapid ReHousing; providing a Rapid ReHousing methodology; amending s. 420.9071, F.S.; redefining the terms "local housing incentive strategies" and "rent subsidies"; conforming cross-references; amending s. 420.9072, F.S.; increasing the number of days within which a review committee is required to review a local housing assistance plan or plan revision after receiving it; prohibiting a county or an eligible municipality from expending its portion of the local housing distribution to provide ongoing rent subsidies; specifying exceptions; amending s. 420.9075, F.S.; providing that a certain partnership process of the State Housing Initiatives Partnership Program should involve lead agencies of local homeless assistance continuums of care; encouraging counties and eligible municipalities to develop a strategy within their local housing assistance plans which provides program funds for reducing homelessness; authorizing local governments to create certain regional partnerships to address homeless housing needs identified in local housing assistance plans; revising criteria and administrative procedures governing each local housing assistance plan; revising the criteria that apply to awards made to sponsors or persons for the purpose of providing housing; requiring that a specified report submitted by counties and municipalities include a description of efforts to reduce homelessness; revising the manner in which a certain share that the corporation distributes directly to a participating eligible municipality is calculated; conforming cross-references; amending s. 420.9076, F.S.; revising requirements related to the creation and appointment of members of affordable housing advisory committees; revising requirements related to a report submitted by each advisory committee to the local governing body on affordable housing incentives; requiring the corporation, after issuance of a notice of termination, to distribute directly to a participating eligible municipality a county's share under certain circumstances calculated in a specified manner; creating s. 420.9089, F.S.; providing legislative findings and intent; amending s. 421.04, F.S.; prohibiting a housing authority from applying to the Federal Government to seize projects, units, or vouchers of another established housing authority; amending s. 421.05, F.S.; exempting authorities from s. 215.425, F.S.; amending s. 421.091, F.S.; requiring a full financial accounting and audit of public housing agencies to be submitted to the Federal Government pursuant to certain requirements; exempting housing authorities from specified reporting requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for SB 1534** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Galvano
Abruzzo	Clemens	Garcia
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Hutson
Braynon	Gaetz	Joyner

Latvala	Richter	Sobel
Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson
Montford	Simpson	
Negron	Smith	

Nays—None

CS for CS for SB 514—A bill to be entitled An act relating to supervisor of elections salaries; amending s. 145.09, F.S.; revising the base salaries and group rates used to calculate additional compensation for a supervisor of elections based on population increments; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 514** was passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Gaetz	Richter
Benacquisto	Galvano	Ring
Bradley	Garcia	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Margolis	Thompson

Nays—4

Mr. President	Hukill	Hutson
Legg		

Vote preference:

March 7, 2016: Yea to Nay—Hays

CS for SB 1034—A bill to be entitled An act relating to health care providers; amending s. 766.1115, F.S.; revising the definitions of the terms "contract" and "health care provider"; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient's representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term "officer, employee, or agent" to include employees or agents of a health care provider; providing an effective date.

—as amended March 2, was read the third time by title.

On motion by Senator Simmons, **CS for SB 1034**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Hutson
Bean	Evers	Joyner
Benacquisto	Flores	Latvala
Bradley	Gaetz	Lee
Brandes	Galvano	Legg
Braynon	Garcia	Margolis
Bullard	Gibson	Montford
Clemens	Grimsley	Negron

Richter	Simpson	Stargel
Ring	Smith	Thompson
Sachs	Sobel	
Simmons	Soto	

Nays—None

CS for CS for SB 938—A bill to be entitled An act relating to the retail sale of dextromethorphan; providing definitions; prohibiting a manufacturer, distributor, or retailer, or its employees and representatives, from knowingly or willfully selling a finished drug product containing dextromethorphan to a person younger than 18 years of age; prohibiting a person younger than 18 years of age from purchasing a finished drug product containing dextromethorphan; requiring an employee or representative of a retailer making a retail sale of a finished drug product containing any quantity of dextromethorphan to obtain certain proof of age from the purchaser; providing an exception; providing penalties; providing requirements for imposing or disputing civil citations; specifying information to be provided in such citations; providing applicability; preempting local government regulation of dextromethorphan; providing an effective date.

—was read the third time by title.

On motion by Senator Benacquisto, **CS for CS for SB 938** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson

Nays—1

Brandes

CS for CS for SB 772—A bill to be entitled An act relating to regulated service providers; amending s. 472.007, F.S.; revising the composition of the Board of Professional Surveyors and Mappers; amending s. 472.015, F.S.; requiring the Department of Agriculture and Consumer Services to waive the initial land surveying and mapping license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 493.6105, F.S.; waiving the initial application fee for veterans for certain private investigative, private security, and repossession service licenses; revising certain fees for initial license applications; amending s. 493.6106, F.S.; deleting a provision requiring that certain applicants submit additional documentation establishing state residency; amending s. 493.6107, F.S.; waiving the initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 493.6108, F.S.; beginning on a specified date, requiring the Department of Law Enforcement to retain fingerprints submitted for private investigative, private security, and repossession service licenses, to enter such fingerprints into the statewide automated biometric identification system and the Federal Bureau of Investigation's national retained print arrest notification program, and to report any arrest record information to the Department of Agriculture and Consumer Services; requiring the department to provide information about an arrest of a licensee for certain crime within the state to the agency that employs the licensee; amending s. 493.6113, F.S.; clarifying the renewal requirements for Class "K" licenses; requiring a person holding a private investigative, private se-

curity, or repossession service license issued before a certain date to submit, upon first renewal of the license, a full set of fingerprints and a fingerprint processing fee; amending ss. 493.6202, 493.6302, and 493.6402, F.S.; waiving initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 501.0125, F.S.; revising the definition of the term "health studio"; defining the term "personal trainer"; amending s. 501.015, F.S.; requiring the department to waive the initial health studio registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 501.605, F.S.; prohibiting the use of a mail drop as a street address for the principal location of a commercial telephone seller; requiring the department to waive the initial commercial telephone seller license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 501.607, F.S.; requiring the department to waive the initial telephone salesperson license fees for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 507.03, F.S.; requiring the department to waive the initial registration fee for an intrastate mover for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 527.02, F.S.; requiring the department to waive the original liquefied petroleum gas license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 527.021, F.S.; deleting a provision requiring a fee for registering transport vehicles; amending s. 531.37, F.S.; revising the definition of the term "weights and measures"; amending s. 531.415, F.S.; revising the fees for actual metrology laboratory calibration and testing services; amending s. 531.60, F.S.; clarifying the applicability of permits for commercially operated or tested weights or measures instruments or devices; requiring a new permit application if a new owner acquires and moves an instrument or a device; requiring a business to notify the department of certain information under certain circumstances; deleting a provision authorizing the department to test weights and measures instruments or devices under certain circumstances; amending s. 531.61, F.S.; clarifying provisions exempting certain instruments or devices from specified requirements; amending s. 531.62, F.S.; specifying that the commercial use permit fee is based upon the number and types of instruments or devices permitted; revising the expiration date of the commercial use permit; requiring annual and biennial commercial use permit renewals to meet the same requirements; amending s. 531.63, F.S.; revising the commercial use permit fees and fee structures; amending s. 531.65, F.S.; clarifying that the department may use one or more of the prescribed penalties for the unauthorized use of a weights and measures instrument or device; amending s. 539.001, F.S.; requiring the department to waive the initial pawnbroker license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 559.904, F.S.; requiring the department to waive the initial motor vehicle repair shop registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 559.927, F.S.; revising definitions and defining the term "student tour operator"; amending s. 559.928, F.S.; requiring the department to waive the initial seller of travel registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; requiring independent agents to annually file an application, rather than an affidavit; requiring each advertisement, certificate, and other travel documents to include a specified phrase; deleting a provision requiring an advertisement to include a specified phrase; revising the circumstances under which the department may deny or refuse to renew a registration; authorizing the department to revoke the registration of a seller of travel under certain circumstances; creating s. 559.9281, F.S.; requiring the Department of Agriculture and Consumer Services to establish a process for specified persons to apply to be, and be listed as, approved student tour operators; requiring the department to adopt rules to establish an application process and standards for persons wishing to be approved as student tour operators; specifying minimum standards for such operators; requiring the department to maintain a list of approved operators; requiring the department to update the list at least annually and to provide a current version of the list to the Department of Education; requiring the Department of Education to publish and maintain such list on its website; amending s. 559.929, F.S.; revising certain security requirements; amending s. 559.9295, F.S.;

revising the documents that certain sellers of travel are required to submit and disclose to the department; deleting provisions relating to the duties of the department; amending s. 559.932, F.S.; requiring that certain disclosures be made in a specified type size; revising the language that must be included in certain disclosures; requiring the department to review copies of certain certificates and contracts for compliance with disclosure requirements; specifying that the submission of certain materials or department response does not constitute approval, recommendation, endorsement, or verification; amending s. 559.933, F.S.; making technical changes; amending s. 559.9335, F.S.; revising violations relating to the sale of travel; amending s. 559.935, F.S.; deleting a provision requiring an affiliate to file an affidavit of exemption in order to obtain a specified exemption; adding embezzlement as a crime for which the department may revoke certain exemptions; amending s. 559.936, F.S.; conforming cross-references; amending s. 616.242, F.S.; exempting water-related amusement rides operated by lodging and food service establishments and membership campgrounds, amusement rides at private, membership-only facilities, and nonprofit permanent facilities from certain safety standards; authorizing owners or managers of amusement rides to use alternative forms to record ride inspections and employee training; amending s. 713.585, F.S.; revising certain notice requirements; authorizing the owner of a vehicle or a person claiming an interest in the vehicle or in a lien thereon to post a bond to recover possession of a vehicle held by a lienor; specifying that lienholders have standing in certain proceedings to allege violations of the Florida Motor Vehicle Repair Act; requiring the clerk of the court to issue a certificate notifying the lienor of the posting of bond; establishing procedures and requirements for a vehicle owner to reclaim such vehicles recovered by a lienholder; authorizing courts to award damages based on claims relating to the enforcement of certain lien and recovery rights; requiring courts to provide for the immediate payment of proceeds and awards and immediate release of bonds; amending s. 790.06, F.S.; revising the requirements for issuance of a concealed weapon or firearm license; requiring directions for expedited processing requests in the license application form; revising the initial and renewal fees for a concealed weapon or firearm license; providing a process for expediting applications for servicemembers and veterans; requiring that notice of the suspension or revocation of a concealed weapon or firearm license or the suspension of the processing of an application for such license be given by personal delivery or first-class mail; specifying deadlines for requests for a hearing for suspensions or revocations; specifying standards of proof for notice of suspensions or revocations; requiring concealed weapon or firearm license renewals to include an affidavit submitted under oath and under penalty of perjury, rather than a notarized affidavit, as of a specified date; amending s. 790.0625, F.S.; authorizing certain tax collector offices, upon approval and confirmation of license issuance by the department, to print and deliver concealed weapon or firearm licenses; amending ss. 559.9285 and 559.937, F.S.; conforming provisions; providing an appropriation; providing effective dates.

—as amended March 2, was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (816614)—Delete line 1305 and insert: *that include terms such as “free,” “awarded,” “prize,” “absolutely*

On motion by Senator Richter, **CS for CS for SB 772**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Clemens	Gibson
Abruzzo	Dean	Grimsley
Altman	Detert	Hays
Bean	Diaz de la Portilla	Hukill
Benacquisto	Evers	Hutson
Bradley	Flores	Joyner
Brandes	Gaetz	Latvala
Braynon	Galvano	Lee
Bullard	Garcia	Legg

Margolis	Sachs	Soto
Montford	Simmons	Stargel
Negron	Simpson	Thompson
Richter	Smith	
Ring	Sobel	

Nays—None

CS for SB 754—A bill to be entitled An act relating to public records; creating s. 570.077, F.S.; providing an exemption from public records requirements for criminal or civil intelligence or investigative information or any other information held by the Department of Agriculture and Consumer Services as part of an examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; providing exceptions to the exemption; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for SB 754** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

HB 7101—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; requiring the notice to specify aggravating factors that state intends to prove; providing for amendment of notice; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made by the act to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made by the act to s. 921.142, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **HB 7101** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Legg
Abruzzo	Gaetz	Margolis
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Dean	Hutson	Sobel
Detert	Joyner	Soto
Diaz de la Portilla	Latvala	Stargel
Evers	Lee	

Nays—5

Altman	Montford	Thompson
Clemens	Ring	

Consideration of **SB 908** and **CS for HB 793** was deferred.

CS for SB 986—A bill to be entitled An act relating to workers’ compensation system administration; amending s. 440.05, F.S.; deleting a required item to be listed on a notice of election to be exempt; revising specified rules regarding the maintenance of business records by an officer of a corporation; removing the requirement that the Department of Financial Services issue a specified stop-work order; amending s. 440.107, F.S.; requiring that the department allow an employer who has not previously been issued an order of penalty assessment to receive a specified credit to be applied to the penalty; prohibiting the application of a specified credit unless the employer provides specified documentation and proof of payment to the department within a specified period; requiring the department to reduce the final assessed penalty by a specified percentage for employers who have not been previously issued a stop-work order or order of penalty assessment; revising the penalty calculation for the imputed weekly payroll for an employee; amending s. 440.13, F.S.; eliminating the certification requirements when an expert medical advisor is selected by a judge of compensation claims; providing requirements for the selection of an expert medical advisor; amending s. 440.185, F.S.; deleting the requirement that employers notify the department within 24 hours of any injury resulting in death; amending s. 440.49, F.S.; revising definitions; revising the requirements for filing a claim; deleting the preferred worker program; deleting the notification fees on certain filed claims which supplement the Special Disability Trust Fund; conforming cross-references; amending s. 440.52, F.S.; deleting a fee for certain registration of insurance carriers; amending ss. 440.021, 440.42, 440.50, and 624.4626, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 986**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 613** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Simpson, by two-thirds vote—

CS for HB 613—A bill to be entitled An act relating to workers’ compensation system administration; amending s. 440.021, F.S.; conforming a cross-reference; amending s. 440.05, F.S.; deleting a required item to be listed on a notice of election to be exempt; revising specified rules regarding the maintenance of business records by an officer of a corporation; removing the requirement that the Department of Financial Services issue a specified stop-work order; amending s. 440.107, F.S.; requiring that the department allow an employer who has not previously been issued an order of penalty assessment to receive a specified credit to be applied to the penalty; prohibiting the application of a specified credit unless the employer provides specified documentation and proof of payment to the department within a specified period; requiring the department to reduce the final assessed penalty by a specified percentage for employers who have not been previously issued a stop-work order or order of penalty assessment; revising the

penalty calculation for the imputed weekly payroll for an employee; amending s. 440.13, F.S.; eliminating the certification requirements when an expert medical advisor is selected by a judge of compensation claims; providing requirements for the selection of an expert medical advisor; amending s. 440.185, F.S.; deleting the requirement that employers notify the department within 24 hours of any injury resulting in death; amending s. 440.42, F.S.; conforming a cross-reference; amending s. 440.49, F.S.; revising definitions; revising the requirements for filing a claim; deleting the preferred worker program; deleting the notification fees on certain filed claims which supplement the Special Disability Trust Fund; conforming cross-references; amending s. 440.50, F.S.; conforming cross-references; amending s. 440.52, F.S.; deleting a fee for certain registration of insurance carriers; amending s. 624.4626, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 986**, and by two-thirds vote, read the second time by title.

On motion by Senator Simpson, by two-thirds vote, **CS for HB 613** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Consideration of **HB 967** and **CS for SB 960** was deferred.

CS for SB 1508—A bill to be entitled An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation’s aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department’s requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to

applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of air-space obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment provided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; providing an effective date.

—as amended March 2, was read the third time by title.

On motion by Senator Simpson, **CS for SB 1508**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 436—A bill to be entitled An act relating to relating to the crime of making threats of terror or violence; amending ss. 790.163 and 790.164, F.S.; creating the crime of falsely reporting the use of firearms in a violent manner against a person or persons; creating s. 836.12, F.S.; defining the terms “family member of a person” and “law enforcement officer”; providing a criminal penalty for a violation of specified provisions under certain circumstances; requiring payment of restitution; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; reenacting ss. 1006.07(2)(m) and 1006.13(3)(b), F.S., relating to district school board duties relating to student discipline and school safety and a policy of zero tolerance for crime and victimization, respectively, to incorporate the amendment

made to s. 790.163, F.S., in references thereto; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (834770)—

In title, delete line 2 and insert:

An act relating to the crime of making

On motion by Senator Simpson, **CS for CS for SB 436**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 1402—A bill to be entitled An act relating to ratification of Department of Financial Services rules; ratifying a specified rule relating to the Florida Workers’ Compensation Health Care Provider Reimbursement Manual for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

—as amended March 2, was read the third time by title.

On motion by Senator Simmons, **SB 1402**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for CS for SB 948—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photos of the items; specifying what may be used as a serial number; requiring a different method of identification when certain numbers are not available; requiring secondhand dealers to notify a law enforcement official under certain circumstances; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term “antique”; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official’s jurisdiction, subject to certain conditions; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for CS for SB 948**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 739** was withdrawn from the Committees on Commerce and Tourism; Judiciary; Fiscal Policy; and Rules.

On motion by Senator Richter, by two-thirds vote—

CS for CS for HB 739—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photographs of the items; requiring a different method of identification when certain numbers are not available; requiring secondhand dealers to notify a law enforcement official under certain circumstances; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term “antique”; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official’s jurisdiction under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 948**, and by two-thirds vote, read the second time by title.

On motion by Senator Richter, by two-thirds vote, **CS for CS for HB 739** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Detert	Hutson
Abruzzo	Diaz de la Portilla	Joyner
Altman	Evers	Latvala
Bean	Flores	Lee
Benacquisto	Gaetz	Legg
Bradley	Galvano	Margolis
Brandes	Garcia	Montford
Braynon	Gibson	Negron
Bullard	Grimsley	Richter
Clemens	Hays	Ring
Dean	Hukill	Sachs

Simmons	Sobel	Thompson
Simpson	Soto	
Smith	Stargel	

Nays—None

CS for CS for SB 1432—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; expanding the locations at which substitute service of process may be made when such location is the only discoverable address for the person to be served; defining the terms “virtual office” and “executive office or mini suite”; amending s. 48.193, F.S.; providing that orders issued by agencies of other states are not enforceable under certain circumstances; amending s. 48.081, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for CS for SB 1432** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

HB 43—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Smith moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (767712) (with title amendment)—Delete line 37 and insert:

(2) *For purposes of this section, the term “religious organization” means any not-for-profit entity organized for a religious purpose which is primarily engaged in carrying out that religious purpose and holds itself out as an entity for carrying out that religious purpose.*

(3) *A refusal to solemnize any marriage or provide*

And the title is amended as follows:

Delete line 9 and insert: violate a sincerely held religious belief; defining the term “religious organization”; prohibiting

On motion by Senator Bean, **HB 43** was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Diaz de la Portilla	Hutson
Altman	Evers	Legg
Bean	Flores	Negron
Benacquisto	Gaetz	Richter
Bradley	Galvano	Simmons
Brandes	Grimsley	Simpson
Dean	Hays	Stargel
Detert	Hukill	

Nays—15

Abruzzo	Gibson	Sachs
Braynon	Joyner	Smith
Bullard	Margolis	Sobel
Clemens	Montford	Soto
Garcia	Ring	Thompson

On motion by Senator Flores, by unanimous consent—

CS for CS for CS for SB 912—A bill to be entitled An act relating to fraudulent activities associated with payment systems; amending s. 316.80, F.S.; revising the felony classification for unlawful conveyance of fuel; amending s. 525.07, F.S.; specifying requirements for managers of petroleum fuel measuring devices with respect to accurate measurement; requiring retail petroleum fuel measuring devices fitted with scanning devices to have certain security measures; providing requirements for such measures; requiring the owner or operator of a device to have certain security measures in place within a specified timeframe upon notice from the Department of Agriculture and Consumer Services; authorizing the department, under certain circumstances, to prohibit use of or to remove from service such devices that are non-compliant; defining terms; providing applicability; requiring the department to enforce certain provisions; providing rulemaking authority; amending s. 817.58, F.S.; revising the definition of “traffic”; amending s. 817.611, F.S.; defining the term “related document”; revising the prohibition against trafficking in or possession of counterfeit credit cards; revising penalties; amending s. 921.0022, F.S.; revising the ranking of unlawful conveyance or fraudulent acquisition of fuel on the offense severity ranking chart; ranking trafficking in or possession of counterfeit credit cards; providing an effective date.

—as amended March 2, was taken up out of order and read the third time by title.

On motion by Senator Flores, **CS for CS for CS for SB 912**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

SPECIAL RECOGNITION OF PRESIDENT PRO TEMPORE RICHTER

The President introduced Senator Richter’s wife, Diana, and son, Rob, who were present in the chamber; along with his district staff, Rebecca Kokkinos, Sandra Mummert, and Michael Nacheff; as well as former

Senator Michael S. “Mike” Bennett, who were present in the gallery. A video tribute was played honoring Senator Richter. Several Senators were recognized for farewell comments. Senator Richter was recognized for farewell remarks.

Senator Galvano and Senator Joyner presented Senator Richter with a Scotty Cameron Futura putter, golf balls displaying his district number 23, and a plaque honoring his years of service to the Senate.

BILLS ON THIRD READING, continued

On motion by Senator Grimsley, by unanimous consent—

CS for CS for SB 1604—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending s. 499.003, F.S.; providing, revising, and deleting definitions for purposes of the Florida Drug and Cosmetic Act; requiring rulemaking; specifying a default rule until the Department of Business and Professional Regulation adopts a rule; amending s. 499.005, F.S.; revising prohibited acts related to the distribution of prescription drugs; conforming a cross-reference; amending s. 499.0051, F.S.; prohibiting the distribution of prescription drugs without delivering a transaction history, transaction information, and transaction statement; providing penalties; deleting provisions and revising terminology related to pedigree papers, to conform to changes made by the act; amending s. 499.006, F.S.; conforming provisions; amending s. 499.01, F.S.; requiring nonresident prescription drug repackagers to obtain an operating permit; authorizing a manufacturer to engage in the wholesale distribution of prescription drugs; providing for the issuance of virtual prescription drug manufacturer permits and virtual nonresident prescription drug manufacturer permits to certain persons; providing exceptions from certain virtual manufacturer requirements; requiring a nonresident prescription drug repackager permit for certain persons; deleting surety bond requirements for prescription drug wholesale distributors; requiring that certain persons obtain an out-of-state prescription drug wholesale distributor permit; providing that a restricted prescription drug distributor permit is not required for distributions between certain pharmacies; requiring the Department of Business and Professional Regulation to establish by rule when such distribution constitutes regular and systematic supplying of a prescription drug; requiring certain third party logistic providers to be licensed; requiring research and development labeling on certain prescription drug active pharmaceutical ingredient packaging; requiring certain manufacturers to create and maintain certain records; requiring certain prescription drug distributors to provide certain information to health care entities for which they repackage prescription drugs; requiring the department to adopt rules concerning repackaged prescription drug safety and integrity; amending s. 499.012, F.S.; providing for issuance of a prescription drug manufacturer permit or retail pharmacy drug wholesale distributor permit when an applicant at the same address is a licensed nuclear pharmacy or community pharmacy; providing for the expiration of deficient permit applications; requiring trade secret information submitted by an applicant to be maintained as a trade secret; authorizing the quadrennial renewal of permits; providing for calculation of fees for such permit renewals; revising procedures and application requirements for permit renewals; providing for late renewal fees; allowing a permittee who submits a renewal application to continue operations; removing certain application requirements for renewal of a permit; requiring bonds or other surety of a specified amount; requiring proof of inspection of establishments used in wholesale distribution; authorizing the Department of Business and Professional Regulation to contract for the collection of electronic fingerprints under certain circumstances; providing information that may be submitted in lieu of certain application requirements for specified permits and certifications; removing provisions relating to annual renewal and expiration of permits; conforming cross-references; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; revising prescription drug recordkeeping requirements; specifying recordkeeping requirements for manufacturers and repackagers of medical devices, over-the-counter drugs, and cosmetics; increasing the quantity of unit doses of a controlled substance that may be ordered in any given month by a customer without triggering a requirement that a wholesale distributor perform a reasonableness assessment; conforming provisions; amending s. 499.015, F.S.; providing for the expiration, renewal, and issuance of certain drug, device, and cosmetic product registrations; providing for product registration fees; amending ss. 499.03, 499.05, and 499.051, F.S.; conforming provisions to changes made by the act; amending s. 499.066, F.S.; authorizing the issuance of non-disciplinary citations; authorizing the department to adopt rules designating violations for which a citation may be issued; authorizing the department to recover investigative costs pursuant to the citation; specifying a time limitation for issuance of a citation; providing for

service of a citation; amending s. 499.82, F.S.; revising the definition of “wholesale distribution” for purposes of medical gas requirements; amending s. 499.83, F.S.; authorizing licensed hospices to obtain on behalf of, and sell medical oxygen to, their patients without obtaining a medical oxygen retail establishment permit in certain circumstances; specifying recordkeeping requirements; amending s. 499.89, F.S.; conforming provisions; repealing s. 499.01212, F.S., relating to pedigree papers; amending ss. 409.9201, 499.067, 794.075, and 921.0022, F.S.; conforming cross-references; providing an effective date.

—as amended March 2, was taken up out of order and read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Grimsley moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (506164)—Delete line 845 and insert:

(14)(15) FALSE ADVERTISEMENT.—A publisher, radio broadcast

On motion by Senator Grimsley, **CS for CS for SB 1604**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Diaz de la Portilla	Richter
Altman	Flores	Ring
Bean	Gaetz	Simmons
Benacquisto	Galvano	Simpson
Bradley	Gibson	Sobel
Braynon	Grimsley	Soto
Bullard	Hukill	Stargel
Clemens	Joyner	Thompson
Dean	Margolis	
Detert	Montford	

Nays—None

Vote after roll call:

Yea—Brandes, Evers, Garcia, Hays, Hutson, Legg

On motion by Senator Simmons, by unanimous consent—

SB 1412—A bill to be entitled An act relating to conditions of pretrial release; amending s. 903.047, F.S.; requiring that a defendant be notified in writing if a court issues an order of no contact rather than receive a copy of the order; providing an effective date.

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

On motion by Senator Simmons, **SB 1412** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Evers	Negron
Altman	Flores	Richter
Bean	Gaetz	Ring
Benacquisto	Galvano	Simmons
Bradley	Gibson	Simpson
Braynon	Grimsley	Sobel
Bullard	Hukill	Soto
Clemens	Hutson	Stargel
Dean	Joyner	Thompson
Detert	Margolis	
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Brandes, Garcia, Hays, Legg

SPECIAL RECOGNITION OF SENATOR ALTMAN

The President introduced Senator Altman’s wife, Mary Pat; and sons, Hunter and Sullivan; along with his district staff, Lindy Smith and Devon West, who were present in the chamber, and watching from Cape Canaveral, Selene Bruns. A video tribute was played honoring Senator Altman. Several Senators were recognized for farewell comments. Senator Altman was recognized for farewell remarks.

Senator Galvano presented Senator Altman with a plaque honoring his years of service to the Senate.

SPECIAL RECOGNITION OF SENATOR DEAN

The President introduced Senator Dean’s wife, Judy, and daughter, Shannon Wright, who were present in the chamber; along with his district staff, Judy Wells, Drew Aldikacti, and Kyle Langan, who were present in the gallery. A video tribute was played honoring Senator Dean. Several Senators were recognized for farewell comments. Senator Dean was recognized for farewell remarks.

Senator Galvano presented Senator Dean with a plaque honoring his years of service to the Senate.

BILLS ON THIRD READING, continued

CS for SB 1538—A bill to be entitled An act relating to veterans employment; amending s. 295.07, F.S.; requiring each state agency and authorizing other political subdivisions of the state to develop and implement a veterans recruitment plan; requiring specified goals for veterans recruitment plans; requiring the Department of Management Services to collect specified data and to include the data in its annual workforce report and on its website; amending ss. 295.085 and 295.09, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1538**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1219** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Evers, by two-thirds vote—

CS for HB 1219—A bill to be entitled An act relating to veterans’ employment; amending s. 295.07, F.S.; requiring state agencies, and authorizing political subdivisions of the state, to develop and implement veterans’ recruitment plans; providing plan requirements; requiring the Department of Management Services to collect specified data and include the data in its annual workforce report and on its website; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1538**, and by two-thirds vote, read the second time by title.

On motion by Senator Evers, by two-thirds vote, **CS for HB 1219** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Detert	Hukill
Abruzzo	Diaz de la Portilla	Hutson
Altman	Evers	Joyner
Bean	Flores	Legg
Benacquisto	Gaetz	Margolis
Bradley	Galvano	Montford
Brandes	Garcia	Negron
Braynon	Gibson	Sachs
Bullard	Grimsley	Simmons
Clemens	Hays	Simpson

Smith	Soto	Thompson
Sobel	Stargel	

Nays—None

Vote after roll call:

Yea—Dean, Richter

CS for SB 1570—A bill to be entitled An act relating to school bus stop safety; amending s. 316.172, F.S.; revising the terms of violation and the penalties for failure to stop a vehicle upon approaching a school bus that displays a stop signal; providing for criminal penalties under certain circumstances; amending s. 316.192, F.S.; requiring an additional fee to be added to a fine imposed for a specified violation; providing for distribution of the fee; amending s. 318.17, F.S.; conforming provisions to changes made by the act; amending s. 318.18, F.S.; removing provisions made obsolete by the act; amending s. 318.21, F.S.; conforming a cross-reference; amending s. 395.4036, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for SB 1570** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Detert	Joyner	Stargel
Diaz de la Portilla	Margolis	Thompson

Nays—1

Legg

Vote after roll call:

Yea—Dean

CS for CS for SB 718—A bill to be entitled An act relating to identification cards; amending s. 322.051, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue an identification card exhibiting a special designation for a person who has a developmental disability under certain circumstances; requiring payment of an additional fee and proof of diagnosis by a licensed physician; requiring the fee to be deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund; authorizing issuance of a replacement identification card that includes the special designation without payment of a specified fee; requiring the department to develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **CS for CS for SB 718** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Grimsley	Ring
Dean	Hays	Sachs
Detert	Hukill	Simmons
Diaz de la Portilla	Hutson	Simpson
Evers	Joyner	Smith
Flores	Legg	Sobel
Gaetz	Margolis	Soto
Galvano	Montford	Stargel
Garcia	Negron	Thompson
Gibson	Richter	

Nays—None

CS for CS for SB 400—A bill to be entitled An act relating to the organizational structure of the Department of Environmental Protection; amending s. 20.255, F.S.; deleting a provision requiring certain offices within the department; establishing the Office of the Secretary; authorizing the secretary to establish offices within divisions or the Office of the Secretary as necessary to promote the efficient and effective operation of the department; requiring the appointment of a general counsel; providing an exemption for certain managers and directors from part II of ch. 110, F.S.; establishing the Division of Water Restoration Assistance within the department; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 400**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 561** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Hays, by two-thirds vote—

CS for CS for HB 561—A bill to be entitled An act relating to the organizational structure of the Department of Environmental Protection; amending s. 20.255, F.S.; establishing the Office of the Secretary within the department; authorizing the Secretary of Environmental Protection to establish offices within the office or within the department's divisions to promote the efficient and effective operation of the department; providing for the secretary to appoint a general counsel; removing the required establishment of certain offices; establishing the Division of Water Restoration Assistance within the department; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 400**, and by two-thirds vote, read the second time by title.

On motion by Senator Hays, by two-thirds vote, **CS for CS for HB 561** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 1160—A bill to be entitled An act relating to the Art in the Capitol Competition; creating the Art in the Capitol Competition for students in specified grades; specifying procedures for student partici-

pation, notification, and the selection and display of winning submissions; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1160**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 701** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Detert, by two-thirds vote—

CS for HB 701—A bill to be entitled An act relating to the Art in the Capitol Competition; creating the Art in the Capitol Competition for students in specified grades; providing procedures for student participation, notification, and the selection and display of winning submissions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1160**, and by two-thirds vote, read the second time by title.

On motion by Senator Detert, by two-thirds vote, **CS for HB 701** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for SB 1686—A bill to be entitled An act relating to telehealth; creating s. 408.61, F.S.; creating the Telehealth Task Force within the Agency for Health Care Administration; requiring the agency to use existing and available resources to administer and support the task force; providing for the membership of the task force; requiring the task force to compile and analyze certain data and to conduct a comparative analysis of health insurance coverage available for telehealth services and for in-person treatment; providing meeting requirements; requiring the task force to submit a report to the Governor and Legislature by a certain date; providing for the repeal of the section; creating s. 456.51, F.S.; authorizing certain licensed or certified health care professionals to provide telehealth services; defining the term “telehealth”; amending s. 636.202, F.S.; excluding telehealth products from the definition of “discount medical plan”; providing an effective date.

—as amended March 2, was read the third time by title.

Pending further consideration of **CS for CS for SB 1686**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7087** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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

CS for CS for HB 7087—A bill to be entitled An act relating to telehealth; creating s. 456.47, F.S.; providing definitions; establishing certain practice standards for telehealth providers; providing for the maintenance and confidentiality of medical records; providing registration requirements for out-of-state telehealth providers; providing limitations and notification requirements for out-of-state telehealth providers; requiring the Department of Health to publish certain in-

formation on its website; authorizing a board or the department if there is no board, to revoke a telehealth provider’s registration under certain circumstances; providing venue; providing exemptions to the registration requirement; providing rulemaking authority; amending s. 636.202, F.S.; revising the definition of the term “discount medical plan” to exclude certain products; requiring the Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation to collect certain information; creating the Telehealth Advisory Council within the agency for specified purposes; specifying council membership; providing for council membership requirements; requiring the council to review certain findings and make recommendations in a report to the Governor and the Legislature by a specified date; requiring the agency to report such information to the Governor and Legislature by a specified date; providing certain enforcement authority to each agency; providing for expiration of the reporting requirement; providing an appropriation and authorizing positions; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1686**, as amended, and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bean moved the following amendment which was adopted:

Amendment 1 (768878) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 408.61, Florida Statutes, is created to read:

408.61 Telehealth Task Force.—

(1) The Telehealth Task Force is created within the agency. The agency shall use existing and available resources to administer and support the activities of the task force under this section.

(2) Members of the task force shall serve without compensation and are not entitled to reimbursement for per diem or travel expenses. The task force shall consist of the following 21 members:

(a) The Secretary of Health Care Administration or his or her designee, who shall serve as the chair of the task force.

(b) The State Surgeon General or his or her designee.

(c) Three representatives of hospitals or facilities licensed under chapter 395; three representatives of health insurers that offer coverage of telehealth services; two representatives of organizations that represent health care facilities; two representatives of long-term care services, one from a nursing home and one from a home health agency or community-based health services setting; and two representatives of entities that create or sell telehealth products, all appointed by the Secretary of Health Care Administration.

(d) Five health care practitioners, each of whom practices in a different area of medicine, and two representatives of organizations that represent health care practitioners, all appointed by the State Surgeon General.

(3) The task force shall compile and analyze data and information on the following:

(a) The frequency and extent of the use of telehealth technology and equipment by health care practitioners and health care facilities nationally and in this state.

(b) The costs and cost savings associated with using telehealth technology and equipment.

(c) The types of telehealth services available.

(d) The extent of available health insurance coverage for telehealth services. The task force shall conduct a comparative analysis of such coverage to available coverage for in-person services. The analysis must include:

1. Covered medical or other health care services.

2. A description of payment rates for telehealth services and whether they are below, equal to, or above payment rates for in-person services.

3. Annual and lifetime dollar maximums on coverage for telehealth and in-person services.

4. Copayment, coinsurance, and deductible amounts; policy year, calendar year, lifetime, or other durational benefit limitations; and maximum benefits for telehealth and in-person services.

5. Any unique conditions imposed as a prerequisite to obtaining coverage for telehealth services.

(e) Barriers to implementing, using, or accessing telehealth services.

(f) Consideration of opportunities for interstate cooperation in telehealth.

(4) The task force shall convene its first meeting by September 1, 2016, and shall meet as often as necessary to fulfill its responsibilities under this section. Meetings may be conducted in person, by teleconference, or by other electronic means.

(5) The task force shall submit a report by June 30, 2017, to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes its findings, conclusions, and recommendations.

(6) This section is repealed effective December 1, 2017.

Section 2. Section 456.51, Florida Statutes, is created to read:

456.51 Telehealth.—

(1) A health care practitioner, a behavior analyst certified under s. 393.17, a person certified under part III of chapter 401, or a person certified under part IV or V of chapter 468 who is practicing within the scope of his or her license or certification may provide telehealth services. A practitioner or person who is not a physician, but who provides telehealth services within the scope of his or her license or certification, may not be considered to be practicing medicine without a license.

(2) As used in this section, the term “telehealth” means the use of synchronous or asynchronous telecommunications technology by a health care practitioner, a behavior analyst certified under s. 393.17, a person certified under part III of chapter 401, or a person certified under part IV or V of chapter 468 to provide medical or other health care services, including, but not limited to, patient assessment, diagnosis, consultation, treatment, or remote monitoring; the transfer of medical or health data; patient and professional health-related education; the delivery of public health services; and health care administration functions.

Section 3. Subsection (1) of section 636.202, Florida Statutes, is amended to read:

636.202 Definitions.—As used in this part, the term:

(1) “Discount medical plan” means a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. The term “discount medical plan” does not include any product regulated under chapter 627, chapter 641, or part I of this chapter, or any telehealth product defined under s. 456.51, F.S.

Section 4. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to telehealth; creating s. 408.61, F.S.; creating the Telehealth Task Force within the Agency for Health Care Administration; requiring the agency to use existing and available resources to administer and support the task force; providing for the membership of the task force; requiring the task force to compile and analyze certain data and to conduct a comparative analysis of health insurance coverage available for telehealth services and for in-person treatment; providing meeting requirements; requiring the task force to submit a re-

port to the Governor and Legislature by a certain date; providing for the repeal of the section; creating s. 456.51, F.S.; authorizing certain licensed or certified health care professionals to provide telehealth services; defining the term “telehealth”; amending s. 636.202, F.S.; excluding telehealth products from the definition of “discount medical plan”; providing an effective date.

On motion by Senator Bean, by two-thirds vote, **CS for CS for HB 7087**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Consideration of **CS for SB 1470** was deferred.

CS for CS for CS for SB 768—A bill to be entitled An act relating to alarm systems; amending s. 489.518, F.S.; exempting certain persons from initial training for burglar alarm system agents; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; providing a uniform process for the registration of home and business alarm systems under certain circumstances; requiring the owner, lessee, or occupant, or an authorized representative thereof, of a property to register an alarm system within 20 days after occupancy or after installation of the alarm system; authorizing the applicable local governmental entity to charge a registration fee; specifying the requirements of the application form; requiring the owner, lessee, or occupant, or an authorized representative thereof, to notify the applicable local governmental agency of a change in the information provided in the application form within 30 days; authorizing the applicable local governmental entity to assess or impose fines or penalties for a failure to register an alarm system or for excessive false alarms; providing that fines and penalties are the responsibility of the owner, lessee, or occupant of the property; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for CS for SB 768** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for HB 293—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing public records custodians to choose not to electronically publish specified arrest or booking photographs of juveniles; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by the act; reenacting s. 110.1127(4), F.S., relating to employee background screening and investigations, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 373.6055(3)(a), F.S., relating to criminal history checks for certain water management district employees and others, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 408.809(6), F.S., relating to background screening, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.046(1), F.S., relating to notification of criminal offender information, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.05(2)(h), F.S., relating to the Criminal Justice Information Program, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0542(2)(c), F.S., relating to access to criminal history information provided by the Department of Law Enforcement to qualified entities, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0543(5), F.S., relating to the National Crime Prevention and Privacy Compact, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 985.045(2), F.S., relating to court records, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; reenacting s. 985.11(1)(b), F.S., relating to fingerprinting and photographing juveniles, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Soto, **CS for CS for HB 293** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 1470—A bill to be entitled An act relating to crustaceans; amending s. 379.365, F.S.; revising the administrative penalties for violations related to stone crab traps; amending s. 379.3671, F.S.; revising the administrative penalties for violations related to spiny lobster traps; amending s. 379.407, F.S.; prohibiting the possession of undersized spiny lobsters by certain persons; specifying that each undersized spiny lobster may be charged as a separate offense of certain violations; specifying maximum penalties for such violations; specifying

the criminal and administrative penalties for violations related to undersized spiny lobsters; amending s. 921.0022, F.S.; revising the offense severity ranking chart to include certain violations related to stone crabs and spiny lobsters; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for SB 1470** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Consideration of **CS for CS for SB 1274** was deferred.

SB 498—A bill to be entitled An act relating to the repeal of a prohibition on cohabitation; amending s. 798.02, F.S.; deleting provisions prohibiting cohabitation by unmarried men and women; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **SB 498** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 342—A bill to be entitled An act relating to renters insurance; creating s. 83.491, F.S.; requiring a residential rental agreement to specify whether renters insurance is required; specifying provisions that must be included if insurance is or is not required; providing that failure to include a certain notice in a rental agreement does not create a private cause of action or nullify any part of the rental agreement; providing an effective date.

—was read the third time by title.

On motion by Senator Gibson, **CS for SB 342** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for CS for SB 1274—A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus funds that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing requirements and applicability; prohibiting Citizens Property Insurance Corporation from issuing limited sinkhole coverage insurance; requiring signed acknowledgment of certain statements; specifying loss payment requirements; authorizing use of certain insurance forms; exempting such forms from approval; providing an insurer with rate options; requiring the insurer to notify the Office of Insurance Regulation before writing limited sinkhole coverage insurance and to file a plan of operation with the office; providing an effective date.

—as amended March 2, was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 1274**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for CS for SB 1104—A bill to be entitled An act relating to service of process on financial institutions; creating s. 48.092, F.S.; requiring service on financial institutions to be made in accordance with s. 655.0201, F.S.; amending s. 655.0201, F.S.; revising applicability of provisions of law governing service of process on financial institutions; authorizing certain financial institutions to designate with the Department of State a place or registered agent within the state as the sole location or agent for service of process, notice, levy, or demand; providing that service of process, notice, levy, or demand may be made at specified time periods; providing exceptions if the financial institution has no registered agent, if service cannot be made at the sole location, and for service made by the Office of Financial Regulation; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for SB 1104** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 122—A bill to be entitled An act relating to compensation of victims of wrongful incarceration; reordering and amending s. 961.02, F.S.; defining the term “violent felony”; amending s. 961.04, F.S.; providing that a person is disqualified from receiving compensation under the Victims of Wrongful Incarceration Compensation Act if, before or during the person’s wrongful conviction and incarceration, the person was convicted of, pled guilty or nolo contendere to any violent felony, or was serving a concurrent sentence for another felony; amending s. 961.06, F.S.; providing that a wrongfully incarcerated person who commits a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is ineligible for compensation; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of eligibility for compensation, to incorporate the amendments made to s. 961.04, F.S., in references thereto; reenacting s. 961.055(1), F.S., relating to application for compensation for a wrongfully incarcerated person and exemption from application by nolle prosequi, to incorporate the amendments made to s. 961.06, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for SB 122** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for CS for SB 964—A bill to be entitled An act relating to the prescription drug monitoring program; amending s. 893.055, F.S.; providing that certain acts of dispensing controlled substances in specified facilities are not required to be reported to the prescription drug monitoring program; authorizing the designee of a pharmacy, prescriber, or dispenser to have access to a patient’s record in the prescription drug monitoring program’s database for a specified purpose; authorizing an impaired practitioner consultant to access an impaired practitioner

program participant's or referral's record in the prescription drug monitoring program's database; amending s. 893.0551, F.S.; authorizing the designee of a health care practitioner, pharmacist, pharmacy, prescriber, or dispenser or an impaired practitioner consultant to receive certain information from the prescription drug monitoring program; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for CS for SB 964** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

MOTIONS

On motion by Senator Simmons, the rules were waived and **SB 288** was added to the Special Order Calendar for Friday, March 4, 2016.

On motion by Senator Simmons, the rules were waived and **CS for CS for SB 1050** was removed from the Special Order Calendar for Friday, March 4, 2016.

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 3, 2016: SB 7028, CS for CS for SB 548, SB 944, SB 996, CS for CS for SB 1378, CS for CS for SB 1528, SB 1498, CS for CS for SB 776, CS for CS for SB 918, CS for CS for SB 372, CS for SB 670, CS for CS for CS for SB 1036, CS for SB 1662, CS for SB 1664, CS for SB 7018, CS for SB 1420, CS for SB 1152, CS for CS for SB 1044, CS for CS for SB 668, CS for SB 1298, CS for SB 1418, CS for CS for SB 1170, CS for CS for SB 794, CS for CS for SB 936, CS for SB 1282, CS for SB 1256, CS for SB 1370, CS for SB 1306, SB 764, CS for SB 124, CS for SB 126, CS for SB 152, CS for CS for SB 298, CS for SB 440, SB 612, CS for SB 1294, CS for CS for CS for SB 562, CS for CS for SB 1248, CS for SB 460.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Appropriations recommends the following pass: SB 314; CS for SB 1088; SB 1428

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 604; SB 746; CS for SB 750; SB 770; CS for SB 1168; CS for SB 1250; CS for SB 1310; CS for SB 1392; SB 7050; SB 7056

The bills with committee substitute attached were placed on the Calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; and Judiciary; and Senators Diaz de la Portilla, Hutson, and Gaetz—

CS for CS for SB 604—A bill to be entitled An act relating to mental health services in the criminal justice system; amending ss. 39.001, 39.507, and 39.521, F.S.; conforming provisions to changes made by the act; amending s. 394.4655, F.S.; defining the terms “court” and “criminal county court” for purposes of involuntary outpatient placement; conforming provisions to changes made by act; amending ss. 394.4599 and 394.463, F.S.; conforming provisions to changes made by act; conforming cross-references; amending s. 394.455 and 394.4615, F.S.; conforming cross-references; amending s. 394.47891, F.S.; expanding eligibility for military veterans and servicemembers court programs; creating s. 394.47892, F.S.; authorizing the creation of treatment-based mental health court programs; providing for eligibility; providing program requirements; providing for an advisory committee; amending s. 790.065, F.S.; conforming a provision to changes made by this act; amending s. 910.035, F.S.; revising the definition of the term “problem-solving court”; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; authorizing the department to request specified budget amendments; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending s. 948.001, F.S.; defining the term “mental health probation”; amending ss. 948.01 and 948.06, F.S.; authorizing courts to order certain offenders on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into a pretrial mental health court program; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; requiring the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending ss. 948.01 and 948.06, F.S.; providing for courts to order certain defendants on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into pretrial mental health court program; amending s. 948.16, F.S.; expanding eligibility of veterans for a misdemeanor pretrial veterans’ treatment intervention program; providing eligibility of misdemeanor defendants for a misdemeanor pretrial mental health court program; amending s. 948.21, F.S.; expanding veterans’ eligibility for participating in treatment programs while on court-ordered probation or community control; amending s. 985.345, F.S.; authorizing delinquency pretrial mental health court intervention programs for certain juvenile offenders; providing for disposition of pending charges after completion of the program; authorizing expunction of specified criminal history records after successful completion of the program; reenacting s. 397.334(3)(a) and (5), F.S., relating to treatment-based drug court programs, to incorporate the amendments made by the act to ss. 948.01 and 948.06, F.S., in references thereto; reenacting s. 948.012(2)(b), F.S., relating to split sentence probation or community control and imprisonment, to incorporate the amendment made by the act to s. 948.06, F.S., in a reference thereto; providing an effective date.

By the Committee on Appropriations; and Senators Negron, Sachs, and Latvala—

CS for SB 746—A bill to be entitled An act relating to vessel registrations; amending s. 328.72, F.S.; defining terms; reducing vessel registration fees for recreational vessels equipped with certain position indicating and locating beacons; providing criteria for such reduction;

amending s. 328.66, F.S.; clarifying county optional registration fees; providing an appropriation; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs; and Senators Hutson and Bean—

CS for CS for SB 750—A bill to be entitled An act relating to the temporary cash assistance program; amending s. 414.095, F.S.; revising the consideration of income from certain illegal noncitizen or ineligible noncitizen family members in determining the family's eligibility for temporary cash assistance; revising the eligibility requirements for earned-income disregards for certain persons; revising the age of a child whose earned income is disregarded; reenacting s. 414.045(1)(b), F.S., relating to the cash assistance program, to incorporate the amendment made to s. 414.095, F.S., in a reference thereto; providing effective dates.

By the Committee on Appropriations; and Senators Simpson and Flores—

CS for SB 770—A bill to be entitled An act relating to local government environmental financing; providing a short title; amending s. 212.055, F.S.; expanding the uses of local government infrastructure surtaxes to include acquiring any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; revising a definition and providing a definition for purposes of using surtax proceeds; amending s. 215.619, F.S.; expanding the use of Everglades restoration bonds to include the City of Key West Area of Critical State Concern; expanding the types of water management projects eligible for funding; revising the dates for issuance and maturity of Everglades restoration bonds; reducing the annual appropriation amount dedicated to fund the Florida Keys Area of Critical State Concern protection program; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Department of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain entities to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; amending s. 380.0552, F.S.; revising legislative intent regarding the Florida Keys Area of Critical State Concern; specifying that plan amendments in the Florida Keys must also be consistent with protecting and improving specified water quality and water supply projects; amending s. 380.0666, F.S.; expanding powers of a land authority to include acquiring lands to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern and contributing funds for certain land purchases by the department; providing limitations relating to acquiring or contributing lands to improve public transportation facilities; providing an effective date.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senators Negron, Benaquista, Soto, Flores, Simpson, Altman, and Latvala—

CS for CS for SB 1168—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified amount of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce harmful discharges to the St. Lucie Estuary and the Caloosahatchee Estuary; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; requiring a minimum specified amount of funds within the Land Acquisition Trust Fund to be appropriated for spring restoration, protection, and management projects; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; requiring a specified appropriation for projects dedicated to the restoration of Lake Apopka; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds;

requiring a specified appropriation for projects dedicated to the restoration of Kings Bay or Crystal River; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; deleting an obsolete provision; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs; and Senator Latvala—

CS for CS for SB 1250—A bill to be entitled An act relating to the health care workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for initial or continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.031, F.S.; providing that certain licensing boards must require specified licensees to complete a specified continuing education course that includes a section on human trafficking as a condition of relicensure or recertification; providing requirements and procedures related to the course; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for physician assistants; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or that may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline

of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and non-admissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term “probation,” and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

By the Committees on Appropriations; and Agriculture; and Senator Hutson—

CS for CS for SB 1310—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands that are replanted in citrus; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; specifying that moneys collected must be deposited into the Plant Industry Trust Fund; amending s. 704.06, F.S.; revising the definition of the term “conservation easement”; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senator Brandes—

CS for CS for SB 1392—A bill to be entitled An act relating to transportation; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee under the direction of the Florida Seaport Transportation and Economic Development Council; providing membership and duties; directing the council to establish a Seaport Security Grant Program to assist in the implementation of security at specified seaports; directing the council to review applications, make recommendations to the council, and adopt rules; amending s. 316.003, F.S.; defining the term “driver-assistive truck platooning technology”; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and the Legislature; amending s. 316.0745, F.S.; revising the circumstances under which the Department of Transportation is authorized to direct the removal of certain traffic control devices; requiring the public agency erecting or installing such a device to bring it into compliance with certain requirements or remove it upon the direction of the department; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 316.640,

F.S.; expanding the authority of a chartered municipal parking enforcement specialist to enforce state, county, and municipal parking laws and ordinances within the boundaries of certain counties pursuant to a memorandum of understanding; amending s. 316.85, F.S.; revising the circumstances under which a licensed driver is authorized to operate an autonomous vehicle in autonomous mode; amending s. 316.86, F.S.; deleting a provision authorizing the operation of vehicles equipped with autonomous technology on roads in this state for testing purposes by certain persons or research organizations; deleting a requirement that a human operator be present in an autonomous vehicle for testing purposes; deleting certain financial responsibility requirements for entities performing such testing; amending s. 319.145, F.S.; revising provisions relating to required equipment and operation of autonomous vehicles; amending s. 320.525, F.S.; revising the definition of the term “port vehicles and equipment”; amending s. 332.08, F.S.; extending the authorized term of certain airport-related leases; creating s. 335.085, F.S.; providing a short title; requiring the department to install roadside barriers to shield water bodies contiguous with state roads at certain locations by a specified date under certain circumstances; providing applicability; requiring the department to review specified information related to certain motor vehicle accidents on state roads contiguous with water bodies which occurred during a specified time-frame, subject to certain requirements; requiring the department to submit a report to the Legislature by a specified date, subject to certain requirements; amending s. 337.0261, F.S.; requiring local governments to consider information provided by the department regarding the effect that approving or denying certain regulations may have on the cost of construction aggregate materials in the local area, the region, and the state; amending s. 337.18, F.S.; revising conditions for waiver of a required surety bond; amending s. 338.165, F.S.; deleting an authorization to issue certain bonds secured by toll revenues collected on the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway; authorizing the department’s Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; requiring the department to transfer certain funds to the Florida Turnpike Enterprise for certain purposes; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; increasing the number of years before an inactive prepaid toll account shall be presumed unclaimed; deleting provisions relating to the use of revenues from the turnpike system to pay the principal and interest of a specified series of bonds and certain expenses of the Sawgrass Expressway; amending s. 339.175, F.S.; requiring certain long-range transportation plans to include assessment of capital investment and other measures necessary to make the most efficient use of existing transportation facilities to improve safety; requiring the assessments to include consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology; amending s. 339.2818, F.S.; increasing the population ceiling in the definition of the term “small county” for purposes of the Small County Outreach Program; deleting an alternative definition of the term “small county” for a specified fiscal year; amending s. 339.55, F.S.; revising the purpose of the state-funded infrastructure bank within the department to include constructing and improving ancillary facilities that produce or distribute natural gas or fuel; authorizing the department to consider applications for loans from the bank for development and construction of natural gas fuel production or distribution facilities used primarily to support transportation activities at seaports or intermodal facilities beginning on a specified date; authorizing use of such loans to refinance outstanding debt; amending s. 339.64, F.S.; requiring the department to coordinate with certain partners and industry representatives to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology in Strategic Intermodal System facilities; requiring the Strategic Intermodal System Plan to include a needs assessment regarding such infrastructure and technological improvements; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 343.92, F.S.; increasing the members on the governing board of the Tampa Bay Area Regional Transportation Authority; requiring the secretary of the department to appoint two advisors to the board subject to certain requirements, rather than appointing one nonvoting, ex officio member of the board; amending s. 343.922, F.S.; requiring the authority to present a certain master plan and updates to, and coordinate projects and plans with, the Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization Chairs Coordinating Committee, rather than the West Central Florida M.P.O. Chairs Coordinating Committee; requiring the authority to provide certain administrative

support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee; amending s. 348.565, F.S.; expanding the list of projects of the Tampa-Hillsborough County Expressway Authority which are approved to be financed or refinanced by the issuance of certain revenue bonds; amending s. 479.16, F.S.; exempting certain signs from a specified permit, subject to certain requirements and restrictions; providing an effective date.

By the Committees on Appropriations; and Governmental Oversight and Accountability—

CS for SB 7050—A bill to be entitled An act relating to information technology security; amending s. 20.61, F.S.; revising the membership of the Technology Advisory Council to include a cybersecurity expert; amending s. 282.318, F.S.; revising the duties of the Agency for State Technology; providing that risk assessments and security audits may be completed by a private vendor; providing for the establishment of computer security incident response teams within state agencies; providing for the establishment of an information technology security incident reporting process; providing for information technology security and cybersecurity awareness training; revising duties of state agency heads; establishing computer security incident response team responsibilities; establishing notification procedures and reporting timelines for an information technology security incident or breach; providing an effective date.

By the Committees on Appropriations; and Health Policy—

CS for SB 7056—A bill to be entitled An act relating to long-term care managed care prioritization; amending s. 409.962, F.S.; defining terms; amending s. 409.979, F.S.; requiring the Department of Elderly Affairs to maintain a statewide wait list for enrollment for home and community-based services through the Medicaid long-term care managed care program; requiring the department to prioritize individuals for potential enrollment using a frailty-based screening tool that provides a priority score; providing for determinations regarding offers of enrollment; requiring screening and certain rescreening by Aging Resource Center personnel of individuals requesting long-term care services from the program; requiring the department to adopt by rule a screening tool; requiring the department to make a specified methodology available on its website; requiring the department to notify applicants if they are placed on the wait list; requiring the department to conduct prerelease assessments upon notification by the agency of available capacity; authorizing certain individuals to enroll in the long-term care managed care program; authorizing the department to terminate an individual from the wait list under certain circumstances; providing for priority enrollment for home and community-based services; authorizing the department and the Agency for Health Care Administration to adopt rules; deleting obsolete language; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 89 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Diaz, J., Santiago, Campbell, Cortes, B., Costello, Diaz, M., La Rosa, Latvala, Nuñez, Pafford, Perry, Plasencia, Raschein, Torres, Van Zant, Wood—

CS for HB 89—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.811, F.S.; defining the term "lawfully residing child"; deleting the definition of the term "qualified alien"; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility for the program to conform to changes made by the act; clarifying that undocumented immigrants are excluded from eligibility; amending s. 409.904, F.S.; providing eligibility for optional payments for medical assistance and related services for certain law-

fully residing children; clarifying that undocumented immigrants are excluded from eligibility for optional Medicaid payments or related services; amending s. 624.91, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 153 and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Santiago, Lee, Fitzenhagen, Pritchett, Rooney—

CS for CS for CS for HB 153—A bill to be entitled An act relating to the Healthy Food Financing Initiative Pilot Program; creating the Healthy Food Financing Initiative Pilot Program; providing definitions; directing the Department of Agriculture and Consumer Services to establish a program to provide specified financing to construct, rehabilitate, or expand grocery stores and supermarkets in underserved communities in low-income and moderate-income areas; authorizing the department to contract with a third-party administrator; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department submit a report to the Legislature by a specified date; requiring that loan repayments be transferred to the General Revenue Fund; directing the department to adopt rules; providing for expiration of the program; providing an appropriation; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS/CS/HB 307 & HB 1313, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Gaetz, Brodeur, Edwards, Campbell, Goodson, Perry, Peters, Raschein, Rehwinkel Vasilinda, Watson, C.—

CS for CS/CS/HB 307 & HB 1313—A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a physician to update the registry within a specified timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient's legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispen-

sing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the department to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization's approval under certain circumstances; requiring the department to renew the dispensing organization biennially under certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; authorizing certain colleges and universities to conduct certain cannabis research; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Criminal and Civil Justice; Fiscal Policy; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 347, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Sprowls, Caldwell—

CS for HB 347—A bill to be entitled An act relating to utility projects; providing a short title; defining terms; authorizing certain local governmental entities to finance the costs of a utility project by issuing utility cost containment bonds upon application by a local agency; specifying application requirements; requiring a successor entity of a local agency to assume and perform the obligations of the local agency with respect to the financing of a utility project; providing procedures for local agencies to use when applying to finance a utility project using utility cost containment bonds; authorizing an authority to issue utility cost containment bonds for specified purposes related to utility projects; authorizing an authority to form alternate entities to finance utility projects; requiring the governing body of the authority to adopt a fi-

ancing resolution and impose a utility project charge on customers of a publicly owned utility as a condition of utility project financing; specifying required and optional provisions of the financing resolution; specifying powers of the authority; requiring the local agency or its publicly owned utility to assist the authority in the establishment or adjustment of the utility project charge; requiring that customers of the public utility specified in the financing resolution pay the utility project charge; providing for adjustment of the utility project charge; establishing ownership of the revenues of the utility project charge; requiring the local agency or its publicly owned utility to collect the utility project charge; conditioning a customer's receipt of public utility services on payment of the utility project charge; authorizing a local agency or its publicly owned utility to use available remedies to enforce collection of the utility project charge; providing that the pledge of the utility project charge to secure payment of bonds issued to finance the utility project is irrevocable and cannot be reduced or impaired except under certain conditions; providing that a utility project charge constitutes utility project property; providing that utility project property is subject to a lien to secure payment of costs relating to utility cost containment bonds; establishing payment priorities for the use of revenues of the utility project property; providing for the issuance and validation of utility cost containment bonds; securing the payment of utility cost containment bonds and related costs; providing that utility cost containment bonds do not obligate the state or any political subdivision and are not backed by their full faith and credit and taxing power; requiring that certain disclosures be printed on utility cost containment bonds; providing that financing costs related to utility cost containment bonds are an obligation of the authority only; providing limitations on the state's ability to alter financing costs or utility project property under certain circumstances; prohibiting an authority with outstanding payment obligations on utility cost containment bonds from becoming a debtor under certain federal or state laws; providing for construction; endowing public entities with certain powers; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Finance and Tax; Communications, Energy, and Public Utilities; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 491, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Finance & Tax Committee, Energy & Utilities Subcommittee and Representative(s) Smith, Perry, Van Zant—

CS for CS for CS for HB 491—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified percentage or cost; amending s. 367.081, F.S.; providing that the commission may authorize a utility to create a utility reserve fund under certain circumstances; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; specifying the time period over which rate case expenses may be apportioned if a public utility is authorized to recover those expenses through its rates; prohibiting a utility from earning a return on the unamortized balance of the rate case expense; amending s. 367.0814, F.S.; requiring the commission to award rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; requiring the commission to propose rules by a certain date; repealing s. 367.0816, F.S., relating to the recovery of rate case expenses; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service under certain circumstances; amending s. 367.165, F.S.; requiring counties to comply with

requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; removing current restrictions on such activities; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 499 by the required constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Local & Federal Affairs Committee and Representative(s) Avila—

CS for CS for HB 499—A bill to be entitled An act relating to ad valorem taxation; amending s. 129.03, F.S.; revising the information required to be included on summaries of adopted tentative budgets; authorizing a summary statement to be published more than once in specified locations; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; establishing procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; establishing deadlines for value adjustment boards to complete final assessment roll certifications; providing exceptions; providing applicability; amending s. 193.155, F.S.; providing timeframes in which taxpayers may appeal to the value adjustment board the application of the assessment limitation on homestead property; amending ss. 193.1554 and 193.1555, F.S.; providing timeframes in which taxpayers may appeal the application of the assessment limitation on certain property to the value adjustment board; authorizing the waiver of penalties and interest under certain circumstances; allowing certain taxpayers to pay taxes, penalties, and interest within a specified period to avoid the filing of a lien; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; revising the procedures used during a value adjustment board hearing; revising the documentation required to be on evidence lists during value adjustment board hearings; specifying the period during which certain evidence remains confidential; amending s. 194.014, F.S.; revising the interest rate upon which certain unpaid and overpaid ad valorem taxes accrue; defining the term "bank prime loan rate"; amending s. 194.015, F.S.; revising procedures for appointment to a value adjustment board; amending s. 194.032, F.S.; revising requirements for the provision of property record cards to a petitioner; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term "good cause"; requiring value adjustment boards to address issues concerning assessment rolls by a time certain; providing an exception; amending s. 194.034, F.S.; revising the authorization required for various entities that may represent a taxpayer before the value adjustment board; prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term "timely filed"; revising provisions relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by an attorney special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing a special magistrate; amending s. 1011.62, F.S.; revising dates for purposes of computing each school district's required local effort; repealing certain rules adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 535, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Business & Professions Subcommittee and Representative(s) Eagle, Cortes, B., Goodson, Grant, Passidomo, Renner, Van Zant, Williams, A.—

CS for CS for CS for HB 535—A bill to be entitled An act relating to building codes; amending s. 468.609, F.S.; revising the certification examination requirements for building code inspectors, plans examiners, and building code administrators; requiring the Florida Building Code Administrators and Inspectors Board to provide for issuance of certain provisional certificates; amending s. 489.103, F.S.; providing an exemption for certain employees who make minor repairs to existing electric water heaters and to existing electric heating, ventilating, and air-conditioning systems under specified circumstances; providing that the exemption does not limit the authority of a municipality or county to adopt or enforce certain ordinances, rules, or regulations; amending s. 489.105, F.S.; revising the definition of the term "plumbing contractor"; amending s. 489.1401, F.S.; revising legislative intent with respect to the purpose of the Florida Homeowners' Construction Recovery Fund; providing legislative intent that Division II contractors set apart funds to participate in the fund; amending s. 489.1402, F.S.; revising definitions; amending s. 489.141, F.S.; authorizing certain claimants to make a claim against the recovery fund for certain contracts entered into before a specified date; amending s. 489.1425, F.S.; revising a notification provided by contractors to certain residential property owners to state that payment from the recovery fund is limited; amending s. 489.143, F.S.; revising provisions concerning payments from the recovery fund; specifying claim amounts for certain contracts entered into on or after specified dates; providing aggregate caps for payments; amending s. 489.503, F.S.; exempting certain low-voltage landscape lighting from licensed electrical contractor installation requirements; amending s. 514.011, F.S.; defining the term "temporary pool"; amending s. 514.0115, F.S.; prohibiting a portable pool from being regulated as a public pool in certain circumstances; prohibiting a temporary pool from being regulated as a public pool; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 514.031, F.S.; prohibiting a portable pool from being used as a public pool unless it is exempt under s. 514.0115, F.S.; amending s. 515.27, F.S.; revising minimum requirements for a residential swimming pool to pass final inspection and receive a certificate of completion to include specified swimming pool alarms; amending s. 553.512, F.S.; revising the membership of the Accessibility Advisory Council; amending s. 553.721, F.S.; directing the Florida Building Code Compliance and Mitigation Program to fund, from existing resources, the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup; providing a limitation; requiring that a specified amount of funds from the surcharge be used to fund certain Florida Fire Prevention Code informal interpretations; requiring the State Fire Marshal to adopt rules; amending s. 553.73, F.S.; authorizing local boards created to address specified issues to combine the appeals boards to create a single, local board; authorizing the local board to grant alternatives or modifications through specified procedures; providing quorum requirements; authorizing the appeal to a local administrative board of specified decisions made by a local fire official; specifying the decisions of the local building official and the local fire official which are subject to review; providing requirements for fire service access elevators and elevator lobbies in certain buildings; specifying standards for standpipes in high-rise buildings; amending s. 553.775, F.S.; revising membership on a panel that hears requests to review decisions of local building officials; amending s. 553.79, F.S.; providing grounds for disciplinary action against a plans reviewer or building code administrator; authorizing a building official to issue a permit for the construction of the foundation or any other part of a building or structure before the construction documents for the entire building or structure have been submitted; providing that the holder of such permit begins building at the holder's own risk and without assurance that a permit for the entire structure will be granted; creating s. 553.7931, F.S.; defining the term "applicable local governmental entity"; requiring the owner, lessee, or occupant of a property to register an alarm system under certain circumstances; requiring contractors and alarm system monitoring companies to provide notice to an owner, lessee, or occupant that registration of the alarm system may be required; exempting a contractor or alarm system monitoring company from specified fines and penalties; prohibiting local governmental entities from requiring notarization of an alarm system registration form; providing for preemption; amending s. 553.80, F.S.; prohibiting a local enforcement agency from charging additional fees related to the recording of a con-

tractor's license or workers' compensation insurance; amending s. 553.842, F.S.; specifying additional approved evaluation entities; amending s. 553.844, F.S.; excluding certain work associated with the prevention of degradation of a residence from certain building permit requirements; reviving, readopting, and amending s. 553.844(4), F.S.; deleting an obsolete provision providing for expiration of requirements for the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; revising such requirements; amending s. 553.883, F.S.; exempting certain devices from certain smoke alarm battery requirements; amending s. 553.908, F.S.; providing for the amendment of portions of the Florida Building Code, Energy Conservation, related to certain buildings and dwelling units after a specified date; delaying the effective date of certain portions of the Florida Building Code, Energy Conservation, related to blower door testing; providing for the amendment of portions of the Florida Building Code, Mechanical, and Florida Building Code, Residential, related to air infiltration rates in a dwelling after a specified date; amending s. 553.998, F.S.; specifying the types of individuals from whom local enforcement agencies shall accept duct and air infiltration tests and may accept inspections; amending s. 633.202, F.S.; requiring all new high-rise and existing high-rise buildings to maintain a minimum radio signal strength for fire department communications; providing a transitory period for compliance; requiring existing apartment buildings that are not in compliance to initiate an application for an appropriate permit by a specified date; requiring areas of refuge to be required as determined by the Florida Building Code, Accessibility; amending s. 633.208, F.S.; authorizing fire officials to consider certain systems acceptable when identifying low-cost alternatives; amending s. 633.336, F.S.; authorizing a licensed fire protection contractor to subcontract for advanced technical services under certain circumstances; creating the Calder Sloan Swimming Pool Electrical-Safety Task Force within the commission; specifying the purpose of the task force; requiring a report to the Governor and Legislature; providing for membership; requiring the commission to provide staff, information, and other assistance to the task force; providing that members of the task force serve without compensation; providing for meetings; providing for expiration of the task force; creating the Construction Industry Workforce Task Force within the University of Florida M. E. Rinker, Sr., School of Construction Management; specifying the goals of the task force; providing for membership; requiring the school to provide assistance to the task force; providing for meetings; requiring a report to the Governor and Legislature; providing an appropriation from specified funds available to the Department of Business and Professional Regulation; providing for expiration of the task force; requiring the commission to amend the Florida Building Code to define the term "fire separation distance," to specify openings and roof overhang projection requirements, to adopt a specific energy rating index as an option for compliance, to provide for Climate Zone indices, to provide exceptions to shower lining requirements, and to provide minimum fire separation distances; requiring a restaurant, cafeteria, or similar dining facility to have sprinklers only under specified circumstances; amending ss. 125.56 and 553.79, F.S.; requiring counties and local enforcement agencies, respectively, to post all types of building permit applications on their websites; specifying the format in which completed applications must be submitted and the format in which payments, attachments, and drawings may be submitted; providing effective dates.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 561 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Combee—

CS for CS for HB 561—A bill to be entitled An act relating to the organizational structure of the Department of Environmental Protection; amending s. 20.255, F.S.; establishing the Office of the Secretary within the department; authorizing the Secretary of Environmental Protection to establish offices within the office or within the department's divisions to promote the efficient and effective operation of

the department; providing for the secretary to appoint a general counsel; removing the required establishment of certain offices; establishing the Division of Water Restoration Assistance within the department; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 589, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Pigman, Ahern—

CS for CS for CS for HB 589—A bill to be entitled An act relating to environmental control; repealing s. 373.245, F.S., relating to violations of consumptive use permit conditions; amending s. 373.323, F.S.; revising eligibility requirements for taking the water well contractor licensure examination; amending s. 378.209, F.S.; providing conditions under which certain constructed clay settling areas are exempt from reclamation rate and financial responsibility requirements; amending s. 403.067, F.S.; authorizing the use of land set-asides and land use modifications, including constructed wetlands or other water quality improvement projects, in water quality credit trading; amending s. 403.201, F.S.; providing applicability of prohibited variances concerning discharges of waste into waters of the state and hazardous waste management; amending s. 403.709, F.S.; revising conditions under which the Department of Environmental Protection may use specified funds to contract with a third party for the closing and long-term care of solid waste management facilities; abrogating the scheduled expiration of such authorization; amending s. 403.814, F.S.; requiring Florida registered professionals to certify that certain stormwater management systems will meet additional requirements for a general permit; requiring that such certification be submitted to the department or water management district before construction of such stormwater management systems begins; reenacting s. 373.414(17), F.S., relating to variances for activities in surface waters and wetlands, to incorporate the amendment made by the act to s. 403.201, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 613 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee and Representative(s) Sullivan—

CS for HB 613—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.021, F.S.; conforming a cross-reference; amending s. 440.05, F.S.; deleting a required item to be listed on a notice of election to be exempt; revising specified rules regarding the maintenance of business records by an officer of a corporation; removing the requirement that the Department of Financial Services issue a specified stop-work order; amending s. 440.107, F.S.; requiring that the department allow an employer who has not previously been issued an order of penalty assessment to receive a specified credit to be applied to the penalty; prohibiting the application of a specified credit unless the employer provides specified documentation and proof of payment to the department within a specified period; requiring the department to reduce the final assessed penalty by a specified percentage for employers who have not been previously issued a stop-work order or order of penalty assessment; revising the penalty calculation for the imputed weekly payroll for an employee;

amending s. 440.13, F.S.; eliminating the certification requirements when an expert medical advisor is selected by a judge of compensation claims; providing requirements for the selection of an expert medical advisor; amending s. 440.185, F.S.; deleting the requirement that employers notify the department within 24 hours of any injury resulting in death; amending s. 440.42, F.S.; conforming a cross-reference; amending s. 440.49, F.S.; revising definitions; revising the requirements for filing a claim; deleting the preferred worker program; deleting the notification fees on certain filed claims which supplement the Special Disability Trust Fund; conforming cross-references; amending s. 440.50, F.S.; conforming cross-references; amending s. 440.52, F.S.; deleting a fee for certain registration of insurance carriers; amending s. 624.4626, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 651, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Beshears, Williams, A.—

CS for CS for CS for HB 651—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the department to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; revising applicability to remove for-profit organizations; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the department for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; providing that the local fire official, or his or her designee, rather than the State Fire Marshal, may exempt a device from such standards; providing an alternative installation method for such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; providing that a party requesting service of process shall pay a specified fee to the department or Office of Insurance Regulation for such service; amending s. 626.854, F.S.; revising applicability of the definition of the term "public adjuster"; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; revising methods by which copies of the service of process may be provided to a defendant; specifying the determination of a defendant's last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines

Service Office board of governors; amending s. 626.9892, F.S.; revising criteria for the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; amending s. 633.102, F.S.; redefining the term "fire service provider"; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term "combination fire department"; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual's certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability of the department's rulemaking authority relating to the disposition of unclaimed property; providing an appropriation and authorizing a position; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 685, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Slosberg—

CS for HB 685—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; requiring a law enforcement agency to provide specified information to the victim if a victim's property is located in a pawnshop; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 701 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Lee, Adkins, Diaz, M., Geller, McBurney, Plasencia, Raschein, Stafford, Watson, C.—

CS for HB 701—A bill to be entitled An act relating to the Art in the Capitol Competition; creating the Art in the Capitol Competition for students in specified grades; providing procedures for student participation, notification, and the selection and display of winning submissions; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 739, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Passidomo, Van Zant—

CS for CS for HB 739—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photographs of the items; requiring a different method of identification when certain numbers are not available; requiring secondhand dealers to notify a law enforcement official under certain circumstances; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term "antique"; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official's jurisdiction under certain circumstances; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 749, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Raburn, Combee, Mayfield, Van Zant—

CS for CS for HB 749—A bill to be entitled An act relating to agriculture; amending 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands replanted in citrus; amending s. 320.51, F.S.; exempting certain farm vehicles from registration requirements under certain circumstances; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; amending s. 704.06, F.S.; providing for conservation easement agreements to include provisions which allow agricultural activities under certain conditions; providing applicability; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 981 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Richardson, Adkins, Eisnaugle—

HB 981—A bill to be entitled An act relating to administrative procedures; amending s. 120.541, F.S.; providing additional requirements for the calculation of estimated adverse impacts and regulatory costs; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1075, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee and Representative(s) Caldwell, Eagle—

CS for CS for HB 1075—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions; providing that title to certain acquired lands are vested in the board; providing for the administration of such lands; authorizing the board to adopt specified rules; revising requirements for the appraisal of lands proposed for acquisition; requiring an agency proposing an acquisition to pay the associated costs; deleting provisions directing the board to approve qualified fee appraisal organizations; requiring fee appraisers to submit certain affidavits to an agency before contracting with a participant in a multiparty agreement; prohibiting fee appraisers from negotiating with property owners; revising the minimum survey standards incorporated by reference for conducting certified surveys; authorizing the disclosure of confidential appraisal reports under certain conditions; providing for public agencies and nonprofit organizations to enter into written agreements with the Department of Environmental Protection rather than the Division of State Lands to purchase and hold property for subsequent resale to the board rather than the division; revising the definition of the term "nonprofit organization"; directing the board to adopt by rule the method for determining the value of parcels sought to be acquired by state agencies; providing requirements for such acquisitions; expanding the scope of real estate acquisition services for which the board and state agencies may contract; authorizing the Department of Environmental Protection to use outside counsel to review any agreements or documents or to perform acquisition closings under certain conditions; requiring state agencies to furnish the Department of Environmental Protection rather than the Division of State Lands with specified acquisition documents; providing that the purchase price of certain parcels is not subject to an increase or decrease as a result of certain circumstances; authorizing the board of trustees to direct the Department of Environmental Protection to exercise eminent domain for the acquisition of certain conservation parcels under certain circumstances; authorizing the Department of Environmental Protection to exercise condemnation authority directly or by contracting with the Department of Transportation or a water management district to provide such service; authorizing the board of trustees to direct the Department of Environmental Protection to purchase lands on an immediate basis using specified funds; authorizing the board of trustees to waive or modify all procedures required for such land acquisition; providing that title to certain lands held jointly by the board of trustees and a water management district meet the standards necessary for ownership by the board; creating s. 253.0251, F.S.; providing for the use of alternatives to fee simple acquisition for land purchases by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and water management districts; amending s. 253.03, F.S.; deleting provisions directing the board of trustees to adopt by rule an annual administrative fee for certain leases and similar instruments; revising the criteria by which specified structures have the right to continue submerged land leases; directing the board of trustees to adopt by rule an annual administrative fee for certain leases and instruments; authorizing nonwater-dependent uses for submerged lands; amending s. 253.031, F.S.; providing for the Department of Environmental Protection to maintain documents concerning all state lands; deleting an

obsolete provision; amending s. 253.034, F.S.; authorizing the Department of Environmental Protection to submit certain state-owned lands to the Acquisition and Restoration Council or board of trustees for review and consideration; requiring that all nonconservation land use plans are managed to provide the greatest benefit to the state; deleting provisions requiring an analysis of natural or cultural resources as part of a nonconservation land use plan; specifying that certain management and short-term and long-term goals for the conservation of plant and animal species apply to conservation lands; providing conditions under which the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees are required to submit land management plans to the board of trustees; requiring that updated land management plans identify conservation lands that are no longer needed for conservation purposes; deleting provisions directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; deleting provisions requiring that buildings and parcels of land be offered for lease to state agencies, state universities, and Florida College System institutions before being offered for lease or sale to a local or federal unit of government or a private party; amending s. 253.0341, F.S.; deleting provisions authorizing counties and local governments to submit requests for the surplus of state-owned lands and requiring that such requests be expedited; directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; providing that lands acquired before a certain date using specified proceeds are deemed to have been acquired for conservation purposes; providing that certain lands used by the Department of Corrections, the Department of Management Services, and the Department of Transportation may not be designated as lands acquired for conservation purposes; requiring updated land management plans to identify conservation and nonconservation lands that are no longer used for the purposes for which they were originally leased and that could be disposed of; deleting an obsolete provision; requiring that facilities and nonconservation parcels of land be offered for lease to state agencies before being offered for lease to a local or federal unit of government, state university, Florida College System institution, or private party; providing for the valuation and disposition of surplus lands; providing for the deposit of proceeds from the sale of such lands; authorizing the board of trustees to adopt rules; requiring surplus lands conveyed to a local government for affordable housing to be disposed of by the local government; amending s. 253.111, F.S.; deleting provisions requiring the board of trustees to afford an opportunity to local governments to purchase certain state-owned lands; revising provisions relating to the rights of riparian owners to secure certain state-owned lands; amending s. 253.42, F.S.; authorizing individuals or entities to submit requests to the Division of State Lands to exchange state-owned land for privately held land; requiring the state to retain permanent conservation easements over the state-owned land and all or a portion of the privately held land; requiring the division to submit requests to the Acquisition and Restoration Council for review and recommendation or to the board of trustees with recommendations from the division and the council; review requests and provide recommendations to the Acquisition and Restoration Council; providing applicability; directing the board of trustees to consider a request if certain conditions are met; providing special consideration for certain requests; providing that such lands are subject to inspection; amending s. 253.782, F.S.; deleting a provision directing the Department of Environmental Protection to retain ownership of and maintain lands or interests in land owned by the board of trustees; amending s. 253.7821, F.S.; assigning the Cross Florida Greenways State Recreation and Conservation Area to the Department of Environmental Protection rather than the Office of Greenways Management within the Office of the Secretary; creating s. 253.87, F.S.; directing the Department of Environmental Protection to include certain county, municipal, state, and federal lands in the Florida State-Owned Lands and Records Information System (SOLARIS) database and to update the database at specified intervals; requiring counties, municipalities, and financially disadvantaged small communities to submit a list of certain lands to the department by a specified date and at specified intervals; directing the department to conduct a study and submit a report to the Governor and the Legislature on the technical and economic feasibility of including certain lands in the database or a similar public lands inventory; amending s. 259.01, F.S.; renaming the "Land Conservation Act of 1972" as the "Land Conservation Program"; repealing s. 259.02, F.S., relating to issuance of state bonds for certain land projects; amending s. 259.032, F.S.; conforming cross-references; revising provisions relating to the management of conservation and recreation lands to conform with changes

made by the act; revising duties of the Acquisition and Restoration Council; amending s. 259.035, F.S.; requiring recipients of funds from the Land Acquisition Trust Fund to annually report certain performance measures to the Department of Environmental Protection rather than the Division of State Lands; amending s. 259.036, F.S.; revising the composition of the regional land management review team; providing for the Department of Environmental Protection rather than the Division of State Lands to act as the review team coordinator; revising requirements for conservation and recreation land management reviews and plans; amending s. 259.037, F.S.; removing the director of the Office of Greenways and Trails from the Land Management Uniform Accounting Council; repealing s. 259.041(1)-(6) and (8)-(19), F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.047, F.S.; revising provisions relating to the acquisition of land on which an agricultural lease exists to conform with changes made by the act; amending s. 259.101, F.S.; conforming cross-references; revising provisions relating to alternate use of lands acquired under the Florida Preservation 2000 Act to conform with changes made by the act; deleting provisions for alternatives to fee simple acquisition of such lands to conform with changes made by the act; amending s. 259.105, F.S.; deleting provisions requiring the advancement of certain goals and objectives of imperiled species management on state lands to conform with changes made by the act; conforming cross-references; revising provisions directing the Acquisition and Restoration Council to give increased priority to certain projects when developing proposed rules relating to Florida Forever funding and additions to the Conservation and Recreation Lands list; deleting provisions requiring that such rules be submitted to the Legislature for review; amending s. 259.1052, F.S.; deleting provisions authorizing the Department of Environmental Protection to distribute revenues from the Florida Forever Trust Fund for the acquisition of a portion of Babcock Crescent B Ranch; amending s. 373.089, F.S.; extending the time within which a certified appraisal may be obtained for lands to be sold as surplus; revising the procedures that a water management district must follow for publishing a notice of intention to sell surplus lands; authorizing the governing board of a water management district to sell certain lands acquired with Florida Forever funds without first offering title to the lands to the Board of Trustees of the Internal Improvement Trust Fund; authorizing the governing board of a water management district to sell parcels of land no longer needed for conservation purposes and valued at or below a specified threshold as surplus; requiring certain notice before the sale of such parcels; providing procedures for the sale of such parcels; creating s. 570.715, F.S., and transferring, renumbering, and amending s. 259.04(7), F.S.; providing procedures for the acquisition of conservation easements by the Department of Agriculture and Consumer Services; amending ss. 73.015, 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031, 375.041, 380.05, 380.055, 380.508, 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.; conforming cross-references; providing an appropriation and authorizing positions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1133 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Affairs Committee, Finance & Tax Committee, Economic Development & Tourism Subcommittee and Representative(s) Young—

CS for CS for CS for HB 1133—A bill to be entitled An act relating to applicability of revenue laws to out-of-state businesses during disaster-response periods; amending s. 213.055, F.S.; providing definitions; providing exemptions from certain registration and licensing requirements and taxes for out-of-state businesses and employees that enter the state in response to a disaster or an emergency; specifying the applicability of certain transaction taxes and fees; specifying the obligations and privileges of an out-of-state business or employee after the disaster-response period; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Finance and Tax; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1219 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Veteran & Military Affairs Subcommittee and Representative(s) Raburn, Harrell, Raschein—

CS for HB 1219—A bill to be entitled An act relating to veterans' employment; amending s. 295.07, F.S.; requiring state agencies, and authorizing political subdivisions of the state, to develop and implement veterans' recruitment plans; providing plan requirements; requiring the Department of Management Services to collect specified data and include the data in its annual workforce report and on its website; providing applicability; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1361, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Affairs Committee, Local Government Affairs Subcommittee and Representative(s) La Rosa—

CS for CS for HB 1361—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing county boards to meet and discuss matters of mutual interest with specified counties or municipalities upon due public notice; providing parameters for such meetings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing for certain purposes in certain counties; specifying how the tax increment will be determined; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3175, F.S.; providing that representatives of military installations who serve ex officio on certain local governments' land planning or zoning boards are not required to file a statement of financial interest; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to the Administration Commission; establishing deadlines for the state land planning agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to act; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; providing that comprehensive plan amendments and land development regulations in the Apalachicola Bay Area of critical state concern will be reviewed and approved by the state land planning agency; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; authorizing certain developments to be considered essentially built out when certain reporting requirements of a development order are not met; providing criteria under which one approved land use may be substituted for another approved land use in certain land development agreements under certain circumstances; providing that certain criteria constitute a substantial deviation and shall cause the development to be subject to further review through the notice of proposed change process; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not

substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Fiscal Policy; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1411, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee and Representative(s) Burton, Adkins, Ahern, Albritton, Baxley, Boyd, Burgess, Combee, Cortes, B., Costello, Drake, Eagle, Fant, Gaetz, Gonzalez, Hill, Magar, Mayfield, Metz, Moraitis, Plakon, Porter, Raburn, Renner, Rodrigues, R., Rooney, Santiago, Smith, Spano, Sullivan, Van Zant—

CS for CS for HB 1411—A bill to be entitled An act relating to termination of pregnancies; creating s. 390.0001, F.S.; providing legislative findings regarding termination of pregnancies; amending s. 390.011, F.S.; defining the term "gestation" and revising the term "third trimester"; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of certain hospitals and physicians' offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules to require all physicians performing abortions to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with the hospital; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing an appropriation; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7095 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Judiciary Committee and Representative(s) Metz, Beshears—

CS for HB 7095—A bill to be entitled An act relating to juror costs; amending s. 28.35, F.S.; revising the list of court-related functions that clerks may fund from filing fees, service charges, costs, and fines; amending s. 40.24, F.S.; conforming provisions to changes made by the act; amending s. 40.29, F.S.; requiring the clerk and the Florida Clerks of Court Operations Corporation to forward quarterly estimates on certain jury-related costs to the Justice Administrative Commission; revising procedures governing the payment of certain costs; amending s. 40.31, F.S.; authorizing the commission to apportion funds for specified jury-related costs in certain circumstances; providing for issuance to jurors and counties of certificates for the amount of compensation still due in certain circumstances; amending s. 40.32, F.S.; conforming provisions to changes made by the act; amending s. 40.33, F.S.; authorizing the clerk to make requests to the commission for additional funds to pay certain costs in the event of a deficiency; amending s. 40.34, F.S.; requiring the clerk to provide for payroll in triplicate for the payment of jurors; requiring the clerk to forward a specified number of copies of juror payrolls to the commission by a specified date; requiring the commission to audit such payrolls; providing an effective date.

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

ENROLLING REPORTS

SB 80, CS for CS for SB 86, SB 112, CS for CS for SB 196, SB 222, CS for CS for CS for SB 232, CS for SB 310, CS for SB 386, SB 396, CS for SB 416, CS for SB 458, CS for CS for SB 494, SB 7002, CS for SB 7024, and SB 7030 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 3, 2016.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 2 was corrected and approved.

CO-INTRODUCERS

Senators Garcia—SB 314; Margolis—SM 600; Sobel—SB 7028

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:51 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, March 4 or upon call of the President.



Journal of the Senate

Number 20—Regular Session

Friday, March 4, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—34:

Mr. President	Galvano	Negron
Altman	Garcia	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Bradley	Hays	Simmons
Brandes	Hukill	Simpson
Braynon	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Legg	Stargel
Evers	Margolis	
Gaetz	Montford	

Excused: Senator Thompson; Senator Lee periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Reverend Candace McKibben, Director of Faith Outreach, Big Bend Hospice and Pastor of Tallahassee Fellowship Church, Tallahassee:

Holy one, quiet our minds and still our hearts as we pause in reverence before one another and before you at the beginning of this new day. Fill our hearts with gratitude for the gift of life and for the important work that lies before us in the hours ahead.

Grant to each of these senators the will and ability to be their best selves as they listen respectfully to each other for the strongest solutions to the concerns before them this day. Give them hearts to hear what is most needed, minds to discern what is right, and the courage to do what is best as they seek the highest good for the citizens of this great State.

May those who are weary and disheartened by the process remember why they first wanted to be a legislator, and feel again the passion to represent the will of those who sent them here as it serves the highest good. May those who are filled with energy and optimism be a source of

inspiration, encouragement, and hope to others. May all find in this day the opportunity to broaden their perspective, think creatively, and decide wisely.

We pray for all Floridians and for our nation that we might care for each other with the sort of grace and love that promotes justice and inspires well-being for all.

We pause in reverence before one another and before a strength and power that is greater than our own as we begin our work this day, renewed in spirit and motivated by love. Amen.

PLEDGE

Senate Pages, John Spilker of Naples; Zachary Smith of Dade City; Elizabeth Watson of Plant City; and Rebekka Behr of West Palm Beach, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Legg—

By Senator Legg—

SR 1768—A resolution congratulating Suellen Smith on her recognition by the School Nutrition Association as a 2016 School Nutrition Hero.

WHEREAS, Suellen Smith began her career as a self-described “regular lunch lady” at Pasco High School, where she worked for 11 years before moving to Zephyrhills High School, and

WHEREAS, Suellen Smith has worked at Zephyrhills High School for 15 years, where she is the cafeteria manager, overseeing a facility that serves more than 300 breakfasts, 850 lunches, and about 100 à la carte items each day, and

WHEREAS, Suellen Smith has demonstrated time and again that she views her work as cafeteria manager as an opportunity to have a much broader impact on the lives of the students of Zephyrhills High School, and

WHEREAS, Suellen Smith has turned the Zephyrhills High School cafeteria into a community center for students in need, maintaining a clothing closet that offers formal attire that students can wear to prom, homecoming, and graduation, and

WHEREAS, Suellen Smith ensures that students who have been identified by teachers as being in need of food receive free snacks so that the students do not go hungry, and

WHEREAS, Suellen Smith mentors students, helping them fill out applications for scholarships and serving as an advisor to the student council; encourages students who face difficult circumstances; and recognizes students’ accomplishments when they achieve academic, athletic, or personal goals, and

WHEREAS, in May 2015, Suellen Smith received the Community Humanitarian Award from the Florida School Nutrition Association, and

WHEREAS, on February 29, 2016, Suellen Smith will be recognized by the School Nutrition Association as one of only five 2016 School Nutrition Heroes nationwide, NOW, THEREFORE,

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

That Suellen Smith is congratulated on her recognition by the School Nutrition Association as a 2016 School Nutrition Hero.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Suellen Smith as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1776—A resolution expressing support for the timely and successful negotiation of a mutually beneficial agreement on transatlantic trade between the United States and the European Union, leading to the enactment of the Transatlantic Trade and Investment Partnership.

WHEREAS, the transatlantic economy is the largest in the world, encompassing nearly 50 percent of global gross domestic product (GDP), and the United States and the European Union have called for an agreement to remove constraints to economic growth between these two entities, resulting in discussion of the Transatlantic Trade and Investment Partnership (T-TIP), and

WHEREAS, growth of emerging marketplaces across the globe continues to lessen the share of global GDP attributable to the transatlantic economy, and

WHEREAS, the expansion of global trade, especially with the member nations of the European Union, is of vital importance to the growth of the economy of the United States, small business participation in the international marketplace, and job creation, and

WHEREAS, this state would benefit greatly from the ratification of a comprehensive transatlantic trade agreement, which would create employment opportunities for Floridians as a direct result of loosening current burdens on trade and free markets, and

WHEREAS, the successful implementation of T-TIP will increase exports to the European Union from this state, and

WHEREAS, the United States Constitution grants sole authority in regulating commerce with foreign nations to the United States Congress, and

WHEREAS, the successful negotiation of a mutually beneficial transatlantic trade agreement will require bipartisan cooperation in the United States Congress and between state, federal, and foreign governments, NOW, THEREFORE,

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

That timely and successful negotiation by the Executive Branch of a comprehensive and mutually beneficial transatlantic trade agreement between the United States and the European Union, leading to enactment of the Transatlantic Trade and Investment Partnership, is supported.

—was introduced, read, and adopted by publication.

At the request of Senator Altman—

By Senator Altman—

SR 1786—A resolution honoring the courage and bravery of the space shuttle Challenger crew on the 30th anniversary of the Challenger disaster.

WHEREAS, the space shuttle Challenger, the second shuttle put into service by NASA, was successfully launched and landed nine times between April 4, 1983, and October 30, 1985, and

WHEREAS, during Challenger's tenth liftoff from the Kennedy Space Center on January 28, 1986, one of its O-ring seals, which had become

brittle in the cold temperatures, failed, causing its right-hand solid rocket booster to separate from its external fuel tank, resulting in the shuttle's disintegration only 73 seconds into its mission at 11:39 a.m., and

WHEREAS, the disaster killed the seven-person crew: Mission Commander Francis R. "Dick" Scobee, Pilot Michael J. Smith, Mission Specialist Judith A. Resnik, Mission Specialist Ellison S. Onizuka, Mission Specialist Ronald E. McNair, Payload Specialist Gregory B. Jarvis, and Teacher-in-Space Payload Specialist Sharon Christa McAuliffe, and

WHEREAS, Christa McAuliffe, a teacher from Concord, New Hampshire, was scheduled to become the first teacher in space as part of the Teacher in Space Project to conduct experiments and teach lessons from the Challenger to encourage children to pursue careers in science and mathematics, and

WHEREAS, many lessons have been learned from the tragic loss of the Challenger and its crew, and those lessons have increased the dedication of the United States and NASA to make space exploration safer for everyone for the benefit of mankind, and

WHEREAS, January 28, 2016, was the 30th anniversary of the tragic accident of the space shuttle Challenger and the loss of its seven brave crew members, NOW, THEREFORE,

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

That the space shuttle Challenger's crew is honored for their courage and bravery on the 30th anniversary of the Challenger disaster.

—was introduced, read, and adopted by publication.

At the request of Senator Altman—

By Senator Altman—

SR 1788—A resolution recognizing and supporting the second Invictus Games for wounded, injured, and sick active duty military servicemembers and veterans, to be held May 8-12, 2016, in Orlando.

WHEREAS, the Invictus Games is the only international adaptive sporting event for injured active duty military servicemembers and veterans, in which the power of sports is used to inspire recovery, support rehabilitation, and generate wider understanding and respect for those who serve or who have served their country, and

WHEREAS, the inaugural Invictus Games took place in 2014 in London, England, and brought together more than 400 competitors from 13 nations to compete in sporting events, and

WHEREAS, Florida has the honor of hosting the second Invictus Games, which will be held at Disney's ESPN Wide World of Sports Complex in Orlando from May 8 to May 12, 2016, and

WHEREAS, the second Invictus Games will bring together more than 500 competitors from 15 nations to compete in 10 sporting events, and

WHEREAS, the nations represented are Afghanistan, Australia, Canada, Denmark, Estonia, France, Georgia, Germany, Iraq, Italy, Jordan, the Netherlands, New Zealand, the United Kingdom, and the United States, and

WHEREAS, Invictus Games participants have sacrificed their personal health and well-being, and many have suffered life-changing injuries, visible or otherwise, to defend the safety and security of their home nation, and

WHEREAS, the Invictus Games seeks to help the physical, psychological, and social healing of injured active duty military servicemembers and veterans through the holistic recovery and rehabilitation that occurs through sports, and

WHEREAS, the word "invictus" means "unconquered," and the Invictus Games reflects the unconquered spirit of wounded, ill, or injured active duty military servicemembers and veterans who have been tested and challenged, but not overcome, and

WHEREAS, Floridians view this inspiring event as an opportunity to celebrate and recognize the sacrifices made by active duty military servicemembers and veterans across the globe to safeguard the security of our nations and the values we hold dear, and

WHEREAS, there is no place more suitable to host the second Invictus Games than Florida, the most military-friendly and veteran-friendly state in the nation, NOW, THEREFORE,

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

That we recognize the second Invictus Games and the recuperation and rehabilitation that the Invictus Games brings to our nation's wounded, injured, and sick active duty military servicemembers and veterans and to those who serve or who have served in the armed services of our friends and allies around the globe.

—was introduced, read, and adopted by publication.

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

SPECIAL ORDER CALENDAR

CS for SB 460—A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a physician to update the registry within a specified timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient's legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispensing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the department to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization's approval under certain circumstances; requiring the department to renew the dispensing organization biennially under

certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Pending further consideration of **CS for SB 460**, pursuant to Rule 3.11(3), there being no objection, **CS for CS/CS/HB 307 & HB 1313** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Criminal and Civil Justice; Fiscal Policy; and Rules.

On motion by Senator Bradley—

CS for CS/CS/HB 307 & HB 1313—A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a physician to update the registry within a specified timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient's legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispensing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the de-

partment to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization's approval under certain circumstances; requiring the department to renew the dispensing organization biennially under certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; authorizing certain colleges and universities to conduct certain cannabis research; providing an effective date.

—a companion measure, was substituted for **CS for SB 460** and read the second time by title.

Senator Clemens moved the following amendments which failed:

Amendment 1 (335820) (with title amendment)—Delete lines 143-170 and insert:
not include the: ~~possession, use, or administration by smoking. The term also does not include the~~

1. Transfer of low-THC cannabis or medical cannabis to a person other than the qualified patient for whom it was ordered or the qualified patient's legal representative on behalf of the qualified patient.

2. Use or administration of low-THC cannabis or medical cannabis:

a. On any form of public transportation.

b. In any public place.

c. In a qualified patient's place of employment, if restricted by his or her employer.

d. In a state correctional institution as defined in s. 944.02 or a correctional institution as defined in s. 944.241.

e. On the grounds of a preschool, primary school, or secondary school.

f. On a school bus or in a vehicle, aircraft, or motorboat.

(h)(4) "Qualified patient" means a resident of this state who has been added to the compassionate use registry by a physician licensed under chapter 458 or chapter 459 to receive low-THC cannabis or medical cannabis from a dispensing organization.

(e) "Smoking" means burning or igniting a substance and inhaling the smoke. Smoking does not include the use of a vaporizer.

And the title is amended as follows:

Delete line 3 and insert: amending s. 381.986, F.S.; providing, revising, and deleting

The vote was:

Yeas—16

Abruzzo	Clemens	Gibson
Brandes	Evers	Joyner
Braynon	Garcia	Latvala

Margolis	Sachs	Soto
Montford	Smith	
Ring	Sobel	

Nays—19

Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Dean	Hukill	Stargel
Detert	Hutson	
Diaz de la Portilla	Legg	

Amendment 2 (873124)—Delete lines 177-179 and insert:
to treat a qualified patient suffering from cancer, a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms, epilepsy, glaucoma, a positive status for human immunodeficiency virus or acquired immune deficiency syndrome, post-traumatic stress disorder, amyotrophic lateral sclerosis, Crohn's disease, Parkinson's disease, multiple sclerosis, or another disease, disorder, or condition of the same kind or class as or comparable to those enumerated; order low-THC cannabis

The vote was:

Yeas—17

Abruzzo	Evers	Ring
Brandes	Gibson	Sachs
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Margolis	Soto
Diaz de la Portilla	Montford	

Nays—19

Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Dean	Hukill	Stargel
Detert	Hutson	
Gaetz	Legg	

THE PRESIDENT PRESIDING

Senator Evers moved the following amendments which failed:

Amendment 3 (840898)—Delete lines 184-255 and insert:
defined in s. 499.0295; order medical cannabis to treat a qualified patient suffering from post-traumatic stress disorder; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician ~~and all of the following conditions apply:~~

(a) Holds an active, unrestricted license as a physician under chapter 458 or an osteopathic physician under chapter 459;

(b) Has treated the patient for at least 3 months immediately preceding the patient's registration in the compassionate use registry;

(c) Has successfully completed the course and examination required under paragraph (4)(a);

(a) ~~The patient is a permanent resident of this state.~~

(d)(b) ~~Has determined~~ The physician determines that the risks of treating the patient with ordering low-THC cannabis or medical cannabis are reasonable in light of the potential benefit to the for that patient. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such determination must be documented in the patient's medical record;-

(e)(e) ~~The physician~~ Registers as the orderer of low-THC cannabis or medical cannabis for the named patient on the compassionate use registry maintained by the department and updates the registry to re-

flect the contents of the order, *including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the patient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change.* The physician shall deactivate the registration of the patient and the patient's legal representative ~~patient's registration~~ when treatment is discontinued;-

(f)(d) ~~The physician~~ Maintains a patient treatment plan that includes the dose, route of administration, planned duration, and monitoring of the patient's symptoms and other indicators of tolerance or reaction to the low-THC cannabis or medical cannabis;-

(g)(e) ~~The physician~~ Submits the patient treatment plan quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of low-THC cannabis and medical cannabis on patients;-

(h)(f) ~~The physician~~ Obtains the voluntary *written* informed consent of the patient or the patient's legal *representative guardian* to treatment with low-THC cannabis after sufficiently explaining the current state of knowledge in the medical community of the effectiveness of treatment of the patient's condition with low-THC cannabis, the medically acceptable alternatives, and the potential risks and side effects;

(i) *Obtains written informed consent as defined in and required under s. 499.0295, if the physician is ordering medical cannabis for an eligible patient pursuant to that section; and*

(j) *Is not a medical director employed by a dispensing organization.*

(3) PENALTIES.—

(a) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders low-THC cannabis for a patient without a reasonable belief that the patient is suffering from:

1. Cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be treated with low-THC cannabis; or

2. Symptoms of cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be alleviated with low-THC cannabis.

(b) *A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders medical cannabis for a patient without a reasonable belief that the patient has a terminal condition as defined in s. 499.0295 or suffers from post-traumatic stress disorder.*

(c)(b) ~~Any~~ person who fraudulently represents that he or she has cancer, *post-traumatic stress disorder*, or a physical medical condition that chronically

The vote was:

Yeas—18

Abruzzo	Evers	Montford
Brandes	Garcia	Ring
Braynon	Gibson	Sachs
Bullard	Joyner	Smith
Clemens	Latvala	Sobel
Diaz de la Portilla	Margolis	Soto

Nays—18

Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Grimsley	Richter
Bradley	Hays	Simmons
Dean	Hukill	Simpson
Detert	Hutson	Stargel

Amendment 4 (688106)—Delete line 184 and insert: *defined in s. 499.0295 or a patient suffering from cancer, human immunodeficiency virus or acquired immune deficiency syndrome, epilepsy, amyotrophic lateral sclerosis, autism, multiple sclerosis, Crohn's disease, Parkinson's disease, post-traumatic stress disorder, paraplegia, or quadriplegia; or order a cannabis delivery device for*

On motion by Senator Bradley, further consideration of **CS for CS/CS/HB 307 & HB 1313** was deferred.

SB 356—A bill to be entitled An act relating to mental or physical disabilities; providing a short title; amending s. 775.085, F.S.; deleting enhanced penalties for crimes evidencing prejudice based on mental or physical disability; deleting the definition of the term “mental or physical disability”; creating s. 775.0851, F.S.; defining the term “mental or physical disability”; creating enhanced penalties for crimes evidencing prejudice based on mental or physical disability; creating a cause of action for a person or organization that is threatened with certain violations; providing an essential element for such cause of action; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 356**, pursuant to Rule 3.11(3), there being no objection, **HB 387** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Hutson—

HB 387—A bill to be entitled An act relating to offenses evidencing prejudice; providing a short title; amending s. 775.085, F.S.; deleting provisions relating to reclassification of offenses committed while evidencing prejudice based on a mental or physical disability of the victim; creating s. 775.0863, F.S.; providing for reclassification of offenses committed while evidencing prejudice based on a mental or physical disability of the victim; defining the term “mental or physical disability”; providing for a civil cause of action for violations; providing for recovery of treble damages, costs, and attorney fees; specifying an essential element of the offense; amending s. 921.0022, F.S.; revising references to offense reclassification provisions; providing an effective date.

—a companion measure, was substituted for **SB 356** and read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **HB 387** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

By direction of the President, the Senate resumed consideration of—

CS for CS/CS/HB 307 & HB 1313—A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a physician to update the registry within a specified timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient's legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispensing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the department to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization's approval under certain circumstances; requiring the department to renew the dispensing organization biennially under certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; authorizing certain colleges and universities to conduct certain cannabis research; providing an effective date.

—which was previously considered this day.

Senator Sachs moved the following amendment which failed:

Amendment 5 (580980)—Delete lines 184-255 and insert: *defined in s. 499.0295; order medical cannabis to treat a qualified patient suffering from chronic, persistent, and debilitating pain; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician and all of the following conditions apply:*

(a) *Holds an active, unrestricted license as a physician under chapter 458 or an osteopathic physician under chapter 459;*

(b) *Has treated the patient for at least 3 months immediately preceding the patient's registration in the compassionate use registry;*

(c) *Has successfully completed the course and examination required under paragraph (4)(a);*

~~(a) The patient is a permanent resident of this state.~~

~~(d)(b)~~ *Has determined The physician determines that the risks of treating the patient with ordering low-THC cannabis or medical cannabis are reasonable in light of the potential benefit to the for that patient. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such determination must be documented in the patient's medical record;-*

~~(e)(c)~~ *The physician Registers as the orderer of low-THC cannabis or medical cannabis for the named patient on the compassionate use registry maintained by the department and updates the registry to reflect the contents of the order, including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the patient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change. The physician shall deactivate the registration of the patient and the patient's legal representative patient's registration when treatment is discontinued;-*

~~(f)(d)~~ *The physician Maintains a patient treatment plan that includes the dose, route of administration, planned duration, and monitoring of the patient's symptoms and other indicators of tolerance or reaction to the low-THC cannabis or medical cannabis;-*

~~(g)(e)~~ *The physician Submits the patient treatment plan quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of low-THC cannabis and medical cannabis on patients;-*

~~(h)(f)~~ *The physician Obtains the voluntary written informed consent of the patient or the patient's legal representative guardian to treatment with low-THC cannabis after sufficiently explaining the current state of knowledge in the medical community of the effectiveness of treatment of the patient's condition with low-THC cannabis, the medically acceptable alternatives, and the potential risks and side effects;*

(i) Obtains written informed consent as defined in and required under s. 499.0295, if the physician is ordering medical cannabis for an eligible patient pursuant to that section; and

(j) Is not a medical director employed by a dispensing organization.

(3) **PENALTIES.**—

(a) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders low-THC cannabis for a patient without a reasonable belief that the patient is suffering from:

1. Cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be treated with low-THC cannabis; or

2. Symptoms of cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be alleviated with low-THC cannabis.

(b) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders

medical cannabis for a patient without a reasonable belief that the patient has a terminal condition as defined in s. 499.0295 or suffers from chronic, persistent, and debilitating pain.

(c)(b) ~~Any~~ person who fraudulently represents that he or she has cancer or suffers from chronic, persistent, and debilitating pain, ~~or~~ a physical medical condition that chronically

Senator Clemens moved the following amendments which failed:

Amendment 6 (318474) (with title amendment)—Delete lines 345-371 and insert:

issued for the cultivation of more than 400,000 plants, and be operated by a nurseryman as defined in s. 581.011 or an individual engaged in a similar agricultural activity, including an individual that is both a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011), and a member of the Black Farmers and Agriculturalists Association, ~~and have been operated as a registered nursery in this state for at least 30 continuous years.~~

2. The ability to secure the premises, resources, and personnel necessary to operate as a dispensing organization.

3. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

4. An infrastructure reasonably located to dispense low-THC cannabis to registered patients statewide or regionally as determined by the department.

5. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financials to the department. Upon approval, the applicant must post a \$5 million performance bond. *However, upon a dispensing organization's serving at least 1,000 qualified patients, the dispensing organization is only required to maintain a \$2 million performance bond.*

6. That all owners and managers have been fingerprinted and have successfully passed a level 2 background screening pursuant to s. 435.04.

7. The employment of a medical director ~~who is a physician licensed under chapter 458 or chapter 459~~ to supervise the activities of the dispensing organization.

(c) *Upon the registration of 5,000 active qualified*

And the title is amended as follows:

Delete line 25 and insert: online compassionate use registry; revising requirements of applicants for approval as a dispensing organization; revising

The vote was:

Yeas—17

Abruzzo	Evers	Ring
Brandes	Gibson	Sachs
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Margolis	Soto
Dean	Montford	

Nays—20

Mr. President	Gaetz	Legg
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Detert	Hukill	Stargel
Diaz de la Portilla	Hutson	

Amendment 7 (832646) (with title amendment)—Delete lines 346-347 and insert:
operated by a nurseryman as defined in s. 581.011 or an individual engaged in a similar agricultural activity, and have been operated as a registered nursery in this state for at least 10 ~~30~~

And the title is amended as follows:

Delete line 25 and insert: online compassionate use registry; revising requirements for an applicant seeking approval as a dispensing organization; revising

Senator Sachs moved the following amendment which failed:

Amendment 8 (400454) (with title amendment)—Between lines 370 and 371 insert:

8. *That military veterans will be given preference when the dispensing organization is hiring employees for its facilities.*

And the title is amended as follows:

Delete line 25 and insert: online compassionate use registry; revising requirements for applicants seeking licensure as dispensing organizations; revising

The vote was:

Yeas—15

Abruzzo	Evers	Ring
Braynon	Joyner	Sachs
Bullard	Latvala	Smith
Clemens	Margolis	Sobel
Dean	Montford	Soto

Nays—21

Mr. President	Diaz de la Portilla	Hutson
Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Detert	Hukill	Stargel

Senator Evers moved the following amendment which failed:

Amendment 9 (379166) (with title amendment)—Delete lines 371-384 and insert:

(c) *By July 1, 2016, the 5 dispensing organizations chosen for low-THC cannabis may seek authorization to produce medical cannabis, as authorized by this section, only after the Department of Health has received and approved additional information in a supplemental application process.*

(d) *By July 1, 2016, the Department of Health shall authorize an additional 15 dispensing organizations that meet the requirements of subparagraphs (b)2.-7. and demonstrate the technical and technological ability to cultivate and produce medical cannabis and low-THC cannabis. A new application process shall begin immediately upon this act becoming law. An applicant involved in an ongoing administrative licensure challenge is not eligible to apply.*

And the title is amended as follows:

Delete lines 28-33 and insert: five dispensing organizations to produce low-THC cannabis and seek authorization to produce medical cannabis subject to certain requirements; requiring the department to authorize an additional 15 dispensing organizations that meet certain requirements; providing an application process for the additional dispensing organizations; providing that certain applicants are ineligible to apply for licensure;

Senator Thompson offered the following amendment which was moved by Senator Soto and failed:

Amendment 10 (925362)—Delete line 371 and insert:

(c) *Upon the registration of 15,000 active qualified*

Senator Evers moved the following amendment which failed:

Amendment 11 (159718) (with title amendment)—Delete lines 371-380 and insert:

(c) *Upon the registration of 5,000 qualified patients in the compassionate use registry, approve 10 additional dispensing organizations that must meet the requirements of subparagraphs (b)2.-7. and demonstrate the technical and technological ability to cultivate and produce low-THC cannabis and medical cannabis.*

And the title is amended as follows:

Delete lines 28-30 and insert: 10 additional dispensing organizations under specified circumstances;

Senator Soto moved the following amendment which failed:

Amendment 12 (346874) (with title amendment)—Delete lines 371-380 and insert:

(c) *Contingent upon the passage of a constitutional amendment related to the compassionate use of medical cannabis at the general election held on November 8, 2016, the Department of Health shall approve 12 additional licenses for dispensing organizations. Six of the additional licenses shall be selected from previously qualified applicants without regard to the region they applied in previously. These six applicants must apply to the department for a license and provide documentation that they continue to meet the requirements of paragraph (b) by December 15, 2016. The additional six licenses shall be selected by the Department of Health from new applicants and must include at least one applicant that is both a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011), and a member of the Black Farmers and Agriculturalists Association, each of which must meet the requirements of subparagraphs (b) 2.-7. and demonstrate the technical and technological ability to cultivate and produce low-THC cannabis.*

And the title is amended as follows:

Delete lines 28-30 and insert: 12 dispensing organizations contingent upon the passage of a constitutional amendment; providing requirements for the 12 dispensing organizations;

Senator Clemens moved the following amendment which failed:

Amendment 13 (179432) (with title amendment)—Delete lines 381-384 and insert:

(d) *Allow a dispensing organization during an emergency or a declared disaster to make a wholesale purchase of low-THC cannabis or medical cannabis from, or a distribution of low-THC cannabis or medical cannabis to, another dispensing organization for a period not to exceed 60 days after the occurrence of the emergency or declaration of the disaster.*

And the title is amended as follows:

Delete line 33 and insert: or distributions to another dispensing organization under specified circumstances;

Senator Thompson offered the following amendment which was moved by Senator Soto and failed:

Amendment 14 (666318) (with title amendment)—Between lines 389 and 390 insert:

(f) *Establish a curriculum for a low-THC cannabis or medical cannabis educational program specifically geared toward qualified patients and their caregivers which addresses appropriate safety procedures and knowledge of low-THC cannabis, medical cannabis, and cannabis delivery devices.*

And the title is amended as follows:

Between lines 33 and 34 insert: requiring the department to establish a curriculum for an educational program for patients and caregivers;

Senator Soto moved the following amendment which failed:

Amendment 15 (661888) (with title amendment)—Between lines 389 and 390 insert:

(f) *Prohibit a dispensing organization or any other entity from marketing low-THC cannabis or medical cannabis in a manner that is considered attractive to minors.*

And the title is amended as follows:

Between lines 33 and 34 insert: requiring the department to prohibit a dispensing organization or other entities from marketing low-THC cannabis or medical cannabis in a manner attractive to minors;

Senator Thompson offered the following amendment which was moved by Senator Soto and failed:

Amendment 16 (599316) (with title amendment)—Delete line 398 and insert:

1. *May use fertilizers and pesticides determined by the department, after*

And the title is amended as follows:

Delete line 36 and insert: organizations to use certain fertilizers and pesticides after

Senator Clemens moved the following amendment which failed:

Amendment 17 (894340)—Delete lines 448-449 and insert: *medical cannabis or low-THC cannabis originates;*

c. *Disclosure of any fertilizer or pesticides used in conjunction with the dispensing organization's cultivation of the low-THC cannabis; and*

d. *The batch number and harvest number from which the*

Senator Evers moved the following amendments which failed:

Amendment 18 (698002)—Between lines 535 and 536 insert:

11. *Employ persons with a valid Criminal Justice Standards and Training Commission Certificate and require at least one such person to be on the premises of each facility at all times.*

Amendment 19 (476666) (with title amendment)—Between lines 552 and 553 insert:

(f) *A dispensing organization may not be located within 1,000 feet of any school, park, day care center, other facility where children commonly frequent, church, correctional facility, drug abuse treatment center, or licensed medical facility.*

And the title is amended as follows:

Delete line 59 and insert: medical cannabis; prohibiting a dispensing organization from being located within a certain distance of specified places; authorizing the department to

Senator Sachs moved the following amendment which failed:

Amendment 20 (899780) (with title amendment)—Between lines 707 and 708 insert:

(10) *VETERINARIAN ORDERING.*—*A licensed veterinarian may order medical cannabis to treat an animal.*

And the title is amended as follows:

Delete line 81 and insert: certain circumstances; authorizing licensed veterinarians to order medical cannabis to treat an animal; amending s. 499.0295, F.S.;

Senator Evers moved the following amendment which failed:

Amendment 21 (417630) (with title amendment)—Delete lines 793-830.

And the title is amended as follows:

Delete lines 84-97 and insert: authorizing certain colleges and

Pursuant to Rule 4.19, **CS for CS/CS/HB 307 & HB 1313** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 760** was deferred.

CS for SB 1156—A bill to be entitled An act relating to community development districts; amending s. 190.005, F.S.; increasing minimum size requirements for the establishment of a community development district under certain circumstances; increasing maximum size requirements for the establishment of community development districts under certain circumstances; providing certain petition requirements if all of the land in the area for a proposed district is within the territorial jurisdiction of two or more counties; conforming a provision to changes made by the act; amending s. 190.012, F.S.; providing that a district is not prohibited from contracting with a towing operator to remove vehicles or vessels from specified facilities or properties, subject to certain requirements; amending s. 190.046, F.S.; revising requirements related to the process of amending community development district boundaries; authorizing up to a certain number of districts to merge into one surviving district, subject to certain requirements; providing requirements of the merger agreement; providing for membership of the surviving merged district board; providing for public hearings subject to certain requirements; prohibiting a petition to merge from being filed within a specified timeframe; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1156**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 971** was withdrawn from the Committees on Community Affairs; Commerce and Tourism; and Rules.

On motion by Senator Hutson—

CS for HB 971—A bill to be entitled An act relating to community development districts; amending s. 190.005, F.S.; amending the acreage threshold for the establishment, by rule or ordinance, of a community development district; revising criteria for requiring a petition for a proposed district to be filed with the Florida Land and Water Adjudicatory Commission; amending s. 190.012, F.S.; authorizing a district to contract with a towing operator to remove vehicles or vessels from specified facilities or properties, subject to certain requirements; amending s. 190.046, F.S.; revising the criteria necessary for amending the boundaries of a district; authorizing up to a certain number of districts to merge into one surviving district, subject to certain requirements; providing for membership of the surviving merged district board; providing requirements of the merger agreement; providing for public hearings subject to certain requirements; prohibiting a petition to merge from being filed within a specified timeframe; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 1156** and read the second time by title.

SENATOR RICHTER PRESIDING

Pursuant to Rule 4.19, **CS for HB 971** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 7000—A bill to be entitled An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 7000** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 418** was deferred.

SB 394—A bill to be entitled An act relating to unlicensed activity fees; amending s. 455.2281, F.S.; prohibiting the Department of Business and Professional Regulation from imposing a specified fee in certain circumstances; providing for applicability of the waiver; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 394**, pursuant to Rule 3.11(3), there being no objection, **HB 303** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Hays—

HB 303—A bill to be entitled An act relating to unlicensed activity fees; amending s. 455.2281, F.S.; prohibiting the Department of Business and Professional Regulation from imposing a specified fee in certain circumstances; providing for applicability of the waiver; providing an effective date.

—a companion measure, was substituted for **SB 394** and read the second time by title.

Pursuant to Rule 4.19, **HB 303** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 756—A bill to be entitled An act relating to the Department of Transportation; amending s. 311.07, F.S.; increasing the minimum amount that must be made available annually from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program; amending s. 311.09, F.S.; increasing the amount per year the department must include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; amending s. 316.003, F.S.; defining the term “port of entry”; amending s. 316.545, F.S.; providing a specified penalty for drivers of commercial motor vehicles who obtain temporary registration permits entering the state at, or operating on designated routes to, a port-of-entry location; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation’s aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department’s requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06,

F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of airspace obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment provided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; amending s. 334.044, F.S.; authorizing the department to assume certain responsibilities under the National Environmental Policy Act with respect to highway projects within the state and certain related responsibilities relating to review or approval of a highway project; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under certain federal law; authorizing the department to adopt implementing rules; authorizing the department to adopt certain relevant federal environmental standards; providing a limited waiver of sovereign immunity to civil suit in federal court consistent with certain federal law; amending s. 334.30, F.S.; conforming a cross-reference; requiring the department to consult with the Division of Bond Finance in connection with a proposal to finance or refinance a transportation facility; requiring the department to provide the division with information necessary to provide timely consultation and recommendations; authorizing the division to make an independent recommendation to the Executive Office of the Governor; creating s. 337.027, F.S.; authorizing the department to establish a program for highway projects that assist small businesses; providing a program purpose; defining the term "small business"; authorizing the department to adopt rules; amending s. 338.165, F.S.; removing an option to issue certain bonds secured by toll revenues collected on the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; increasing the number of years before an inactive prepaid toll account is presumed unclaimed; creating s. 339.0809, F.S.; creating a nonprofit corporation to be known as the "Florida Department of Transportation Financing Corporation"; defining the term "corporation"; providing for membership of a governing board of directors; providing certain powers and duties; authorizing the corporation to enter into service contracts with the Department of Transportation subject to certain requirements; authorizing the corporation to issue and incur notes, bonds, certificates of indebtedness, or other obligations or evidences of indebtedness under certain circumstances; providing that the fulfillment of the purposes of the corporation promotes the health, safety, and general welfare of the people of the state and serves essential governmental functions and a paramount public purpose; pro-

viding certain exemptions from taxation and assessments; authorizing the corporation to validate certain obligations subject to certain requirements; providing applicability; prohibiting the benefits and earnings of the corporation from inuring to any private person; requiring title to all property owned by the corporation to revert to the state upon dissolution of the corporation; authorizing the corporation to contract with the State Board of Administration to perform certain services; authorizing the board to contract with others to provide such services and to recover certain costs; authorizing the department to enter into a service contract in conjunction with the issuance of debt obligations which provides for certain periodic payments; amending s. 343.922, F.S.; increasing the period of time in which a master plan must be updated; amending s. 348.0004, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 756**, pursuant to Rule 3.11(3), there being no objection, **HB 7027** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

HB 7027—A bill to be entitled An act relating to the Department of Transportation; amending ss. 311.07 and 311.09, F.S.; revising the minimum amount of funds that the department must request for the Florida Seaport Transportation and Economic Development Program; amending s. 316.003, F.S.; defining the term "port-of-entry" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.545, F.S.; providing fines for certain commercial motor vehicles that obtain a specified temporary registration permit; amending s. 334.044, F.S.; authorizing the department to assume certain responsibilities of the United States Department of Transportation with respect to highway projects within the state; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under specified federal law; authorizing the department to adopt rules and relevant federal environmental standards; providing a limited waiver of sovereign immunity to civil suit in federal court; amending s. 334.30, F.S.; revising requirements for the development and approval of a proposal to finance or refinance a transportation project; authorizing the Division of Bond Finance of the State Board of Administration to make certain recommendations to the Governor; creating s. 337.027, F.S., relating to highway project contracts; authorizing the department to establish a program that would assist small businesses; defining the term "small business"; authorizing the department to adopt rules; amending s. 338.165, F.S.; removing certain facilities from a list of facilities whose toll revenues may be used to secure bonds; amending s. 338.231, F.S., relating to the turnpike system; revising the length of time that a prepaid toll account must be inactive before reverting to unclaimed property; creating s. 339.0809, F.S.; establishing the Florida Department of Transportation Financing Corporation; providing for a board of directors; providing for membership and organization; providing powers and duties of the corporation; authorizing the corporation to borrow money; providing for effect of dissolution with respect to property owned by the corporation; amending s. 339.135, F.S.; revising requirements for amendments to the department's adopted work program to be submitted to the Legislative Budget Commission; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 756** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Brandes moved the following amendments which were adopted:

Amendment 1 (361146) (with title amendment)—Between lines 443 and 444 insert:

Section 12. Paragraph (c) of subsection (7) of section 339.175, Florida Statutes, is amended to read:

339.175 Metropolitan planning organization.—

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(c) Assess capital investment and other measures necessary to:

1. Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and

2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion, *improve safety*, and maximize the mobility of people and goods. *Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

Section 13. Paragraph (c) is added to subsection (3) of section 339.64, Florida Statutes, and paragraph (a) of subsection (4) of that section is amended to read:

339.64 Strategic Intermodal System Plan.—

(3)

(c) *The department shall coordinate with federal, regional, and local partners, as well as industry representatives, to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments, in Strategic Intermodal System facilities.*

(4) The Strategic Intermodal System Plan shall include the following:

(a) *A needs assessment that must include, but is not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

And the title is amended as follows:

Delete line 47 and insert: submitted to the Legislative Budget Commission; amending s. 339.175, F.S.; requiring certain long-range transportation plans to include assessment of capital investment and other measures necessary to make the most efficient use of existing transportation facilities to improve safety; requiring the assessments to include consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology; amending s. 339.64, F.S.; requiring the department to coordinate with certain partners and industry representatives to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology in Strategic Intermodal System facilities; requiring

the Strategic Intermodal System Plan to include a needs assessment regarding such infrastructure and technological improvements;

Amendment 2 (665868) (with title amendment)—Delete lines 105-161 and insert:

Section 3. Subsections (94) and (95) are added to section 316.003, Florida Statutes, to read:

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

(94) *DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.*—*Vehicle automation and safety technology that integrates sensor array, wireless vehicle-to-vehicle communications, active safety systems, and specialized software to link safety systems and synchronize acceleration and braking between two vehicles while leaving each vehicle's steering control and systems command in the control of the vehicle's driver in compliance with the National Highway Traffic Safety Administration rules regarding vehicle-to-vehicle communications.*

(95) *PORT OF ENTRY.*—*A designated location that allows drivers of commercial motor vehicles to purchase temporary registration permits necessary to operate legally within the state. The locations and the designated routes to such locations shall be determined by the Department of Transportation.*

Section 4. *The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall study the use and safe operation of driver-assistive truck platooning technology, as defined in s. 316.003, Florida Statutes, for the purpose of developing a pilot project to test vehicles that are equipped to operate using driver-assistive truck platooning technology.*

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

(2) *Notwithstanding ss. 316.0895 and 316.303, Florida Statutes, the Department of Transportation may conduct the pilot project in such a manner and at such locations as determined by the Department of Transportation based on the study.*

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

(4) *Upon conclusion of the pilot project, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall submit the results of the study and any findings or recommendations from the pilot project to the Governor, the President of the Senate, and the Speaker of the House of Representatives.*

Section 5. Subsections (1) and (3) of section 316.303, Florida Statutes, are amended to read:

316.303 Television receivers.—

(1) *No motor vehicle may be operated on the highways of this state if the vehicle is actively displaying moving television broadcast or pre-recorded video entertainment content that is ~~shall be equipped with television type receiving equipment so located that the viewer or screen is~~ visible from the driver's seat while the vehicle is in motion, unless the vehicle is equipped with autonomous technology, as defined in s. 316.003(90), and is being operated in autonomous mode, as provided in s. 316.85(2).*

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

Section 6. Paragraph (b) of subsection (2) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(2)

(b) The officer or inspector shall inspect the license plate or registration certificate of the commercial vehicle, as defined in s. 316.003(66), to determine if its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the declared weight, the penalty shall be 5 cents per pound on the difference between such weights. In those cases when the commercial vehicle, as defined in s. 316.003(66), is being operated over the highways of the state with an expired registration or with no registration from this or any other jurisdiction or is not registered under the applicable provisions of chapter 320, the penalty herein shall apply on the basis of 5 cents per pound on that scaled weight which exceeds 35,000 pounds on laden tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen commercial motor vehicle. A driver of a commercial motor vehicle entering the state at a designated port-of-entry location, as defined in s. 316.003(94), or operating on designated routes to a port-of-entry location, who obtains a temporary registration permit shall be assessed a penalty limited to the difference between its gross weight and the declared gross vehicle weight at 5 cents per pound. If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed \$1,000. In the case of special mobile equipment as defined in s. 316.003(48), which qualifies for the license tax provided for in s. 320.08(5)(b), being operated on the highways of the state with an expired registration or otherwise not properly registered under the applicable provisions of chapter 320, a penalty of \$75 shall apply in addition to any other penalty which may apply in accordance with this chapter. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of chapter 320 is not subject to the delinquent fee authorized in s. 320.07 if such person obtains a valid registration certificate within 10 working days after such penalty was assessed.

Section 7. Subsection (1) of section 316.85, Florida Statutes, is amended to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode *on roads in this state if the vehicle is equipped with autonomous technology, as defined in s. 316.003.*

Section 8. Section 316.86, Florida Statutes, is amended to read:

316.86 ~~Operation of vehicles equipped with autonomous technology on roads for testing purposes; financial responsibility; Exemption from liability for manufacturer when third party converts vehicle.—~~

~~(1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology, or by research organizations associated with accredited educational institutions, for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Before the start of testing in this state, the entity performing the testing must submit to the department an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million.~~

~~(2) The original manufacturer of a vehicle converted by a third party into an autonomous vehicle is shall not be liable in, and shall have a defense to and be dismissed from, any legal action brought against the original manufacturer by any person injured due to an alleged vehicle~~

defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect was present in the vehicle as originally manufactured.

Section 9. Subsection (1) of section 319.145, Florida Statutes, is amended to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet *applicable* federal standards and regulations for *such a* motor vehicle. The vehicle ~~must shall~~:

(a) *Have a system to safely alert the operator if an autonomous technology failure is detected while the autonomous technology is engaged. When an alert is given, the system must:*

1. *Require the operator to take control of the autonomous vehicle; or*
2. *If the operator does not, or is not able to, take control of the autonomous vehicle, be capable of bringing the vehicle to a complete stop* ~~Have a means to engage and disengage the autonomous technology which is easily accessible to the operator.~~

(b) *Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.*

~~(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.~~

~~(c)(d)~~ *Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.*

And the title is amended as follows:

Delete lines 6-11 and insert: Economic Development Program; amending s. 316.003, F.S.; defining the terms “driver-assistive truck platooning technology” and “port of entry”; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 316.545, F.S.; providing a specified penalty for drivers of commercial motor vehicles who obtain temporary registration permits entering the state at, or operating on designated routes to, a port-of-entry location; amending s. 316.85, F.S.; revising the circumstances under which a licensed driver is authorized to operate an autonomous vehicle in autonomous mode; amending s. 316.86, F.S.; deleting a provision authorizing the operation of vehicles equipped with autonomous technology on roads in this state for testing purposes by certain persons or research organizations; deleting a requirement that a human operator be present in an autonomous vehicle for testing purposes; deleting certain financial responsibility requirements for entities performing such testing; amending s. 319.145, F.S.; revising provisions relating to required equipment and operation of autonomous vehicles; amending s. 334.044,

Amendment 3 (208434) (with title amendment)—Delete lines 417-443.

And the title is amended as follows:

Delete lines 44-47 and insert: respect to property owned by the corporation;

Amendment 4 (390846) (with title amendment)—Delete lines 240-259.

And the title is amended as follows:

Delete lines 34-37 and insert: secure bonds; creating s. 339.0809,

Amendment 5 (525064) (with title amendment)—Delete lines 227-239 and insert:

Section 8. Subsection (4) of section 338.165, Florida Statutes, is amended, and subsection (11) is added to that section, to read:

338.165 Continuation of tolls.—

(4) Notwithstanding any other law to the contrary, pursuant to s. 11, Art. VII of the State Constitution, and subject to the requirements of subsection (2), the Department of Transportation may request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Alligator Alley *and*; the Sunshine Skyway Bridge, ~~the Bee Line East Expressway, the Navarre Bridge, and the Pinellas Bayway~~ to fund transportation projects located within the county or counties in which the project is located and contained in the adopted work program of the department.

(11) *The department's Pinellas Bayway System may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. The transfer does not affect the rights of the parties, or their successors in interest, under the settlement agreement and final judgment in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co. v. State Road Department of the State of Florida, No. 67-1081 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway System to the turnpike system, the department shall also transfer to the Florida Turnpike Enterprise the funds deposited in the reserve account established by chapter 85-364, Laws of Florida, as amended by chapters 95-382 and 2014-223, Laws of Florida, which funds shall be used by the Florida Turnpike Enterprise solely to help fund the costs of repair or replacement of the transferred facilities.*

Section 9. *Chapter 85-364, Laws of Florida, as amended by chapters 95-382 and section 48 of 2014-223, Laws of Florida, is repealed.*

And the title is amended as follows:

Delete line 34 and insert: secure bonds; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; relating to

Pursuant to Rule 4.19, **HB 7027**, as amended, was placed on the calendar of Bills on Third Reading.

SB 418—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that authorizes its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from ch. 934, F.S., relating to security of communications and surveillance; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 418**, pursuant to Rule 3.11(3), there being no objection, **HB 93** was withdrawn from the Committees on Criminal Justice; Community Affairs; and Fiscal Policy.

On motion by Senator Smith, by two-thirds vote—

HB 93—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that permits its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement

agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from specified provisions relating to the interception of wire, electronic, and oral communications; providing an effective date.

—a companion measure, was substituted for **SB 418**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **HB 93** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1310—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands that are replanted in citrus; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; specifying that moneys collected must be deposited into the Plant Industry Trust Fund; amending s. 704.06, F.S.; revising the definition of the term "conservation easement"; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1310**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 749** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

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

CS for CS for HB 749—A bill to be entitled An act relating to agriculture; amending 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands replanted in citrus; amending s. 320.51, F.S.; exempting certain farm vehicles from registration requirements under certain circumstances; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; amending s. 704.06, F.S.; providing for conservation easement agreements to include provisions which allow agricultural activities under certain conditions; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1310** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 749** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1190—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing local governments to hold joint public meetings to discuss matters of mutual interest upon certain conditions; prohibiting official votes from being taken at such meetings; specifying that such meetings may not take the place of certain required hearings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing in certain areas; requiring the governing body of a county to administer a separate reserve account for tax increment areas for the deposit of tax increment revenues; requiring that tax increment revenues be used to fund only certain activities and projects that directly benefit the tax increment area; specifying determination requirements for a tax increment; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to the Administration Commission; establishing deadlines for the state land planning

agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to take action; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; revising the applicability of certain requirements and restrictions relating to areas of critical state concern to the Apalachicola Bay Area; providing that such areas may not be recommended for resignation for a certain time period; specifying that the state land planning agency, rather than the Administration Commission, shall approve modifications to certain local plans and regulations in the Apalachicola Bay Area; providing standards for such review; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; revising the meaning of the term “essentially built out” as it relates to such amendments; providing criteria under which one approved land use may be submitted for another approved land use in certain land development agreements under certain circumstances; requiring the local government to consult with the Department of Transportation before approving such exchanges under certain circumstances; specifying that certain proposed changes to certain developments are a substantial deviation; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state-coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1190** to **CS for CS for HB 1361**.

Pending further consideration of **CS for CS for SB 1190**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1361** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Fiscal Policy; and Rules.

On motion by Senator Diaz de la Portilla—

CS for CS for HB 1361—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing county boards to meet and discuss matters of mutual interest with specified counties or municipalities upon due public notice; providing parameters for such meetings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing for certain purposes in certain counties; specifying how the tax increment will be determined; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3175, F.S.; providing that representatives of military installations who serve ex officio on certain local governments’ land planning or zoning boards are not required to file a statement of financial interest; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to the Administration Commission; establishing deadlines for the state land planning agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to act; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; providing that comprehensive plan amendments and land development regulations in the Apalachicola Bay Area of critical state concern will be reviewed and approved by the state land planning agency; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; authorizing certain developments to be considered

essentially built out when certain reporting requirements of a development order are not met; providing criteria under which one approved land use may be substituted for another approved land use in certain land development agreements under certain circumstances; providing that certain criteria constitute a substantial deviation and shall cause the development to be subject to further review through the notice of proposed change process; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1190**, as amended, and read the second time by title.

On motion by Senator Diaz de la Portilla, further consideration of **CS for CS for HB 1361** was deferred.

CS for CS for CS for SB 1262—A bill to be entitled An act relating to emergency management; amending s. 213.055, F.S.; defining terms; providing that out-of-state businesses and employees who enter the state in response to a disaster or an emergency are excluded from certain registration and licensing requirements and taxes; specifying the obligations of an out-of-state business or employee after the disaster-response period; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1262**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1133** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Finance and Tax; and Appropriations.

On motion by Senator Simpson—

CS for CS for CS for HB 1133—A bill to be entitled An act relating to applicability of revenue laws to out-of-state businesses during disaster-response periods; amending s. 213.055, F.S.; providing definitions; providing exemptions from certain registration and licensing requirements and taxes for out-of-state businesses and employees that enter the state in response to a disaster or an emergency; specifying the applicability of certain transaction taxes and fees; specifying the obligations and privileges of an out-of-state business or employee after the disaster-response period; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1262** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1133** was placed on the calendar of Bills on Third Reading.

By direction of the President, the Senate resumed consideration of—

CS for CS for HB 1361—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing county boards to meet and discuss matters of mutual interest with specified counties or municipalities upon due public notice; providing parameters for such meetings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing for certain purposes in certain counties; specifying how the tax increment will be determined; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3175, F.S.; providing that representatives of military installations who serve ex officio on certain local governments’ land planning or zoning boards are not required to file a statement of financial interest; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to

the Administration Commission; establishing deadlines for the state land planning agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to act; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; providing that comprehensive plan amendments and land development regulations in the Apalachicola Bay Area of critical state concern will be reviewed and approved by the state land planning agency; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; authorizing certain developments to be considered essentially built out when certain reporting requirements of a development order are not met; providing criteria under which one approved land use may be substituted for another approved land use in certain land development agreements under certain circumstances; providing that certain criteria constitute a substantial deviation and shall cause the development to be subject to further review through the notice of proposed change process; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

—which was previously considered this day.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 1 (170350) (with title amendment)—Delete lines 87-155.

And the title is amended as follows:

Delete lines 6-14 and insert: providing parameters for such meetings;

Pursuant to Rule 4.19, **CS for CS for HB 1361**, as amended, was placed on the calendar of Bills on Third Reading.

SB 994—A bill to be entitled An act relating to the sunset review of Medicaid Dental Services; amending s. 409.973, F.S.; providing for the future removal of dental services as a minimum benefit of managed care plans; requiring the Agency for Health Care Administration to provide a report to the Governor and the Legislature; specifying requirements for the report; providing for the use of the report's findings; requiring the agency to implement a statewide Medicaid prepaid dental health program upon the occurrence of certain conditions; specifying requirements for the program and the selection of providers; providing effective dates.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 994** to **HB 819**.

Pending further consideration of **SB 994**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 819** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Negron—

HB 819—A bill to be entitled An act relating to the sunset review of Medicaid Dental Services; amending s. 409.973, F.S.; providing for the future removal of dental services as a minimum benefit of managed care plans; requiring the Office of Program Policy Analysis and Government Accountability to provide a report to the Governor and Legislature; specifying requirements for the report; providing for use of the report's

findings; requiring the Agency for Health Care Administration to implement a statewide Medicaid prepaid dental health program upon the occurrence of certain conditions; specifying requirements for the program and the selection of providers; providing effective dates.

—a companion measure, was substituted for **SB 994**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **HB 819** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 970** was deferred.

CS for CS for SB 992—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the Department of Financial Services to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the Department of Financial Services for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; revising an exception to such standards; providing an alternative method of installing such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; specifying fees to be paid by the requestor to the department or Office of Insurance Regulation for certain service of process on authorized and unauthorized insurers; amending s. 626.854, F.S.; revising applicability of the definition of the term “public adjuster”; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; specifying the determination of a defendant's last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.931, F.S.; limiting a requirement for the quarterly filing of a certain affidavit with the Florida Surplus Lines Service Office to specified surplus lines agents; amending s. 626.9892, F.S.; providing that the department, rather than the Division of Insurance Fraud, investigates certain crimes; adding violations of specified statutes to the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Fire-fighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term “combination fire department”; requiring the division to prioritize the annual award of grants to specified fire departments; providing eligibility requirements; requiring the State

Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual's certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability for the department's rulemaking authority; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 992**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 651** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Brandes—

CS for CS for CS for HB 651—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the department to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; revising applicability to remove for-profit organizations; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the department for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; providing that the local fire official, or his or her designee, rather than the State Fire Marshal, may exempt a device from such standards; providing an alternative installation method for such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; providing that a party requesting service of process shall pay a specified fee to the department or Office of Insurance Regulation for such service; amending s. 626.854, F.S.; revising applicability of the definition of the term “public adjuster”; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; revising methods by which copies of the service of process may be provided to a defendant; specifying the determination of a defendant's last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.9892, F.S.; revising criteria for the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; amending s. 633.102, F.S.; redefining the term “fire service provider”; creating s. 633.107,

F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term “combination fire department”; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual's certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability of the department's rulemaking authority relating to the disposition of unclaimed property; providing an appropriation and authorizing a position; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 992** and read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (411956) (with title amendment)—Between lines 182 and 183 insert:

Section 5. Paragraph (b) of subsection (6) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(6) REVENUE BONDS.—

(b) *Emergency assessments.*—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term “property and casualty business” includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage applies to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph continues as long as the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the pay-

ment of the bonds under the documents authorizing issuance of the bonds.

3. Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation. The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and filing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless the Office of Insurance Regulation and the Florida Surplus Lines Service Office received a notice from the corporation and the fund, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. If an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. If a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment

attributable to the unearned premium before remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2019 ~~2016~~, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2019 ~~2016~~.

And the title is amended as follows:

Between lines 16 and 17 insert: amending s. 215.555, F.S.; extending the repeal date of an exemption for medical malpractice insurance premiums from certain emergency assessments levied by the Office of Insurance Regulation for the Florida Hurricane Catastrophe Fund; revising applicability;

Senator Brandes moved the following amendments which were adopted:

Amendment 2 (481068) (with title amendment)—Between lines 476 and 477 insert:

Section 15. Subsection (1) of section 626.931, Florida Statutes, is amended to read:

626.931 Agent affidavit and insurer reporting requirements.—

(1) Each surplus lines agent *that has transacted business during a calendar quarter* shall on or before the 45th day following the ~~each~~ calendar quarter file with the Florida Surplus Lines Service Office an affidavit, on forms as prescribed and furnished by the Florida Surplus Lines Service Office, stating that all surplus lines insurance transacted by him or her during such calendar quarter has been submitted to the Florida Surplus Lines Service Office as required.

And the title is amended as follows:

Between lines 61 and 62 insert: 626.931, F.S.; limiting a requirement for the quarterly filing of a certain affidavit with the Florida Surplus Lines Service Office to specified surplus lines agents; amending s.

Amendment 3 (145740) (with title amendment)—Between lines 799 and 800 insert:

Section 26. Paragraph (d) of subsection (3) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(3)

(d)1. The following categories or kinds of insurance and types of commercial lines risks are not subject to paragraph (2)(a) or paragraph (2)(f):

- a. Excess or umbrella.
- b. Surety and fidelity.
- c. Boiler and machinery and leakage and fire extinguishing equipment.
- d. Errors and omissions.
- e. Directors and officers, employment practices, fiduciary liability, and management liability.
- f. Intellectual property and patent infringement liability.
- g. Advertising injury and Internet liability insurance.
- h. Property risks rated under a highly protected risks rating plan.
- i. General liability.
- j. Nonresidential property, except for collateral protection insurance as defined in s. 624.6085.

- k. Nonresidential multiperil.
- l. Excess property.
- m. Burglary and theft.
- n. *Travel insurance, if issued as a master group policy with a situs in another state where each certificateholder pays less than \$30 in premium for each covered trip and where the insurer has written less than \$1 million in annual written premiums in the travel insurance product in this state during the most recent calendar year.*

~~o.~~ Medical malpractice for a facility that is not a hospital licensed under chapter 395, a nursing home licensed under part II of chapter 400, or an assisted living facility licensed under part I of chapter 429.

~~p.~~ Medical malpractice for a health care practitioner who is not a dentist licensed under chapter 466, a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, a pharmacist licensed under chapter 465, or a pharmacy technician registered under chapter 465.

~~q.~~ Any other commercial lines categories or kinds of insurance or types of commercial lines risks that the office determines should not be subject to paragraph (2)(a) or paragraph (2)(f) because of the existence of a competitive market for such insurance or similarity of such insurance to other categories or kinds of insurance not subject to paragraph (2)(a) or paragraph (2)(f), or to improve the general operational efficiency of the office.

2. Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals to allow the insurer a reasonable rate of return on insurance and risks described in subparagraph 1. which are written in this state.

3. An insurer shall notify the office of any changes to rates for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the insurer, the type or kind of insurance subject to rate change, and the average statewide percentage change in rates. Actuarial data with regard to rates for such risks must be maintained by the insurer for 2 years after the effective date of changes to those rates and are subject to examination by the office. The office may require the insurer to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b), (c), and (d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

4. A rating organization shall notify the office of any changes to loss cost for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the rating organization, the type or kind of insurance subject to a loss cost change, loss costs during the immediately preceding year for the type or kind of insurance subject to the loss cost change, and the average statewide percentage change in loss cost. Actuarial data with regard to changes to loss cost for risks not subject to paragraph (2)(a) or paragraph (2)(f) must be maintained by the rating organization for 2 years after the effective date of the change and are subject to examination by the office. The office may require the rating organization to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b)-(d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

Section 27. Subsection (1) of section 627.0645, Florida Statutes, is amended to read:

627.0645 Annual filings.—

(1) Each rating organization filing rates for, and each insurer writing, any line of property or casualty insurance to which this part applies, except:

- (a) Workers' compensation and employer's liability insurance; ~~or~~

(b) Insurance as defined in ss. 624.604 and 624.605, limited to coverage of commercial risks other than commercial residential multiperil; ~~or,~~

(c) *Travel insurance, if issued as a master group policy with a situs in another state where each certificateholder pays less than \$30 in premium for each covered trip and where the insurer has written less than \$1 million in annual written premiums in the travel insurance product in this state during the most recent calendar year,*

shall make an annual base rate filing for each such line with the office no later than 12 months after its previous base rate filing, demonstrating that its rates are not inadequate.

And the title is amended as follows:

Delete line 106 and insert: property; amending s. 627.062, F.S.; adding specified travel insurance to a list of insurance and risks to which certain rate filing requirements do not apply; amending s. 627.0645, F.S.; adding specified travel insurance to a list of insurance exempted from a certain annual base rate filing requirement; providing an appropriation and authorizing a

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment which was adopted:

Amendment 4 (690366) (with title amendment)—Before line 111 insert:

Section 1. Present subsections (5) and (6) of section 112.3143, Florida Statutes, are renumbered as subsections (6) and (7), respectively, and a new subsection (5) is added to that section, to read:

112.3143 Voting conflicts.—

(5)(a) *If a public officer of an agency is an attorney or is employed or holds a contractual relationship with a professional association, he or she may not vote or otherwise participate in any matter in which an officer, a director, a manager, or an employee of the public officer's law firm or professional association appears before the agency in a representative capacity or as an interested party. The public officer shall, before the vote is taken, publicly state to the assembly the reason for his or her abstention. The public officer may not discuss the matter with any other public officer or employee of the agency or any person who has or holds employment or a contractual relationship with the law firm or professional association.*

(b) *As used in this subsection, the term "participate" has the same meaning as defined in paragraph (4)(c).*

And the title is amended as follows:

Delete lines 2-3 and insert: An act relating to public agencies; amending s. 112.3143, F.S.; prohibiting certain public officers from voting on or otherwise participating in a matter related to a law firm or professional association in which the public officer has an interest; requiring the public officer to make a public statement regarding a vote abstention; defining the term "participate"; amending s. 48.151, F.S.; authorizing the

Pursuant to Rule 4.19, **CS for CS for CS for HB 651**, as amended, was placed on the calendar of Bills on Third Reading.

SB 850—A bill to be entitled An act relating to offenses concerning racketeering and illegal debts; reordering and amending s. 895.02, F.S.; specifying the earliest date that incidents constituting a pattern of racketeering activity may have occurred; conforming a cross-reference; amending s. 895.05, F.S.; authorizing an investigative agency to institute a civil proceeding for forfeiture in a circuit court in certain circumstances; adding diminution in value as a ground for an action under certain circumstances; removing certain grounds for an action; authorizing a court to order the forfeiture of other property of the defendant up to the value of unavailable property in certain circumstances; authorizing the Department of Legal Affairs to bring an action for certain violations to obtain specified relief, fees, and costs for certain

purposes; providing for civil penalties for natural persons and other persons who commit certain violations; providing for deposit of moneys received for certain violations; authorizing a party to a specific civil action to petition the court for entry of a consent decree or for approval of a settlement agreement; providing requirements for such decrees or agreements; amending s. 895.06, F.S.; deleting the definition of "investigative agency" for purposes of provisions relating to civil investigative subpoenas; providing that a subpoena must be confidential for a specified time; restricting to whom the subpoenaed person or entity may disclose the existence of the subpoena; requiring certain information be included in the subpoena; authorizing the investigative agency to apply for an order extending the amount of time the subpoena remains confidential rather than having it extended by the court for a specified period; providing that the investigative agency has the authority to stipulate to protective orders with respect to documents and information submitted in response to a subpoena; amending s. 895.09, F.S.; conforming a cross-reference; providing for distribution of forfeiture proceeds to victims; amending ss. 16.56 and 905.34, F.S.; conforming cross-references; amending s. 16.53, F.S., and reenacting subsection (4) and paragraph (5)(a), relating to the Legal Affairs Revolving Trust Fund, to incorporate the amendment made by the act to s. 895.05, F.S., a reference thereto; conforming a cross-reference; reenacting ss. 27.345(1) and 92.142(3), F.S., relating to the State Attorney RICO Trust Fund and witness pay, respectively, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 850**, pursuant to Rule 3.11(3), there being no objection, **HB 549** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Bradley—

HB 549—A bill to be entitled An act relating to offenses concerning racketeering and illegal debts; reordering and amending s. 895.02, F.S.; specifying the earliest date that incidents constituting a pattern of racketeering activity may have occurred; conforming a cross-reference; amending s. 895.05, F.S.; authorizing an investigative agency to institute a civil proceeding for forfeiture in a circuit court in certain circumstances; adding diminution in value as a ground for an action under certain circumstances; removing certain grounds for an action; authorizing a court to order the forfeiture of other property of the defendant up to the value of unavailable property in certain circumstances; authorizing the Department of Legal Affairs to bring an action for certain violations to obtain specified relief, fees, and costs for certain purposes; providing for civil penalties for natural persons and other persons who commit certain violations; providing for deposit of moneys received for certain violations; authorizing a party to a specific civil action to petition the court for entry of a consent decree or for approval of a settlement agreement; providing requirements for such decrees or agreements; amending s. 895.06, F.S.; deleting the definition of "investigative agency" for purposes of provisions relating to civil investigative subpoenas; providing that a subpoena must be confidential for a specified time; restricting to whom the subpoenaed person or entity may disclose the existence of the subpoena; requiring certain information be included in the subpoena; authorizing the investigative agency to apply for an order extending the amount of time the subpoena remains confidential rather than having it extended by the court for a specified period; providing that the investigative agency has the authority to stipulate to protective orders with respect to documents and information submitted in response to a subpoena; amending s. 895.09, F.S.; conforming a cross-reference; providing for distribution of forfeiture proceeds to victims; amending ss. 16.56 and 905.34, F.S.; conforming cross-references; reenacting and amending s. 16.53, F.S., relating to the Department of Legal Affairs Trust Fund, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; conforming a cross-reference; reenacting ss. 27.345(1) and 92.142(3), F.S., relating to the State Attorney RICO Trust Fund and witness pay, respectively, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **SB 850** and read the second time by title.

Pursuant to Rule 4.19, **HB 549** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 574—A bill to be entitled An act relating to expressway authorities; amending s. 348.0003, F.S.; revising membership of the governing body of certain expressway authorities; providing procedures when there is a vacancy or conclusion of a term; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 574**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 299** was withdrawn from the Committees on Transportation; Ethics and Elections; and Rules.

On motion by Senator Flores—

CS for HB 299—A bill to be entitled An act relating to expressway authorities; amending s. 348.0003, F.S.; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 574** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment which was adopted:

Amendment 1 (142638) (with title amendment)—Delete lines 48-71 and insert:

the Governor. A member of the authority serving as of July 1, 2016, may serve the remainder of his or her term. However, upon the conclusion of the term or upon vacancy, such expired term or vacancy may not be filled except if such appointment meets the requirements of this section. When the term of a member expires or a vacancy occurs, the member shall not be replaced by the appointing entity until the governing body of the authority is composed of five voting members appointed by the governing body of the county and three voting members appointed by the Governor, which three members shall not include the district secretary serving as an ex officio member. Except as provided in subsection (5), the qualifications, terms of office, and obligations and rights of members of the authority shall be determined by resolution or ordinance of the governing body of the county in a manner that is consistent with subsections (3) and (4).

(5) In a county as defined in s. 125.011(1):

(a)1. A lobbyist, as defined in s. 112.3215, may not be appointed or serve as a member of *the governing body of an authority.*

2. *A person may not be appointed to or serve as a member of the governing body of an authority if that person currently represents or has in the previous 4 years represented any client for compensation before the authority.*

3. *A person may not be appointed to or serve as a member of the governing body of an authority if that person currently represents or has in the previous 4 years represented any person or entity that is doing business, or in the previous 4 years has done business, with the authority.*

(l) *A finding of a violation of this subsection or chapter 112, or failure to comply within 90 days after receiving a notice of failure to comply with financial disclosure requirements, results in immediate termination from the governing body of the authority.*

Section 2. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete line 3 and insert: 348.0003, F.S.; revising membership of the governing body of certain expressway authorities; providing procedures when there is a vacancy or conclusion of a term; revising qualifications for membership

Pursuant to Rule 4.19, **CS for HB 299**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1166—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district's funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an

explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1006.15, F.S.; defining the term "eligible to participate"; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition in which a student who was recruited by specified adults participated; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending s. 1009.893, F.S.; changing the name of the "Florida National Merit Scholar Incentive Program" to the "Benacquisto Scholarship Program"; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; deleting a provision prohibiting a teacher's bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher's field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education to incorporate training in youth suicide awareness and prevention into certain instructional personnel continuing education or inservice training requirements; requiring the department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for the training; specifying requirements for training materials; requiring the training to be included in the existing continuing education or inservice training requirements; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending ss. 1012.795 and 1012.796, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 1166**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7029** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

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

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are

eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of “full-time equivalent student”; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider’s contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of “full-time equivalent student”; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

—a companion measure, was substituted for **CS for SB 1166** and read the second time by title.

Senator Gaetz moved the following amendment:

Amendment 1 (274472) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsection (27) of section 1001.42, Florida Statutes, is redesignated as subsection (28), and a new subsection (27) is added to that section, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(27) *VISITATION OF SCHOOLS.*—Visit the schools, observe the management and instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school.

Section 2. Section 1001.67, Florida Statutes, is created to read:

1001.67 *Distinguished Florida College System Program.*—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida’s highest-performing Florida College system institutions.

(1) *EXCELLENCE STANDARDS.*—The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) *DISTINGUISHED COLLEGE DESIGNATION.*—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) *DISTINGUISHED COLLEGE SUPPORT.*—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

Section 3. Paragraphs (a) and (b) of subsection (6), subsection (16), paragraph (a) of subsection (17), and paragraph (a) of subsection (22) of section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child’s academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(6) *EDUCATIONAL CHOICE.*—

(a) *Public educational school choices.*—Parents of public school students may seek any ~~whatever~~ public educational school choice options that are applicable and available to students *throughout the state in their school districts*. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), *CAPE digital tools*, *CAPE industry certifications*, *collegiate high school programs*, Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also

include the public ~~educational school~~ choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

(b) *Private educational ~~school~~ choices.*—Parents of public school students may seek private ~~educational school~~ choice options under certain programs.

1. Under the McKay Scholarships for Students with Disabilities Program, the parent of a public school student with a disability may request and receive a McKay Scholarship for the student to attend a private school in accordance with s. 1002.39.

2. Under the Florida Tax Credit Scholarship Program, the parent of a student who qualifies for free or reduced-price school lunch or who is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01 may seek a scholarship from an eligible nonprofit scholarship-funding organization in accordance with s. 1002.395.

3. *Under the Florida Personal Learning Scholarship Accounts Program, the parent of a student with a qualifying disability may apply for a personal learning scholarship to be used for individual educational needs in accordance with s. 1002.385.*

(16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS; FISCAL TRANSPARENCY.—Parents of public school students ~~have the right~~ ~~are entitled~~ to an easy-to-read report card about the school's grade designation or, if applicable under s. 1008.341, the school's improvement rating, and the school's accountability report, including the school financial report as required under s. 1010.215. *The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.*

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(a) *Eligibility.*—Eligibility requirements for all students participating in high school athletic competition must allow a student to be *immediately* eligible in the school in which he or she first enrolls each school year, the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred ~~with approval of the district school board~~, in accordance with ~~the provisions of~~ s. 1006.20(2)(a).

(22) TRANSPORTATION.—

(a) *Transportation to school.*—Public school students shall be provided transportation to school, in accordance with ~~the provisions of~~ s. 1006.21(3)(a). *Public school students may be provided transportation to school in accordance with the controlled open enrollment provisions of s. 1002.31(2).*

Section 4. Section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; Public school parental choice.—

(1) As used in this section, “controlled open enrollment” means a public education delivery system that allows school districts to make student school assignments using parents’ indicated preferential ~~educational school~~ choice as a significant factor.

(2)(a) *Beginning by the 2017-2018 school year, as part of a school district's or charter school's controlled open enrollment process, and in addition to the existing public school choice programs provided in s. 1002.20(6)(a), each district school board or charter school shall allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. The school district or charter school shall accept the student, pursuant to that school district's or charter school's controlled open enrollment process, and report the student for purposes of the school district's or charter school's funding pursuant to the Florida Education Finance Program. A*

school district or charter school may provide transportation to students described under this section.

(b) *Each school district and charter school capacity determinations for its schools must be current and must be identified on the school district and charter school's websites. In determining the capacity of each district school, the district school board shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35. Each charter school governing board shall determine capacity based upon its charter school contract.*

(c) *Each district school board and charter school governing board must provide preferential treatment in its controlled open enrollment process to all of the following:*

1. *Dependent children of active duty military personnel whose move resulted from military orders.*

2. *Children who have been relocated due to a foster care placement in a different school zone.*

3. *Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*

4. *Students residing in the school district.*

(d) *As part of its controlled open enrollment process, a charter school must provide preferential treatment in its controlled open enrollment participation process to the enrollment limitations pursuant to s. 1002.33(10)(e)1., 2., 5., 6., and 7, and may provide preferential treatment for the enrollment preferences pursuant to s. 1002.33(10)(d)4.b., if such special purposes are identified in the charter agreement. Each charter school shall annually post on its website the application process required to participate in controlled open enrollment, consistent with this section and s. 1002.33.*

(e) *Students residing in the district, including charter school students, may not be displaced by a student from another district seeking enrollment under the controlled open enrollment process.*

(f) *For purposes of continuity of educational choice, a student who transfers pursuant to this section may remain at the school chosen by the parent until the student completes the highest grade level at the school may offer controlled open enrollment within the public schools which is in addition to the existing choice programs such as virtual instruction programs, magnet schools, alternative schools, special programs, advanced placement, and dual enrollment.*

(3) Each district school board ~~offering controlled open enrollment~~ shall adopt by rule and post on its website ~~the process required to participate in controlled open enrollment. The process a controlled open enrollment plan which~~ must:

(a) Adhere to federal desegregation requirements.

(b) ~~Allow~~ ~~Include an application process required to participate in controlled open enrollment that allows~~ parents to declare school preferences, including placement of siblings within the same school.

(c) Provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.

(d) Afford parents of students in multiple session schools preferred access to controlled open enrollment.

(e) Maintain socioeconomic, demographic, and racial balance.

(f) Address the availability of transportation.

(g) *Maintain existing academic eligibility criteria for public school choice programs pursuant to s. 1002.20(6)(a).*

(h) *Identify schools that have not reached capacity, as determined by the school district.*

(i) *Ensure that each district school board adopts a policy to provide preferential treatment pursuant to paragraph (2)(c).*

(4) In accordance with the reporting requirements of s. 1011.62, each district school board shall annually report the number of students ~~exercising public school choice, by type attending the various types of public schools of choice in the district, in accordance with including schools such as virtual instruction programs, magnet schools, and public charter schools, according to~~ rules adopted by the State Board of Education.

(5) For a school or program that is a public school of choice under this section, the calculation for compliance with maximum class size pursuant to s. 1003.03 is the average number of students at the school level.

(6)(a) *A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment or a choice program from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.*

(b) *A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:*

1. *Dependent children of active duty military personnel whose move resulted from military orders.*
2. *Children who have been relocated due to a foster care placement in a different school zone.*
3. *Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*
4. *Authorized for good cause in district or charter school policy.*

Section 5. Subsection (1), paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (6), paragraphs (a) and (d) of subsection (7), paragraphs (g), (n), and (p) of subsection (9), paragraph (d) of subsection (10), paragraphs (b) and (e) of subsection (17), paragraph (a) of subsection (18), and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended, and a new paragraph (g) is added to subsection (17) of that section, to read:

1002.33 Charter schools.—

(1) AUTHORIZATION.—Charter schools shall be part of the state’s program of public education. All charter schools in Florida are public schools. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(d) to provide full-time online instruction to eligible students, pursuant to s. 1002.455, in kindergarten through grade 12. *An existing A charter school that is seeking to become a virtual charter school must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subsections (18) and (19), subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.*

(2) GUIDING PRINCIPLES; PURPOSE.—

(a) Charter schools in Florida shall be guided by the following principles:

1. Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state’s public school system.
2. Promote enhanced academic success and financial efficiency by aligning responsibility with accountability.
3. Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year’s worth of learning for every year spent in the charter school. *For a student who exhibits a substantial deficiency in reading, as determined by the charter school, the school shall notify the parent of the deficiency, the intensive interventions and supports used, and the student’s progress in accordance with s. 1008.25(5).*

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity ~~seeking~~ wishing to open a charter school shall prepare and submit an application on a model application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.
3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.
4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny an application ~~a charter~~ if the school does not propose a reading curriculum that is *evidence-based and includes explicit, systematic, and multisensory reading instructional strategies; however, a sponsor may not require the charter school to implement the reading plan adopted by the school district pursuant to s. 1011.62(9) consistent with effective teaching strategies that are grounded in scientifically based reading research.*
5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.
6. *Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.*

7.6. Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8.7. For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(b) A sponsor shall receive and review all applications for a charter school using ~~the~~ an evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district’s next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application on or before May 1 with an application fee of \$500. If a draft application is timely submitted, the sponsor shall review and provide feedback as to material deficiencies in the application by July 1. The applicant shall then have until August 1 to resubmit a revised and final application. The sponsor may approve the draft application. *Except as provided for a draft application, a sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any final application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if*

such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the ~~charter~~ application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-paragraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education *and, if an appeal is filed, must provide a copy of the appeal to the sponsor pursuant to paragraph (c) ~~sub-paragraph (c) 3.b.~~*

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of *an a-charter* application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of *an a-charter* application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this subparagraph for good cause.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and *evidence-based* ~~grounded in scientifically based reading research.~~

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs.

Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. *Admission or dismissal must not be based on a student's academic performance.*

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance

with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

~~(d) A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o). Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, charter school employee, or individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate individual representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website if a website is maintained by the school. The sponsor may not require that governing board members reside in the school district in which the charter school is located if the charter school complies with this paragraph.~~

~~2. Each charter school's governing board must hold at least two public meetings per school year in the school district. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her equivalent, must be physically present at each meeting.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(g)1. In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

a. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

b. At the discretion of the charter school's governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

2. Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion

in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph.

3. A charter school shall, *upon approval of the charter contract*, provide the sponsor with a concise, uniform, monthly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental funds format prescribed by the Governmental Accounting Standards Board. A high-performing charter school pursuant to s. 1002.331 may provide a quarterly financial statement in the same format and requirements as the uniform monthly financial statement summary sheet. *The sponsor shall review each monthly or quarterly financial statement to identify the existence of any conditions identified in s. 1002.345(1)(a).*

4. A charter school shall maintain and provide financial information as required in this paragraph. The financial statement required in subparagraph 3. must be in a form prescribed by the Department of Education.

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades of "D," two consecutive grades of "D" followed by a grade of "F," or two non-consecutive grades of "F" within a 3-year period, the charter school governing board shall choose one of the following corrective actions:

(I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;

(II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;

(III) Reorganize the school under a new director or principal who is authorized to hire new staff; or

(IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade of "D," a grade of "F" following two consecutive grades of "D," or a second non-consecutive grade of "F" within a 3-year period.

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" is subject to subparagraph 4.

d. A charter school is no longer required to implement a corrective action if it improves by at least one letter grade. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

e. A charter school implementing a corrective action that does not improve by at least one letter grade after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided to imple-

ment the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" while implementing a corrective action is subject to subparagraph 4.

3. A charter school with a grade of "D" or "F" that improves by at least one letter grade must continue to implement the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

4. *A charter school's charter contract is automatically terminated if the school earns two consecutive grades of "F" after all school grade appeals are final.* ~~The sponsor shall terminate a charter if the charter school earns two consecutive grades of "F" unless:~~

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)3. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school that earned a grade of "F" in the year before the charter school opened and the charter school earns at least a grade of "D" in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department's official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school's governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

5. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

6. Notwithstanding any provision of this paragraph except sub-subparagraphs 4.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. *Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website. The*

sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.

3. Each charter school's governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Administration Commission under s. 120.54(5).

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the following student populations:

1. Students who are siblings of a student enrolled in the charter school.
2. Students who are the children of a member of the governing board of the charter school.
3. Students who are the children of an employee of the charter school.
4. Students who are the children of:
 - a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or
 - b. A resident or employee of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school.
5. Students who have successfully completed a voluntary pre-kindergarten education program under ss. 1002.51-1002.79 provided by the charter school or the charter school's governing board during the previous year.
6. Students who are the children of an active duty member of any branch of the United States Armed Forces.
7. Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation, the research-based reading allocation, and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.

(e) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork

required to access special state and federal funding for which they may be eligible. Payments of funds under paragraph (b) shall be made monthly or twice a month, beginning with the start of the district school board's fiscal year. Each payment shall be one-twelfth, or one twenty-fourth, as applicable, of the total state and local funds described in paragraph (b) and adjusted as set forth therein. For the first 2 years of a charter school's operation, if a minimum of 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the district school board shall ~~may~~ distribute funds to the ~~a charter~~ school for the ~~up to 3~~ months of July through October based on the projected full-time equivalent student membership of the charter school as submitted in the approved application. If less than 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the sponsor shall base payments on the actual number of student enrollment entered into the sponsor's student information system. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The ~~payments~~ payment shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds or the date the payment is due pursuant to this subsection. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued. The district school board may not delay payment to a charter school of any portion of the funds provided in paragraph (b) based on the timing of receipt of local funds by the district school board.

(g) To be eligible for public education capital outlay (PECO) funds, a charter school must be located in the State of Florida.

(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. ~~Beginning July 1, 2011,~~ A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools that are not charter schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded attorney fees and court costs.

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and

that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s. 1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2).

3. For high-performing charter schools, as defined in s. 1002.331 ~~ch. 2011-232~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

- a. Includes both conversion charter schools and nonconversion charter schools;
- b. Has all schools located in the same county;
- c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- d. Has the same governing board; and
- e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(2).

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 6. Paragraph (a) of subsection (3) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. *The calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to s. 1011.61(4) For a student in grades 9 through 12, a "full-time equivalent student" is one*

~~student who has successfully completed six full credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full credit courses is a fraction of a full-time equivalent student. Half credit course completions shall be included in determining a full-time equivalent student.~~

~~2. For a student in kindergarten through grade 8, a "full-time equivalent student" is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.~~

~~2.3. For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a). Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment or for a student who enrolls in a segmented remedial course delivered online.~~

~~For purposes of this paragraph, the calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to the requirements in s. 1011.61(4).~~

Section 7. Subsection (4) is added to section 1002.391, Florida Statutes, to read:

1002.391 Auditory-oral education programs.—

(4) *Beginning with the 2017-2018 school year, a school district shall add four special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.*

Section 8. Paragraphs (c) and (d) of subsection (1), paragraph (e) of subsection (7), and paragraphs (c) and (d) of subsection (8) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(c) To provide students with the option of participating in virtual instruction programs as required by paragraph (b), a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School for the provision of a program under paragraph (b). Using this option is subject to the requirements of this section and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which was completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.

2. Contract with an approved provider under subsection (2) for the provision of a full-time or part-time program under paragraph (b).

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under paragraph (b) for students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements that may be executed by a regional consortium for its member districts. A multidistrict contractual arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. These arrangements may be used to fulfill the requirements of paragraph (b).

(d) A virtual charter school may provide full-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:

1. Contract with the Florida Virtual School.
2. Contract with an approved provider under subsection (2).
3. Enter into an agreement with a school district to allow the participation of the virtual charter school's students in the school district's virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

~~(e) Beginning in the 2016-2017 fiscal year, the reported full time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(8) ASSESSMENT AND ACCOUNTABILITY.—

(c) An approved provider that receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) An approved provider's contract must be terminated if the provider receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 for 2 years during any consecutive 4-year period or has violated any qualification requirement pursuant to subsection (2). A provider that has a contract terminated under this paragraph may not be an approved provider for a period of at least 1 year after the date upon which the contract was terminated and until the department determines that the provider is in compliance with subsection (2) and has corrected each cause of the provider's low performance.

Section 9. Section 1003.3101, Florida Statutes, is created to read:

1003.3101 Additional educational choice options.—Each school district board shall establish a transfer process for a parent to request his or her child be transferred to another classroom teacher. This section does not give a parent the right to choose a specific classroom teacher. A school must approve or deny the transfer within 2 weeks after receiving a request. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication.

Section 10. Subsection (3) of section 1003.4295, Florida Statutes, is amended to read:

1003.4295 Acceleration options.—

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in *courses required for high school graduation through passage of an end-of-course assessment Algebra I, Algebra II, geometry, United States history, or biology if the student passes the statewide, standardized assessment administered under s. 1008.22, an Advanced Placement Examination, or a College Level Examination Program (CLEP).* Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the

student attains a passing score on the corresponding *end-of-course assessment, Advanced Placement Examination, or CLEP statewide, standardized assessment.* The school district shall permit a *public school or home education* student who is not enrolled in the course, or who has not completed the course, to take the assessment *or examination* during the regular administration of the assessment *or examination*.

Section 11. Effective June 29, 2016, section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education ~~Pilot~~ Program.—

(1) The Adults with Disabilities Workforce Education ~~Pilot~~ Program is established in the Department of Education ~~through June 30, 2016,~~ in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive "supported employment services," which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term "student with a disability" includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the ~~pilot~~ program may continue to participate in the program until the student graduates from high school or reaches the age of 40 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a non-profit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the ~~pilot~~ program may be sectarian or nonsectarian and must:

- (a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student's progress.
- (b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.
- (c) Meet state and local health and safety laws and codes.
- (d) Provide to the provider of supported employment services all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the ~~pilot~~ program.

(6)(a) If the student chooses to participate in the ~~pilot~~ program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the ~~pilot~~ program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student's or parent's attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. ~~During the pilot program,~~ The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the ~~pilot~~ program, and subsequent payments shall be made upon verification of continued participation in the ~~pilot~~ program. Payment must be by individual warrant made payable to the student or parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall restrictively endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 12. Subsection (3) and paragraph (a) of subsection (8) of section 1006.15, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)(a) *As used in this section and s. 1006.20, the term "eligible to participate" includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:*

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer

school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to attend pursuant to district or interdistrict controlled open enrollment provisions,~~ or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to attend, pursuant to district or interdistrict controlled open enrollment provisions,~~ in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to attend, pursuant to district or interdistrict controlled open enrollment policies, if the student:~~

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before the beginning date of the season for the activity in which he or she wishes to participate. A Florida Virtual School student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).

(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).

(h)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment,

or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

a. Dependent children of active duty military personnel whose move resulted from military orders.

b. Children who have been relocated due to a foster care placement in a different school zone.

c. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

d. Authorized for good cause in district or charter school policy.

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with each district school board, shall facilitate a program in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA ~~and does not offer an interscholastic or intrascholastic athletic program.~~

2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board. At a minimum, such guidelines shall provide:

a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.

b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance which apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.

2. Children who have been relocated due to a foster care placement in a different school zone.

3. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

4. Authorized for good cause in district or charter school policy.

Section 13. Section 1006.195, Florida Statutes, is created to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(3)(h).

3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(3)(c)-(e) and (8), are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

(c) The provisions of this subsection apply to interscholastic and intrascholastic extracurricular activities conducted by charter schools and private schools, as applicable, except that the charter school governing board, or equivalent private school authority, is responsible for the authority and responsibility otherwise provided to district school boards.

(2)(a) The Florida High School Athletic Association (FHSAA) continues to retain jurisdiction over the following provisions in s. 1006.20, which may not be implemented in a manner contrary to this section: membership in the FHSAA; recruiting prohibitions and violations; student medical evaluations; investigations; and sanctions for coaches; school eligibility and forfeiture of contests; student concussions or head injuries; the sports medical advisory committee; and the general operational provisions of the FHSAA.

(b) The FHSAA must adopt, and prominently publish, the text of this section on its website and in its bylaws, rules, procedures, training and education materials, and all other governing authority documents by August 1, 2016.

Section 14. Subsection (1) and paragraphs (a), (b), (c), and (g) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate

member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws shall also allow the student to be immediately eligible in the school to which the student has transferred during the school year if the transfer is made by a deadline established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport. These transfers shall be allowed pursuant to the district school board policies in the case of transfer to a public school or pursuant to the private school policies in the case of transfer to a private school. The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools shall be applied similarly to public school students and private school students.

(b) The FHSAA shall adopt bylaws that specifically prohibit the recruiting of students for athletic purposes. The bylaws shall prescribe penalties and an appeals process for athletic recruiting violations.

1. If it is determined that a school has recruited a student in violation of FHSAA bylaws, the FHSAA may require the school to participate in a higher classification for the sport in which the recruited student competes for a minimum of one classification cycle, in addition to the penalties in subparagraphs 2. and 3., and any other appropriate fine or ~~and~~ sanction imposed on the school, its coaches, or adult representatives who violate recruiting rules.

2. Any recruitment by a school district employee or contractor in violation of FHSAA bylaws results in escalating punishments as follows:

a. For a first offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

b. For a second offense, suspension without pay for 12 months from coaching, directing, or advertising an extracurricular activity and a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

c. For a third offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation. If the individual who committed the violation holds an educator certificate, the FHSAA shall also refer the violation to the department for review pursuant to s. 1012.796 to determine whether probable cause exists, and, if there is a finding of probable cause, the commissioner shall file a formal complaint against the individual. If the complaint is upheld, the individual's educator certificate shall be revoked for 3 years, in addition to any penalties available under s. 1012.796. Additionally, the department shall revoke any adjunct teaching certificates issued pursuant to s. 1012.57 and all permissions under ss. 1012.39 and 1012.43, and the educator is ineligible for such certificates or permissions for a period of time equal to the period of revocation of his or her state-issued certificate.

3. Notwithstanding any other provision of law, a school, team, or activity shall forfeit all competitions, including honors resulting from such competitions, in which a student who participated in any fashion was recruited in a manner prohibited pursuant to state law or the FHSAA bylaws.

4. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit ~~or any promise of benefit~~ if such benefit is not generally available to the school's students

or family members or is based in any way on athletic interest, potential, or performance.

5. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity, as determined by a district school board pursuant to s. 1006.195(1)(a)3., may not be affected by any alleged recruiting violation until final disposition of the allegation.

(c) The FHSAA shall adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012, and in good standing with the practitioner's regulatory board. The bylaws shall establish requirements for eliciting a student's medical history and performing the medical evaluation required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form shall incorporate the recommendations of the American Heart Association for participation cardiovascular screening and shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form shall advise students to complete a cardiovascular assessment and shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. A student is not eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.

(g) The FHSAA shall adopt bylaws establishing the process and standards by which FHSAA determinations of eligibility are made. Such bylaws shall provide that:

1. Ineligibility must be established by a preponderance of the clear and convincing evidence;
2. Student athletes, parents, and schools must have notice of the initiation of any investigation or other inquiry into eligibility and may present, to the investigator and to the individual making the eligibility determination, any information or evidence that is credible, persuasive, and of a kind reasonably prudent persons rely upon in the conduct of serious affairs;
3. An investigator may not determine matters of eligibility but must submit information and evidence to the executive director or a person designated by the executive director or by the board of directors for an unbiased and objective determination of eligibility; and
4. A determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

Section 15. Section 1009.893, Florida Statutes, is amended to read:

1009.893 ~~Benacquisto Scholarship Florida National Merit Scholar Incentive Program.~~—

- (1) As used in this section, the term:
 - (a) "Department" means the Department of Education.
 - (b) "Scholarship ~~Incentive~~ program" means the ~~Benacquisto Scholarship Florida National Merit Scholar Incentive~~ Program.

(2) The ~~Benacquisto Scholarship Florida National Merit Scholar Incentive~~ Program is created to reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(3) The department shall administer the ~~scholarship incentive~~ program according to rules and procedures established by the State Board of Education. The department shall advertise the availability of the ~~scholarship incentive~~ program and notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria.

(4) In order to be eligible for an award under the ~~scholarship incentive~~ program, a student must:

- (a) Be a state resident as determined in s. 1009.40 and rules of the State Board of Education;
- (b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or
2. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;

(c) Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

(d) Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida public postsecondary educational institution shall receive a ~~scholarship an incentive~~ award equal to the institutional cost of attendance minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(b) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida independent postsecondary educational institution shall receive a ~~scholarship an incentive~~ award equal to the highest cost of attendance at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(6)(a) To be eligible for a renewal award, a student must earn all credits for which he or she was enrolled and maintain a 3.0 or higher grade point average.

(b) A student may receive the ~~scholarship incentive~~ award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(7) The department shall annually issue awards from the ~~scholarship incentive~~ program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the *scholarship incentive* program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advances within 60 days after the end of regular registration.

(c) If funds appropriated are not adequate to provide the maximum allowable award to each eligible student, awards must be prorated using the same percentage reduction.

(8) Funds from any award within the *scholarship incentive* program may not be used to pay for remedial coursework or developmental education.

(9) A student may use an award for a summer term if funds are available and appropriated by the Legislature.

(10) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the *scholarship incentive* program within the student financial assistance database as specified in s. 1009.94.

(11) Section 1009.40(4) does not apply to awards issued under this section.

(12) *A student who receives an award under the scholarship program shall be known as a Benacquisto Scholar.*

(13) *All eligible Florida public or independent postsecondary educational institutions are encouraged to become, and all eligible state universities shall become, college sponsors of the National Merit Scholarship Program.*

(14)(12) The State Board of Education shall adopt rules necessary to administer this section.

Section 16. Subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A “full-time equivalent student” in each program of the district is defined in terms of full-time students and part-time students as follows:

(a) A “full-time student” is one student on the membership roll of one school program or a combination of school programs listed in s. 1011.62(1)(c) for the school year or the equivalent for:

1. Instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program; or

~~2. Instruction in a double session school or a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3; or~~

~~2.3. Instruction comprising the appropriate number of net hours set forth in subparagraph 1. or subparagraph 2. for students who, within the past year, have moved with their parents for the purpose of engaging in the farm labor or fish industries, if a plan furnishing such an extended school day or week, or a combination thereof, has been approved by the commissioner. Such plan may be approved to accommodate the needs of migrant students only or may serve all students in schools having a high percentage of migrant students. The plan described in this subparagraph is optional for any school district and is not mandated by the state.~~

(b) A “part-time student” is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. *A student who receives instruction in a school that operates for less than the minimum term shall generate full-time equivalent student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as provided in s. 1011.60(2).*

(c)1. A “full-time equivalent student” is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student’s time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year. Beginning in the 2016-2017 fiscal year, the FTE for the course shall be assessment-based and shall be equal to 1/6 FTE. The reported FTE shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment~~

shall be made for a student who enrolls in a segmented remedial course delivered online.

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

- a. Juvenile justice education programs.
- b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for ~~experimental schools and for~~ schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum *term as provided in s. 1011.60(2) school day*.

Section 17. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.62, Florida Statutes, made by chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of subsection (1), paragraph (a) of subsection (4), and present subsection (13) of that section are amended, present subsections (13), (14), and (15) of that section are redesignated as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) *Funding model for exceptional student education programs.*—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program

and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated *initially annually* to each school district in the amount provided in the General Appropriations Act. These funds shall be *supplemental in addition* to the funds appropriated for the *basic funding level on the basis of FTE student membership in the Florida Education Finance Program*, and the amount allocated for each school district shall *not* be recalculated *once* during the year, *based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount.* These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(o) *Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.*—

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student ~~may shall~~ not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year ~~for courses that were not provided through dual enrollment~~. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. *However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the*

bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus ~~in the amount~~ of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus ~~in the amount~~ of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2, ~~0.3, 0.5, and 1.0.~~

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph ~~may not exceed \$2,000 in any given school year and~~ is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days ~~before~~ ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or

an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) **FEDERALLY CONNECTED STUDENT SUPPLEMENT.**—*The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.*

(c) *The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real*

property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(14)(13) **QUALITY ASSURANCE GUARANTEE.**—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) (14), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) (14) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 18. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.71, Florida Statutes, made by chapter 2015-222, Laws of Florida, subsection (1) of that section is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 19. Subsection (2) of section 1012.42, Florida Statutes, is amended to read:

1012.42 Teacher teaching out-of-field.—

(2) **NOTIFICATION REQUIREMENTS.**—When a teacher in a district school system is assigned teaching duties in a class dealing with subject matter that is outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by district school board policy in the subject area to be taught, the parents of all students in the class shall be notified in writing of such assignment, and each school district shall report out-of-field teachers on the district's website within 30 days before the beginning of each semester. A parent whose student is assigned an out-of-field teacher may request that his or her child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. The school district must approve or deny the parent's request and transfer the student to a different classroom teacher within a reasonable period of time, not to exceed 2 weeks, if an in-field teacher for that course or grade level is employed by the school and the transfer does not violate maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication. This subsection does not provide a parent the right to choose a specific teacher.

Section 20. Paragraph (b) of subsection (8) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(8) **PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.**—

(b)1. Each school district must and a private school or state-supported ~~state supported~~ public school, including a charter school, ~~or a private school~~ may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established ~~approved~~ under s. 1012.34, as applicable.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 21. Section 1012.583, Florida Statutes, is created to read:

1012.583 *Continuing education and inservice training for youth suicide awareness and prevention.*—

(1) *Beginning with the 2016-2017 school year, the Department of Education shall incorporate 2 hours of training in youth suicide awareness and prevention into existing requirements for continuing education or inservice training for instructional personnel in elementary school, middle school, and high school.*

(2) *The department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, shall develop a list of approved youth suicide awareness and prevention training materials. The materials:*

(a) *Must include training on how to identify appropriate mental health services and how to refer youth and their families to those services.*

(b) *May include materials currently being used by a school district if such materials meet any criteria established by the department.*

(c) *May include programs that instructional personnel can complete through a self-review of approved youth suicide awareness and prevention materials.*

(3) *The training required by this section must be included in the existing continuing education or inservice training requirements for instructional personnel and may not add to the total hours currently required by the department.*

(4) *A person has no cause of action for any loss or damage caused by an act or omission resulting from the implementation of this section or resulting from any training required by this section unless the loss or damage was caused by willful or wanton misconduct. This section does not create any new duty of care or basis of liability.*

(5) *The State Board of Education may adopt rules to implement this section.*

Section 22. Paragraph (o) is added to subsection (1) of section 1012.795, Florida Statutes, and subsection (5) of that section is amended, to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to the provisions

of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; or may impose any other penalty provided by law, if the person:

(o) *Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to s. 1006.20(2)(b).*

(5) Each district school superintendent and the governing authority of each university lab school, state-supported school, ~~or~~ private school, and the FHSAA shall report to the department the name of any person certified pursuant to this chapter or employed and qualified pursuant to s. 1012.39:

(a) Who has been convicted of, or who has pled nolo contendere to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;

(b) Who that official has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension under subsection (1); or

(c) Who has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act.

Section 23. Subsections (3) and (7) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(3) The department staff shall advise the commissioner concerning the findings of the investigation *and of all referrals by the Florida High School Athletic Association (FHSAA) pursuant to ss. 1006.20(2)(b) and 1012.795*. The department general counsel or members of that staff shall review the investigation *or the referral* and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause if, in his or her judgment, such agreements are in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into if there is probable cause to believe that a felony or an act of moral turpitude, as defined by rule of the State Board of Education, has occurred, *or for referrals by the FHSAA*. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(7) A panel of the commission shall enter a final order either dismissing the complaint or imposing one or more of the following penalties:

(a) Denial of an application for a teaching certificate or for an administrative or supervisory endorsement on a teaching certificate. The denial may provide that the applicant may not reapply for certification, and that the department may refuse to consider that applicant's application, for a specified period of time or permanently.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed \$2,000 for each count or separate offense.

(d) Placement of the teacher, administrator, or supervisor on probation for a period of time and subject to such conditions as the commission may specify, including requiring the certified teacher, administrator, or supervisor to complete additional appropriate college courses or work with another certified educator, with the administrative costs of monitoring the probation assessed to the educator placed on probation. An educator who has been placed on probation shall, at a minimum:

1. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

2. Have his or her immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

3. Pay to the commission within the first 6 months of each probation year the administrative costs of monitoring probation assessed to the educator.

4. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

5. Satisfactorily perform his or her assigned duties in a competent, professional manner.

6. Bear all costs of complying with the terms of a final order entered by the commission.

(e) Restriction of the authorized scope of practice of the teacher, administrator, or supervisor.

(f) Reprimand of the teacher, administrator, or supervisor in writing, with a copy to be placed in the certification file of such person.

(g) Imposition of an administrative sanction, upon a person whose teaching certificate has expired, for an act or acts committed while that person possessed a teaching certificate or an expired certificate subject to late renewal, which sanction bars that person from applying for a new certificate for a period of 10 years or less, or permanently.

(h) Refer the teacher, administrator, or supervisor to the recovery network program provided in s. 1012.798 under such terms and conditions as the commission may specify.

The penalties imposed under this subsection are in addition to, and not in lieu of, the penalties required for a third recruiting offense pursuant to s. 1006.20(2)(b).

Section 24. Except as otherwise expressly provided in this act and except for this section, which shall take effect June 29, 2016, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district's funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the re-

search-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.37, F.S.; revising the calculation of “full-time equivalent student”; conforming a cross-reference; amending s. 1002.391, F.S.; requiring a school district to add a specified number of points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider’s contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the “Adults with Disabilities Workforce Education Program”; amending s. 1006.15, F.S.; defining the term “eligible to participate”; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; creating s. 1006.195, F.S.; requiring district school boards to establish in codes of student conduct eligibility standards and disciplinary actions relating to students participating in interscholastic and intrascholastic extracurricular activities; providing guidelines and applicability; requiring the FHSAA to comply with certain requirements by a specified date; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition, including resulting honors, in which a student who was recruited in a prohibitive manner; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending s. 1009.893, F.S.; changing the name of the “Florida National Merit Scholar Incentive Program” to the “Benacquisto Scholarship Program”; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to

become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of “full-time equivalent student”; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; deleting a provision prohibiting a teacher’s bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher’s field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education to incorporate training in youth suicide awareness and prevention into certain instructional personnel continuing education or inservice training requirements; requiring the department, in consultation with the State-wide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for the training; specifying requirements for training materials; requiring the training to be included in the existing continuing education or inservice training requirements; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending ss. 1012.795 and 1012.796, F.S.; conforming provisions to changes made by the act; providing effective dates.

Senator Brandes moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1A (728756) (with title amendment)—Delete lines 2571-2573 and insert:

Section 24. Upon becoming a law, subsection (8) of section 1012.33, Florida Statutes, is amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(8) Notwithstanding any other provision of law, a retired member may interrupt retirement and be reemployed in any public school as *instructional personnel under a 1-year probationary contract as defined in s. 1012.335(1). If the retiree successfully completes the probationary contract, the district school board may reemploy the retiree under an annual contract as defined in s. 1012.335(1). The retiree is not eligible for a professional service contract* ~~A member reemployed by the same district from which he or she retired may be employed on a probationary contractual basis as provided in subsection (1).~~

Section 25. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete line 2767 and insert: by the act; amending s. 1012.33, F.S.; revising provisions relating to reemployment of retirees as instructional personnel on a contract basis; providing that retirees are not eligible for a professional service contract; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gaetz moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1B (569004) (with title amendment)—Delete lines 1010-1044 and insert:
s. 1013.62(3) ~~s. 1013.62(2).~~

3. For high-performing charter schools, as defined in s. 1002.331 ~~eh-2011-232~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

- a. Includes both conversion charter schools and nonconversion charter schools;
- b. Has all schools located in the same county;
- c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- d. Has the same governing board; and
- e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(3) ~~§ 1013.62(2)~~.

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 6. Section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) *A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.*

(3)(a) *Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.*

(b) *A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for*

improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. Beginning in the 2017-2018 fiscal year, the ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.

(c) *The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.*

(4) *Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.*

(5) *By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.*

(6) *The State Board of Education shall adopt rules to administer this section.*

Section 7. Section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) *A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model shall consist of the state's investment in appropriation for performance funding, including increases in base funding plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System, in an amount provided in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based funding model metrics.*

(3)(a) *A state university that fails to meet the Board of Governors' minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state*

university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university ~~that is~~ determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation which must reflect the rankings and award distributions.

(6) *The Board of Governors shall adopt regulations to administer this section expires July 1, 2016.*

Section 8. Subsection (4) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(4) **ONLINE COURSE REQUIREMENT.**—At least one course within the 24 credits required under this section must be completed through online learning. ~~A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester.~~

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills ~~the~~ *this* requirement ~~in this subsection.~~ ~~The~~ *This* requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets ~~the~~ *this* requirement.

(b) *A district school board or a charter school governing board, as applicable, may offer students the following options to satisfy the online course requirement in this subsection:*

1. *Completion of a course in which a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passage of the information technology certification examination without enrollment in or completion of the corresponding course or courses, as applicable.*

2. *Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.*

For purposes of this subsection, a school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. This subsection requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 9. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.62, Florida Statutes, made by chapter 2015-222, Laws of Florida, paragraph (a) of subsection (4) of that section is amended, present subsections (13), (14), and (15) of that section are redesignated as subsections (14), (15), and (16), respectively, a new subsection (13) is added to that section, and present subsection (14) of that section is amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) **COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.**—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days ~~before~~ ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) **FEDERALLY CONNECTED STUDENT SUPPLEMENT.**—*The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.

2. The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.

3. The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(14)(13) **QUALITY ASSURANCE GUARANTEE.**—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) (14), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) (14) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 10. Section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools as specified in this section.

(a) To be eligible for a funding allocation, a charter school must:

- 1.a. Have been in operation for 3 or more years;
 - b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;
 - c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;
 - d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or
 - e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).
2. Have financial stability for future operation as a charter school.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

(b) ~~The first priority for charter school capital outlay funding is to allocate to charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student, up to the lesser of the actual number of capital outlay full-time equivalent students in the current year, or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth greater than the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation must be allocated to all eligible charter schools.~~

(c) ~~A charter school's allocation may not exceed one fifteenth of the cost per student station specified in s. 1013.64(6)(b). Before releasing capital outlay funds to a school district on behalf of the charter school, the Department of Education must ensure that the district school board and the charter school governing board enter into a written agreement that provides for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3) if the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund.~~

(b)(4) A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(c) *It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, and other affiliated parties of charter schools. A charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:*

1. Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;

2. Owned by an organization, qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution, the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College System institution, or state university; or

3. Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For purposes of this paragraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that individually or through one or more entities that share common ownership or control that directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, that directly or indirectly

manages, administers, controls, or oversees the operation of any of the foregoing.

(d) The funding allocation for eligible charter schools shall be calculated as follows:

1. Eligible charter schools shall be grouped into categories based on their student populations according to the following criteria:

a. Seventy-five percent or greater who are eligible for free or reduced-price school lunch.

b. Twenty-five percent or greater with disabilities as defined in state board rule and consistent with the requirements of the Individuals with Disabilities Education Act.

2. If an eligible charter school does not meet the criteria for either category under subparagraph 1., its FTE shall be provided as the base amount of funding and shall be assigned a weight of 1.0. An eligible charter school that meets the criteria under sub-subparagraph 1.a. or sub-subparagraph 1.b. shall be provided an additional 25 percent above the base funding amount, and the total FTE shall be multiplied by a weight of 1.25. An eligible charter school that meets the criteria under both sub-subparagraphs 1.a. and 1.b. shall be provided an additional 50 percent above the base funding amount, and the FTE for that school shall be multiplied by a weight of 1.5.

3. The state appropriation for charter school capital outlay shall be divided by the total weighted FTE for all eligible charter schools to determine the base charter school per weighted FTE allocation amount. The per weighted FTE allocation amount shall be multiplied by the weighted FTE to determine each charter school's capital outlay allocation.

~~(e) Unless otherwise provided in the General Appropriations Act, the funding allocation for each eligible charter school is determined by multiplying the school's projected student enrollment by one fifteenth of the cost per student station specified in s. 1013.64(6)(b) for an elementary, middle, or high school, as appropriate. If the funds appropriated are not sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, a charter school or charter lab school may not receive state charter school capital outlay funds greater than the one fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds allowed in s. 1002.32(9)(c) and (h) exceeds the one fifteenth cost per student station formula.~~

~~(2)(a)(4) The department shall calculate the eligible charter school funding allocations. Funds shall be allocated using distributed on the basis of the capital outlay full-time equivalent membership from by grade level, which is calculated by averaging the results of the second and third enrollment surveys and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.~~

~~(b) The department of Education shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter schools.~~

~~(3)(2) A charter school's governing body may use charter school capital outlay funds for the following purposes:~~

(a) Purchase of real property.

(b) Construction of school facilities.

(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.

(d) Purchase of vehicles to transport students to and from the charter school.

(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.

(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.

(g) Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.

(h) Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

~~(4)(3) If when a charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with district public funds shall revert to the ownership of the district school board, as provided for in s. 1002.33(8)(e) and (f). In the case of a charter lab school, any unencumbered funds and all equipment and property purchased with university public funds shall revert to the ownership of the state university that issued the charter. The reversion of such equipment, property, and furnishings shall focus on recoverable assets, but not on intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. The reversion of all property secured with public funds is subject to the complete satisfaction of all lawful liens or encumbrances. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.~~

~~(5)(4) The Commissioner of Education shall specify procedures for submitting and approving requests for funding under this section and procedures for documenting expenditures.~~

~~(6)(5) The annual legislative budget request of the Department of Education shall include a request for capital outlay funding for charter schools. The request shall be based on the projected number of students to be served in charter schools who meet the eligibility requirements of this section. A dedicated funding source, if identified in writing by the Commissioner of Education and submitted along with the annual charter school legislative budget request, may be considered an additional source of funding.~~

~~(6) Unless authorized otherwise by the Legislature, allocation and proration of charter school capital outlay funds shall be made to eligible charter schools by the Commissioner of Education in an amount and in a manner authorized by subsection (1).~~

Section 11. Paragraphs (a) and (b) of subsection (2) and paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes

from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. ~~A No district may not shall~~ receive funding for more than one approved project in any 3-year period ~~or while any portion of the district's participation requirement is outstanding.~~ The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. ~~Before~~ ~~Prior to~~ developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the *chair of the committee* to include two representatives of the department and two staff members from school districts not eligible to participate in the program. *A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1.* Within 90 ~~60~~ days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district's pattern of student growth; the district's existing and projected capital outlay full-time equivalent student enrollment as determined by the *demographic, revenue, and education estimating conferences established in s. 216.136 department;* the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or *survey amendment cooperatively prepared surveys* by the district and the department, and approved by the department under the rules of the State Board of Education. *If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.*

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) *except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district's control as determined by the Special Facility Construction Committee.*

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. *For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district's participation requirement of 3 years, levy the maximum millage against its their nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the*

district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of 1 mill ~~1.5 mills~~ per year to the project until the district's to satisfy the annual participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied in the Special Facility Construction Account.

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its ~~3-year~~ commitment to *satisfy its participation requirement, which is equivalent to of* all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), *in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.*

12. Final phase III plans must be certified by the *district school board as complete and in compliance with the building and life safety codes before June 1 of the year the application is made* ~~prior to August 1.~~

(b) The Special Facility Construction Committee shall be composed of the following: two representatives of the Department of Education, a representative from the Governor's office, a representative selected annually by the district school boards, and a representative selected annually by the superintendents. *A representative of the department shall chair the committee.*

(6)

(b)1. A district school board ~~may must~~ not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

- a. \$17,952 for an elementary school,
- b. \$19,386 for a middle school, or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. *School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The department shall make the final determination on district compliance based on the recommendation of the Auditor General.*

3. *The Office of Program Policy Analysis and Government Accountability (OPPAGA), in consultation with the department, shall:*

a. Conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of core facilities, including required media centers, gymnasiums, music rooms, cafeterias and their associated kitchens and food service areas, vocational areas, and other defined specialty areas, including exceptional student education areas. The study must take into account appropriate cost-effectiveness factors in school construction and should include input from industry experts. OPPAGA must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

b. Conduct a study of the State Requirements for Education Facilities (SREF) to identify current requirements that can be eliminated or modified in order to decrease the cost of construction of educational facilities while ensuring student safety. OPPAGA must provide the results of the study, and an overall recommendation as to whether SREF should be retained, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

4. Effective July 1, 2017, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index.

5.2. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

(c) Except as otherwise provided, new construction initiated by a district school board on or after July 1, 2017, may ~~after June 30, 1997, must~~ not exceed the cost per student station as provided in paragraph (b). A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be subject to sanctions. If the Auditor General determines that the cost per student station overage is de minimus or due to extraordinary circumstances outside the control of the district, the sanctions shall not apply. The sanctions are as follows:

1. The school district shall be ineligible for allocations from the Public Education Capital Outlay and Debt Service Trust Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.

a. Each oversight committee shall be composed of the following:

(I) One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.

(II) One appointee of the office of the state attorney with jurisdiction over the district.

(III) One appointee of the Chief Financial Officer who is a licensed certified public accountant.

b. An appointee to the oversight committee may not be employed by the school district; be a relative, as defined in s. 1002.33(24)(a)2., of any school district employee; or be an elected official. Each appointee must sign an affidavit attesting to these conditions and affirming that no conflict of interest exists in his or her oversight role.

(d) The department shall:

1. Compute for each calendar year the statewide average construction costs for facilities serving each instructional level, for relocatable educational facilities, for administrative facilities, and for other ancillary and auxiliary facilities. The department shall compute the statewide average costs per student station for each instructional level.

2. Annually review the actual completed construction costs of educational facilities in each school district. For any school district in which the total actual cost per student station, including change orders, exceeds the statewide limits established in paragraph (b), the school district shall report to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall provide these reports to the Auditor General for verification purposes ~~report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31 of each year a summary of each school district's spending in excess of the cost per student station provided in paragraph (b) as reported by the school districts.~~

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs. Cost per student station does not include the cost of purchasing or leasing the site for the construction or the cost of related offsite improvements.

~~(c) The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of ss. 212.055 and 1011.73 and s. 9, Art. VII of the State Constitution, if the school board approves the project by majority vote.~~

And the title is amended as follows:

Delete line 2658 and insert: exemption from certain administrative fees; conforming cross-references; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; requiring the Commissioner of Education to withhold certain disbursements under certain circumstances; providing for reporting and rulemaking; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state's threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; deleting an expiration; amending s. 1003.4282, F.S.; revising the online course requirement; authorizing a district school board or a charter school governing board to offer certain additional options to meet the requirement; amending s. 1011.62, F.S.; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1013.62, F.S.; deleting provisions relating to priorities for charter school capital outlay funding; deleting provisions relating to a charter school's allocation; providing that a charter school is not eligible for funding unless it meets certain requirements; defining the term "affiliated party of the charter school"; revising the funding allocation calculation; requiring the Department of Education to calculate and periodically recalculate, as necessary, the eligible charter school funding allocations; deleting provisions relating to certain duties of the Commissioner of Education; amending s. 1013.64, F.S.; providing that a school district may not receive funds from the Special Facility Construction Account under certain circumstances; revising the criteria for a request for funding; authorizing the request for a preapplication review to take place at any time; providing exceptions; revising the timeframe for completion of the review; providing that certain capital outlay full-time equivalent student enrollment estimates be determined by specified estimating conferences; requiring surveys to be cooperatively prepared by certain entities and approved by the Department of Education; prohibiting certain consultants from specified employment and compensation; providing an exception to prohibiting the cost per student station from exceeding a certain amount; requiring a school district to levy the maximum millage against certain property value under certain circumstances; reducing the required millage to be budgeted for a project; requiring certain plans to be finalized by a specified date; requiring a representative of the department to chair the

Special Facility Construction Committee; requiring school districts to maintain accurate documentation related to specified costs; requiring the Auditor General to review such documentation; providing that the department makes final determinations on compliance; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study, in consultation with the department, on cost per student station amounts and on the State Requirements for Education Facilities; requiring reports to the Governor and the Legislature by a specified date; prohibiting a district school board from using funds for specified purposes for certain projects; providing sanctions for school districts that exceed certain costs; providing for the creation of a district capital outlay oversight committee; providing for membership of the oversight committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hays moved the following amendment to **Amendment 1 (274472)**:

Amendment 1C (570124) (with title amendment)—Between lines 1206 and 1207 insert:

Section 11. Subsection (6) is added to section 1003.455, Florida Statutes, to read:

1003.455 Physical education; assessment.—

(6) *In addition to the requirements in subsection (3), each classroom teacher is required to allow their students at least 15 minutes of unstructured free-play recess in the morning and 15 minutes of unstructured free-play recess in the afternoon per day.*

And the title is amended as follows:

Delete line 2680 and insert: credit; amending s. 1003.455, F.S.; requiring each classroom teacher to allow students in certain grades a specified number of minutes of unstructured free-play recess per day; amending s. 1004.935, F.S.; deleting the

POINT OF ORDER

Senator Legg raised a point of order that pursuant to Rule 7.1(4)(c), Senator Hays' amendment, **Amendment 1C (570124)**, contained language of a bill not reported favorably by all committees of reference and was therefore out of order.

The President referred the point of order and the amendment to Senator Simmons, Chair of the Committee on Rules.

RULING ON POINT OF ORDER

On recommendation by Senator Simmons, Chair of the Committee on Rules, **Amendment 1C (570124)** was determined to be substantially the same as **SB 1002**, now in the Committee on Education Pre-K – 12. The President ruled the point well taken and the amendment to the amendment out of order.

MOTION

Senator Hays moved that Rule 7.1(4)(c) be waived to allow the consideration of **Amendment 1C (570124)**. The motion failed to receive the required two-thirds vote.

The vote was:

Yeas—14

Altman	Evers	Sachs
Brandes	Flores	Smith
Dean	Gibson	Sobel
Detert	Hays	Soto
Diaz de la Portilla	Ring	

Nays—24

Mr. President	Gaetz	Legg
Abruzzo	Galvano	Margolis
Bean	Garcia	Montford
Benacquisto	Grimsley	Negron
Bradley	Hukill	Richter
Braynon	Hutson	Simmons
Bullard	Joyner	Simpson
Clemens	Latvala	Stargel

Vote after roll call:

Nay to Yea—Bullard

THE PRESIDENT PRESIDING

On motion by Senator Gaetz, further consideration of **CS for CS for HB 7029** with pending **Amendment 1 (274472)**, as amended, was deferred.

SPECIAL RECOGNITION OF SENATOR SOBEL

SENATOR JOYNER PRESIDING

The President introduced Senator Sobel's district staff, Matthew Alford, Eric Reinerman, and Jeffrey Scala. A video tribute was played honoring Senator Sobel. Several Senators were recognized for farewell comments. Senator Sobel was recognized for farewell remarks.

Senator Galvano presented Senator Sobel with a plaque honoring her years of service to the Senate.

THE PRESIDENT PRESIDING

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

BILLS ON THIRD READING

Consideration of **SB 908**, **CS for HB 793**, **HB 967**, **CS for CS for SB 668**, and **CS for SB 960** was deferred.

SB 7028—A bill to be entitled An act relating to the State Board of Administration; creating s. 215.4702, F.S.; defining terms; encouraging the State Board of Administration to determine which publicly traded companies in which the Florida Retirement System Trust Fund is invested operate in Northern Ireland; encouraging the state board to take certain action upon making a determination; authorizing the state board to rely on public information in making a determination; providing that the state board is not liable or subject to a cause of action under the act; amending s. 215.473, F.S.; redefining the term "public fund"; defining the term "board"; requiring the board, rather than the public fund, to maintain a list of certain scrutinized companies rather than assembling the list by a certain time; clarifying provisions; deleting a condition that may no longer be used by the board in scrutinizing companies, relating to a specified declaration; requiring the board to monitor certain events and make specified reports at certain meetings of trustees; conforming provisions to changes made by the act; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Ring, **SB 7028**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Brandes	Dean
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Bradley	Clemens	Flores

Gaetz	Joyner	Sachs
Galvano	Latvala	Simmons
Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Richter	Soto
Hutson	Ring	Stargel

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert, Garcia

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for CS for SB 1442** was deferred.

CS for CS for HB 413—A bill to be entitled An act relating to title insurance; amending s. 627.778, F.S.; revising certain limitations on assumption of risk by title insurers; authorizing a title insurer to obtain reinsurance from an eligible reinsurer; revising applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for HB 413** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Diaz de la Portilla	Latvala	Soto
Evers	Legg	Stargel
Flores	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

HB 799—A bill to be entitled An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; providing that active duty members of the Armed Forces of the United States residing or stationed outside of this state may receive out-of-state fee waivers; requiring that tuition and fees charged to such students be below a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; providing for regulations and rules to administer such provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **HB 799** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Gaetz
Bradley	Dean	Galvano
Brandes	Diaz de la Portilla	Garcia

Gibson	Legg	Simmons
Grimsley	Margolis	Simpson
Hays	Montford	Smith
Hukill	Negron	Sobel
Hutson	Richter	Soto
Joyner	Ring	Stargel
Latvala	Sachs	

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

SB 996—A bill to be entitled An act relating to civil remedies for terrorism; creating s. 772.13, F.S.; creating a cause of action for acts relating to terrorism; specifying a measure of damages; prohibiting claims by specified individuals; providing for attorney fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **SB 996** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Diaz de la Portilla	Latvala	Soto
Evers	Legg	Stargel
Flores	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1378—A bill to be entitled An act relating to drug safety; providing a short title; amending s. 893.055, F.S.; requiring pharmacies to offer for sale prescription lock boxes; requiring pharmacies to display a certain sign; defining the term “prescription lock box”; authorizing the Department of Health to develop and distribute a pamphlet containing certain information; providing for the distribution of the pamphlet by pharmacists in certain circumstances; prohibiting a pharmacy from charging a fee for the pamphlet; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for CS for SB 1378** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bradley	Bullard
Altman	Brandes	Clemens
Bean	Braynon	Dean

Diaz de la Portilla	Hukill	Ring
Evers	Hutson	Sachs
Flores	Joyner	Simmons
Gaetz	Latvala	Simpson
Galvano	Legg	Smith
Garcia	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 1347—A bill to be entitled An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition; revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term “substantially similar”; deleting the term “potential for abuse”; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for possession of a certain amount of specified controlled substances; deleting certain exclusions to the definition of the term “cannabis”; creating a criminal penalty for possession of specified controlled substances; correcting a cross-reference; amending s. 893.135, F.S.; revising a dosage unit to include a gelatin capsule for the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance; amending s. 893.138, F.S.; authorizing a place or premises that has been used on two or more occasions for specified violations within a certain time period to be declared a public nuisance; amending s. 893.145, F.S.; revising the definition of the term “drug paraphernalia”; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity”; amending s. 921.0022, F.S.; adding an adult delivering controlled substances to a minor, using or hiring a minor to sell controlled substances, or using a minor to avoid detection or apprehension to level 3 of the offense severity ranking chart of the Criminal Punishment Code; making technical changes; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3), 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a), 465.0276(1)(b), 499.0121(14) and (15)(a), 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a), 817.563(1), 831.31, 893.0301, 893.035(7)(a), 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b), (c), and (d), and 944.474(2), F.S., to incorporate the amendment made to s. 893.03, F.S., in references thereto; reenacting s. 893.149(4), F.S., to incorporate the amendment made to s. 893.033, F.S., in a reference thereto; reenacting ss. 397.451(4)(b), 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3), 812.014(2), 831.311(1), 893.1351(1), 893.138(3), 893.15, 903.133, and 921.187(1)(1), F.S., to incorporate the amendment made to s. 893.13, F.S., in references thereto; reenacting ss. 893.12(2)(a) and 893.147(6)(a), F.S., to incorporate the amendment made to s. 893.145, F.S., in references thereto; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., to incorporate the amendment made to s. 895.02, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 1347** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Diaz de la Portilla	Latvala	Soto
Evers	Legg	Stargel

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **HB 1205** was deferred.

CS for CS for SB 776—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term “utility”; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 776**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1025** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

On motion by Senator Bradley, by two-thirds vote—

CS for CS for HB 1025—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term “utility”; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 776**, and by two-thirds vote, read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 1025** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Garcia
Bradley	Diaz de la Portilla	Gibson
Brandes	Evers	Grimsley

Hays	Margolis	Simmons
Hukill	Montford	Simpson
Hutson	Negron	Smith
Joyner	Richter	Sobel
Latvala	Ring	Soto
Legg	Sachs	Stargel

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 941—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming the Office of Minority Health within the department; specifying that the office shall be headed by a Senior Health Equity Officer and prescribing his or her duties; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research program; revising the reporting requirements for certain entities that perform or are associated with cancer research or care; amending s. 381.0034, F.S.; deleting the requirement that applicants making initial application for certain licensure complete certain courses; amending s. 381.7355, F.S.; revising the review criteria for Closing the Gap grant proposals; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer’s Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 381.877, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a prescription or a non-patient specific standing order for an auto injection delivery system or an intranasal delivery system; prohibiting health care practitioners employed by the pharmacist from issuing a non-patient specific standing order for an emergency opioid antagonist; prohibiting a health care practitioner from receiving remuneration for issuing a non-patient specific standing order for an emergency opioid antagonist; requiring pharmacists dispensing emergency opioid antagonists to provide certain information to the patient or caregiver; amending s. 381.922, F.S.; providing reporting requirements for the Biomedical Research Advisory Council under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 382.0255, F.S.; prohibiting a fee for a determination or medical certification of the cause of death under certain provisions; amending s. 384.23, F.S.; revising the factors to be considered in designating a condition as a sexually transmissible disease; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide partner therapy under certain conditions; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time that an emergency medical technician or paramedic certificate may remain in an inactive status; revising the requirements for reactivating and renewing such a certificate; revising eligibility for certification; deleting a requirement that applicants successfully complete a certification examination within a specified timeframe; amending s. 456.013, F.S.; revising course requirements for renewing a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard and the spouse of an active duty military member to be issued a license to practice as a health care practitioner in this state; deleting provisions relating to temporary professional licensure for spouses of active duty members of the United States Armed Forces; creating s. 456.0241, F.S.; providing definitions; providing for issuance of a temporary certificate under certain conditions for certain military health care practitioners; providing for the automatic expiration of the temporary certificate unless renewed; providing for application and renewal fees; requiring the department to adopt rules; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; requiring a person or entity appointed by the board as a custodian of medical records to be approved by the department; authorizing the

department to contract with a third party to provide custodial services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain documentation from applicants; amending s. 458.347, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.009, providing training requirements for pharmacists related to opioid antagonist dispensing; authorizing the department to adopt rules; amending 465.027, F.S.; providing an additional exception to pharmacy regulations for manufacturers of dialysis drugs or supplies; amending s. 465.0275, F.S.; revising the amount of emergency prescription refill authorized to be dispensed by a pharmacist; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; revising accrediting agencies that may approve physical therapy assistant programs for purposes of licensing; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit of certain information; amending ss. 499.028, 893.04, and 921.0022, F.S.; conforming provisions and cross-references; providing an effective date.

—as amended March 3, was read the third time by title.

RECONSIDERATION OF BILL

On motion by Senator Garcia, the Senate reconsidered the action by which—

CS for CS for HB 941—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming the Office of Minority Health within the department; specifying that the office shall be headed by a Senior Health Equity Officer and prescribing his or her duties; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research program; revising the reporting requirements for certain entities that perform or are associated with cancer research or care; amending s. 381.0034, F.S.; deleting the requirement that applicants making initial application for certain licensure complete certain courses; amending s. 381.7355, F.S.; revising the review criteria for Closing the Gap grant proposals; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer’s Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 381.877, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a prescription or a non-patient specific standing order for an auto injection delivery system or an intranasal delivery system; prohibiting health care practitioners employed by the pharmacist from issuing a non-patient specific standing order for an emergency opioid antagonist; prohibiting a health care practitioner from receiving remuneration for issuing a non-patient specific standing order for an emergency opioid antagonist; requiring pharmacists dispensing emergency opioid antagonists to provide certain information to the patient or caregiver; amending s.

381.922, F.S.; providing reporting requirements for the Biomedical Research Advisory Council under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; amending s. 382.0255, F.S.; prohibiting a fee for a determination or medical certification of the cause of death under certain provisions; amending s. 384.23, F.S.; revising the factors to be considered in designating a condition as a sexually transmissible disease; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide partner therapy under certain conditions; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time that an emergency medical technician or paramedic certificate may remain in an inactive status; revising the requirements for reactivating and renewing such a certificate; revising eligibility for certification; deleting a requirement that applicants successfully complete a certification examination within a specified timeframe; amending s. 456.013, F.S.; revising course requirements for renewing a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard and the spouse of an active duty military member to be issued a license to practice as a health care practitioner in this state; deleting provisions relating to temporary professional licensure for spouses of active duty members of the United States Armed Forces; creating s. 456.0241, F.S.; providing definitions; providing for issuance of a temporary certificate under certain conditions for certain military health care practitioners; providing for the automatic expiration of the temporary certificate unless renewed; providing for application and renewal fees; requiring the department to adopt rules; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; requiring a person or entity appointed by the board as a custodian of medical records to be approved by the department; authorizing the department to contract with a third party to provide custodial services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain documentation from applicants; amending s. 458.347, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.009, providing training requirements for pharmacists related to opioid antagonist dispensing; authorizing the department to adopt rules; amending 465.027, F.S.; providing an additional exception to pharmacy regulations for manufacturers of dialysis drugs or supplies; amending s. 465.0275, F.S.; revising the amount of emergency prescription refill authorized to be dispensed by a pharmacist; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; revising accrediting agencies that may approve physical therapy assistant programs for purposes of licensing; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit of certain information; amending ss. 499.028, 893.04, and 921.0022, F.S.; conforming provisions and cross-references; providing an effective date.

—as amended March 3, was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF AMENDMENT

On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 5 (881510)** was adopted on March 3. **Amendment 5 (881510)** was withdrawn.

On motion by Senator Richter, by two-thirds vote, **CS for CS for HB 941**, as amended, was read the third time by title, passed, and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Benacquisto

CS for SB 670—A bill to be entitled An act relating to child protection teams; amending s. 768.28, F.S.; revising the definition of the term "officer, employee, or agent," as it applies to immunity from personal liability in certain actions, to include licensed physicians who are medical directors for or members of a child protection team, in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 670** was passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Detert	Montford
Abruzzo	Evers	Negron
Altman	Gaetz	Richter
Bean	Galvano	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Smith
Brandes	Hutson	Sobel
Clemens	Legg	Stargel
Dean	Margolis	

Nays—11

Braynon	Gibson	Ring
Bullard	Grimsley	Sachs
Diaz de la Portilla	Joyner	Soto
Flores	Latvala	

Vote after roll call:

Yea—Garcia

Yea to Nay—Abruzzo

CS for SB 1662—A bill to be entitled An act relating to sexual offenders; amending s. 775.21, F.S.; revising definitions; revising the criteria for a felony offense for which an offender is designated as a sexual predator; expanding the criteria by removing a requirement that the defendant not be the victim’s parent or guardian; revising the information that a sexual predator is required to provide to specified entities under certain circumstances; revising registration and verification requirements imposed upon a sexual predator; conforming provisions to changes made by the act; amending s. 856.022, F.S.; revising the criteria for loitering or prowling by certain offenders; expanding the criteria by removing a requirement that the offender not be the victim’s parent or guardian; making technical changes; amending s. 943.0435, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; deleting provisions of applicability; amending s. 943.04354, F.S.; modifying the list of offenses for which a sexual offender or sexual predator must be considered by the department for removal from registration requirements; deleting from the list a conviction or adjudication of delinquency for sexual battery; specifying the appropriate venue for a defendant to move the circuit court to remove the requirement to register as a sexual offender or sexual predator; amending s. 944.606, F.S.; revising definitions; revising the information that the Department of Law Enforcement is required to provide about a sexual offender upon his or her release from incarceration; conforming provisions to changes made by the act; amending s. 944.607, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.481, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.4815, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; amending ss. 92.55, 775.0862, 943.0515, 947.1405, 948.30, 948.31, 1012.315, and 1012.467, F.S.; conforming cross-references; reenacting s. 938.085, F.S., relating to additional costs to fund rape crisis centers, to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 794.056(1), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.0022(3)(g), F.S., relating to level 7 of the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to ss. 775.21, 943.0435, 944.607, and 985.4815, F.S., in references thereto; reenacting s. 985.04(6)(b), F.S., relating to confidential information, to incorporate the amendments made to ss. 775.21, 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S., in references thereto; reenacting ss. 322.141(3) and (4), 948.06(4), and 948.063, F.S., relating to color or markings of certain licenses or identification cards, probation or community control, and violations of probation or community control by designated sexual offenders and sexual predators, respectively, to incorporate the amendments made to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 944.607(10)(c), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 397.4872(2) and 435.07(4)(b), F.S., relating to exemptions from disqualification, to incorporate the amendment made to s. 943.04354, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to ss. 944.606 and 944.607, F.S., in references thereto; reenacting ss. 775.24(2) and 944.608(7), F.S., relating to duty of the court to uphold laws governing sexual predators and sexual offenders and notification to the Department of Law Enforcement of information on career offenders, respectively, to incorporate the amendment made to s. 944.607, F.S., in references thereto; providing an effective date.

—as amended March 3, was read the third time by title.

Pending further consideration of **CS for SB 1662**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1333** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Bradley, by two-thirds vote—

CS for HB 1333—A bill to be entitled An act relating to sexual offenders; amending s. 775.21, F.S.; revising definitions; revising the criteria for a felony offense for which an offender is designated as a sexual predator; expanding the criteria by removing a requirement that the defendant not be the victim’s parent or guardian; revising the information that a sexual predator is required to provide to specified

entities under certain circumstances; revising registration and verification requirements imposed upon a sexual predator; conforming provisions to changes made by the act; amending s. 856.022, F.S.; revising the criteria for loitering or prowling by certain offenders; expanding the criteria by removing a requirement that the offender not be the victim’s parent or guardian; amending s. 943.0435, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; deleting provisions of applicability; amending s. 943.04354, F.S.; modifying the list of offenses for which a sexual offender or sexual predator must be considered by the department for removal from registration requirements; deleting from the list a conviction or adjudication of delinquency for sexual battery; specifying the appropriate venue for a defendant to move the circuit court to remove the requirement to register as a sexual offender or sexual predator; amending s. 944.606, F.S.; revising definitions; revising the information that the Department of Law Enforcement is required to provide about a sexual offender upon his or her release from incarceration; conforming provisions to changes made by the act; amending s. 944.607, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.481, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.4815, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; amending ss. 92.55, 775.0862, 943.0515, 947.1405, 948.30, 948.31, 1012.315, and 1012.467, F.S.; conforming cross-references; reenacting s. 938.085, F.S., relating to additional costs to fund rape crisis centers, to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 794.056(1), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.0022(3)(g), F.S., relating to level 7 of the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to ss. 775.21, 943.0435, 944.607, and 985.4815, F.S., in references thereto; reenacting s. 985.04(6)(b), F.S., relating to confidential information, to incorporate the amendments made to ss. 775.21, 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S., in references thereto; reenacting ss. 322.141(3) and (4), 948.06(4), and 948.063, F.S., relating to color or markings of certain licenses or identification cards, probation or community control, and violations of probation or community control by designated sexual offenders and sexual predators, respectively, to incorporate the amendments made to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 944.607(10)(c), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 397.4872(2) and 435.07(4)(b), F.S., relating to exemptions from disqualification, to incorporate the amendment made to s. 943.04354, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to ss. 944.606 and 944.607, F.S., in references thereto; reenacting ss. 775.24(2) and 944.608(7), F.S., relating to duty of the court to uphold laws governing sexual predators and sexual offenders and notification to the Department of Law Enforcement of information on career offenders, respectively, to incorporate the amendment made to s. 944.607, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 1662**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for HB 1333** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Hutson
Bean	Evers	Joyner
Benacquisto	Flores	Latvala
Bradley	Gaetz	Legg
Brandes	Galvano	Margolis
Braynon	Garcia	Montford
Bullard	Gibson	Negron
Clemens	Grimsley	Richter

Ring	Simpson	Stargel
Sachs	Smith	
Simmons	Soto	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1664—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing exceptions to the prohibition, subject to certain requirements; defining the term “agricultural pole barn”; providing an effective date.

—as amended March 3, was read the third time by title.

Pending further consideration of **CS for SB 1664**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 773** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

On motion by Senator Stargel, by two-thirds vote—

CS for HB 773—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing specified exceptions; defining the term “agricultural pole barn” for purposes of the exceptions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1664**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Stargel, by two-thirds vote, **CS for HB 773** was read the third time by title, passed by the required constitutional two-thirds vote of the membership, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 599—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident rapid response team advisory committee; amending s. 39.402, F.S.; revising information that the Department of Children and Families is required to inform the court of at shelter hearings;

amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing that a child of a certain age must be given the opportunity to be consulted on the creation of the case plan; providing for the child to select certain case planning team members and permit those team members access to confidential information; providing that the child review, sign, and receive a copy of his or her case plan; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child’s 18th birthday; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under chapter 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information which must be included in a specified written report under certain circumstances; revising what must be found to maintain or return a child to his or her home; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S.; revising the definition of the term “care” to include intervention services; amending s. 409.988, F.S.; requiring a continuum of care; requiring specified intervention services; requiring the establishment of permanency teams for certain children; authorizing the department to adopt rules; requiring out-of-home care utilization plans by lead agencies; requiring department tracking of lead agency plans; requiring a report to the Governor and Legislature; amending s. 409.996, F.S.; requiring the department to ensure and develop an adequate array of services; requiring the development of a statewide quality rating system; requiring a report to the Governor and Legislature; amending s. 39.01, F.S.; revising definition of the term “permanency goal”; amending s. 39.202, F.S.; changing the designation of an entity; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Detert, **CS for CS for HB 599**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for CS for HB 1125—A bill to be entitled An act relating to eligibility for employment as child care personnel; amending s. 435.07, F.S.; providing criteria for disqualification from employment for child care personnel; requiring that certain persons who have been granted an exemption from disqualification from child care employment be rescreened by a specified date; providing applicability with respect to specified provisions adopted during the same legislative session; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for CS for HB 1125** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1152—A bill to be entitled An act relating to classified advertisement websites; creating s. 501.180, F.S.; defining the term “safe-haven facility”; authorizing local governmental bodies to designate a specified number of safe-haven facilities in each county based upon population size; authorizing a local governmental body to approve the use of local government buildings to serve as safe-haven facilities; limiting the liability of any local governmental entity that provides a safe-haven facility; limiting actions against the state or local government related to transactions taking place at a safe-haven facility; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1152** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—1

Brandes

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1044—A bill to be entitled An act relating to contraband forfeiture; amending s. 932.701, F.S.; conforming provisions to changes made by the act; amending s. 932.703, F.S.; specifying that property may be seized only under certain circumstances; defining the term “monetary instrument”; requiring that specified persons approve a settlement; providing circumstances when property may be deemed

contraband; allocating responsibility for damage to seized property and payment of storage and maintenance expenses; requiring the seizing agency to apply for an order, within a certain timeframe, making a probable cause determination after the agency seizes property; providing application requirements; requiring a court to make specified determinations; providing procedures upon certain court findings; authorizing the court to seal any portion of the application and of specified proceedings under certain circumstances; amending s. 932.704, F.S.; providing requirements for a filing fee and a bond to be paid to the clerk of court; requiring that the bond be made payable to the claimant under certain circumstances unless otherwise expressly agreed to in writing; increasing the evidentiary standard from clear and convincing evidence to proof beyond a reasonable doubt that a contraband article was being used in violation of the Florida Contraband Forfeiture Act for a court to order the forfeiture of the seized property; increasing the attorney fees and costs awarded to claimant under certain circumstances; requiring a seizing agency to annually review seizures, settlements, and forfeiture proceedings to determine compliance with the Florida Contraband Forfeiture Act; providing requirements for seizing law enforcement agencies; requiring seizing law enforcement agencies to adopt and implement specified written policies, procedures, and training; requiring law enforcement agency personnel to receive basic training and continuing education; requiring the maintenance of training records; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; creating s. 932.7061, F.S.; providing reporting requirements for seized property for forfeiture; creating s. 932.7062, F.S.; providing penalties for noncompliance with reporting requirements; amending s. 322.34, F.S.; providing for payment of court costs, fines, and fees from proceeds of certain forfeitures; conforming provisions to changes made by the act; amending ss. 323.001, 328.07, and 817.625, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended March 3, was read the third time by title.

Senator Brandes moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (323744)—Delete line 77 and insert:
diligent search, or the person in possession of the property denies ownership and the owner of the property cannot be identified by means that are available to the employee or agent of the seizing agency at the time of the seizure;

On motion by Senator Brandes, **CS for CS for SB 1044**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1298—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing for construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a

specified bond in certain circumstances; amending s. 501.995, F.S.; revising provisions authorizing the bringing of actions and specified remedies under the Patent Troll Prevention Act; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1298**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1181** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Rules.

On motion by Senator Brandes, by two-thirds vote—

CS for CS for HB 1181—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; authorizing the award of actual damages; revising provisions authorizing the award of punitive damages; providing an effective date.

—a companion measure, was substituted for **CS for SB 1298**, and by two-thirds vote, read the second time by title.

On motion by Senator Brandes, by two-thirds vote, **CS for CS for HB 1181** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain

disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—as amended March 3, was read the third time by title.

On motion by Senator Garcia, **CS for CS for CS for HB 221**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for SB 1170** was deferred.

CS for SB 1418—A bill to be entitled An act relating to supplemental academic instruction; amending s. 1011.62, F.S.; deleting the fiscal year for the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; conforming provisions relating to the research-based reading instruction allocation to changes made by the act; deleting obsolete provisions; providing effective dates.

—as amended March 3, was read the third time by title.

On motion by Senator Simmons, **CS for SB 1418**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Hutson
Bean	Evers	Joyner
Benacquisto	Flores	Latvala
Bradley	Gaetz	Legg
Brandes	Galvano	Margolis
Braynon	Garcia	Montford
Bullard	Gibson	Negron
Clemens	Grimsley	Richter

Ring	Simpson	Soto
Sachs	Smith	Stargel
Simmons	Sobel	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 794—A bill to be entitled An act relating to dissolution of marriage parenting plans; amending s. 61.13, F.S.; requiring that parenting plans provide that either parent may consent to mental health treatment for the child if the court orders shared parental responsibility; providing that the responsibility for the health care costs for the mental health treatment of the child shall be governed by the marital settlement agreement or court order; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 794** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

CS for CS for SB 936—A bill to be entitled An act relating to persons with disabilities; providing a short title; amending s. 322.051, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue an identification card exhibiting a special designation for a person who has a developmental disability under certain circumstances; requiring payment of an additional fee and proof of diagnosis by a licensed physician; requiring the fee to be deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund; authorizing issuance of a replacement identification card that includes the special designation without payment of a specified fee; requiring the department to develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards; providing applicability; creating s. 943.0439, F.S.; requiring a law enforcement officer, correctional officer, or another public safety official to make a good faith effort, upon the request of a parent, a guardian, or the individual, to ensure that specified professionals are present at all interviews of an individual diagnosed with autism or an autism spectrum disorder; providing specifications for the professional; specifying that the parent, guardian, or individual bears the expense of hiring the professional; requiring a convicted defendant to pay for the professional under certain circumstances; specifying that not having a professional present is not a basis for suppressing statements or for bringing a cause of action; providing applicability; requiring law enforcement agencies to develop and implement appropriate policies and provide training; providing effective dates.

—as amended March 3, was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 936**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Braynon	Grimsley	Ring
Bullard	Hays	Sachs
Clemens	Hukill	Simmons
Dean	Hutson	Simpson
Detert	Joyner	Soto
Diaz de la Portilla	Latvala	Stargel
Evers	Legg	

Nays—2

Bradley	Gibson
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Vote after roll call:

Yea—Benacquisto, Brandes

Vote preference:

March 8, 2016: Yea—Lee

April 4, 2016: Yea—Sobel

HB 7013—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 379.2223, F.S.; revising penalties for violations of commission rules or regulations relating to control and management of state game lands; amending s. 379.2257, F.S.; revising penalties for violations of wildlife management area rules and regulations on United States Forest Service lands; amending s. 379.2425, F.S.; authorizing spearfishing in specified areas by commission rule or order; providing a penalty for violations of commission rules or orders relating to spearfishing; amending s. 379.2431, F.S.; prohibiting certain possession of any marine turtle species or hatchling or parts thereof; providing penalties; amending s. 379.29, F.S.; revising penalties for violations relating to the contamination of fresh waters; amending s. 379.295, F.S.; providing a penalty for violations relating to the use of explosives and other substances or force in fresh waters; amending s. 379.33, F.S.; deleting base penalty provisions for violation of or failure to comply with any commission rule; amending s. 379.3502, F.S.; deleting violation provisions for altering or changing, in any manner, a license or permit; providing a penalty for violations relating to loaning or transferring a license or permit to another person or using a borrowed or transferred license or permit; amending s. 379.3503, F.S.; revising penalties for violations of swearing or affirming to a false statement on a license or permit application; amending s. 379.3504, F.S.; revising penalties for violations relating to entering false information on a license or permit; amending s. 379.3511, F.S.; revising penalties relating to the sale of specified licenses and permits by appointed subagents; amending s. 379.354, F.S.; providing a penalty for violations relating to possession of recreational hunting, fishing, and trapping licenses, permits, and authorization numbers; amending s. 379.357, F.S.; revising penalties for violations relating to the purchase of a tarpon tag and the sale of tarpon; amending s. 379.359, F.S.; authorizing, rather than requiring, the commission to retain a portion of voluntary contributions to Southeastern Guide Dogs, Inc.; amending s. 379.363, F.S.; providing a penalty for violations relating to freshwater fish dealers' licenses; amending s. 379.364, F.S.; providing a penalty for violations relating to fur and hide dealers' licenses; amending s. 379.365, F.S.; deleting penalty provisions for violations of stone crab regulations by persons other than commercial harvesters; amending s. 379.3751, F.S.; providing a penalty for violations relating to trapping licenses for taking and possessing alligators; amending s. 379.3752, F.S.; providing a penalty for violations relating to the tagging of alligators and hides; amending s. 379.401, F.S.; providing penalties for violations relating to filing reports and documents by persons who hold alligator licenses and permits; reducing the penalties for failure to return CITES tags issued under the Statewide Alligator Harvest Program and the Stateside Nuisance Alligator Program; providing an alternative penalty for specified violations relating to recreational fishing, hunting, and trapping licenses; increasing the civil penalty amount for Level One

repeat violations; providing that the unlawful use of any trap is a Level Two violation; providing that violations relating to record requirements for alligators is a Level Two violation; providing that violations relating to the return of CITES tags issued in a program other than the State-wide Alligator Harvest Program or the Statewide Nuisance Alligator Program is a Level Two violation; deleting penalty provisions for the sale, purchase, harvest, or attempted harvest of any saltwater product with intent to sell; providing additional criminal penalties for Level Four violations; providing additional penalties for the illegal taking of fish and wildlife while trespassing; repealing s. 379.403, F.S., relating to the illegal killing, taking, possessing, or selling of wildlife or game; amending s. 379.409, F.S.; revising penalties for the illegal killing, possessing, or capturing of alligators or other crocodilia or their eggs; amending s. 379.411, F.S.; revising penalties for the intentional killing or wounding of any species designated as endangered, threatened, or of special concern; amending s. 379.4115, F.S.; revising penalties for violations relating to killing a Florida or wild panther; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **HB 7013** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Benacquisto

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1256—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term “technical violation”; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender’s participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1256**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1149** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

CS for HB 1149—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term “technical violation”; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender’s participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 1256**, and by two-thirds vote, read the second time by title.

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

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Detert

Vote preference:

March 8, 2016: Yea—Lee

CS for HB 1245—A bill to be entitled An act relating to Medicaid provider overpayments; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to certify that a Medicaid provider is out of business and that overpayments made to a provider cannot be collected under state law; amending s. 409.9132, F.S.; revising the method for verifying the delivery of home health services under the home health agency monitoring pilot project; reenacting s. 409.8132(4), F.S., relating to the applicability of certain laws to the Medikids program, to incorporate the amendment made by the act to s. 409.908, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for HB 1245** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bradley	Clemens
Abruzzo	Brandes	Dean
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers

Flores	Hutson	Ring	Clemens	Grimsley	Richter
Gaetz	Joyner	Sachs	Dean	Hays	Ring
Galvano	Latvala	Simmons	Detert	Hukill	Sachs
Garcia	Legg	Simpson	Diaz de la Portilla	Hutson	Simmons
Gibson	Margolis	Smith	Evers	Joyner	Simpson
Grimsley	Montford	Sobel	Flores	Latvala	Smith
Hays	Negron	Soto	Gaetz	Legg	Sobel
Hukill	Richter	Stargel	Galvano	Margolis	Soto
			Garcia	Montford	Stargel
			Gibson	Negron	

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

HB 1063—A bill to be entitled An act relating to public records and meetings; creating s. 464.0096, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health or the Board of Nursing pursuant to the Nurse Licensure Compact; authorizing disclosure of the information under certain circumstances; providing an exemption from public meeting requirements for certain meetings of the Interstate Commission of Nurse Licensure Compact Administrators; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portion of such a meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Grimsley, **HB 1063** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

HB 633—A bill to be entitled An act relating to public food service establishments; amending s. 509.013, F.S.; revising the definition of the term “public food service establishment” to exclude certain events; amending s. 509.032, F.S.; clarifying that a food service license is not required to be obtained if an event is excluded under the definition of the term “public food service establishment”; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **HB 633** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 124—A bill to be entitled An act relating to public-private partnerships; transferring, renumbering, and amending s. 287.05712, F.S.; revising definitions; deleting provisions creating the Public-Private Partnership Guidelines Task Force; requiring a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs; specifying payment methods; requiring a professional review and evaluation of design and construction to be completed for certain unsolicited proposals; specifying requirements; authorizing a responsible public entity to alter the statutory timeframe for accepting proposals for a qualifying project under certain circumstances; requiring a design criteria package to be submitted to a responsible public entity if such entity solicits specific proposals; deleting a provision that requires approval of the local governing body before a school board enters into a comprehensive agreement; revising the conditions necessary for a responsible public entity to approve a comprehensive agreement; deleting provisions relating to notice to affected local jurisdictions; providing that fees imposed by a private entity must be applied as set forth in the comprehensive agreement; authorizing a negotiated portion of revenues from fee-generating uses to be returned to the responsible public entity; restricting provisions in financing agreements that could result in a responsible public entity’s losing ownership of real or tangible personal property; deleting a provision that required a responsible public entity to comply with specific financial obligations; providing duties of the Department of Management Services relating to comprehensive agreements; revising provisions relating to construction of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for SB 124** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 126—A bill to be entitled An act relating to public records and public meetings; transferring, renumbering, and amending s. 287.05712, F.S., relating to public-private partnerships for public facilities and infrastructure; providing a definition; providing an exemption from public records requirements for a specified period for unsolicited proposals received by a responsible public entity; providing an exemption from public meeting requirements for any portion of a meeting of a responsible public entity during which exempt proposals are discussed; requiring that a recording be made of the closed meeting; providing an exemption from public records requirements for a specified period for the recording of, and any records generated during, a closed meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for SB 126** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Sachs
Brandes	Gibson	Simmons
Braynon	Hays	Simpson
Dean	Hukill	Smith
Detert	Hutson	Soto
Diaz de la Portilla	Latvala	Stargel

Nays—4

Bradley	Bullard	Clemens
Joyner		

Vote after roll call:

Yea—Legg

Yea to Nay—Gibson

Vote preference:

March 7, 2016: Yea—Grimsley

March 8, 2016: Yea—Lee

HB 1241—A bill to be entitled An act relating to the ordering of medication; amending s. 381.887, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a non-patient-specific standing order for an autoinjection delivery system or intranasal application delivery system; amending ss. 458.347 and 459.022, F.S.; revising the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to order medication for administration to a specified patient; amending s. 465.003, F.S.; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.02, F.S.; revising the term “administer” to include the term “administration”; revising the term “prescription” to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.04, F.S.; conforming provisions to changes made by the act; amending s. 893.05, F.S.; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for a specified patient under certain circumstances; reenacting ss. 400.462(26) and 409.906(18), F.S., relating to the definition of the term “physician assistant” for purposes of the Home Health Services Act and physician assistant services under the Medicaid program, respectively, to incorporate the amendments made by the act to ss. 458.347 and 459.022, F.S., in references thereto; reenacting ss. 401.445(1) and 766.103(3), F.S., relating to emergency examination and treatment of

incapacitated persons and the Florida Medical Consent Law, respectively, to incorporate the amendments made by the act to ss. 458.347, 459.022, and 464.012, F.S., in references thereto; reenacting ss. 409.9201(1)(a), 465.014(1), 465.1901, 499.003(43), and 831.30(1), F.S., relating to the definition of “prescription drug” for purposes of Medicaid fraud, the supervision of registered pharmacy technicians, applicability of provisions regulating the practice of orthotics or pedorthics to pharmacists, the definition of the term “prescription drug” for purposes of the Florida Drug and Cosmetic Act, and criminal penalties related to the fraudulent obtaining of medicinal drugs, respectively, to incorporate the amendment made by the act to s. 465.003, F.S., in references thereto; reenacting ss. 458.331(1)(pp), 459.015(1)(rr), 465.015(2)(c) and (3), 465.016(1)(s), 465.022(5)(j), and 465.023(1)(h), F.S., relating to grounds for disciplinary action by the Board of Medicine or the Board of Osteopathic Medicine, unlawful acts and penalties related to the practice of pharmacy, grounds for denial of a pharmacy permit or disciplinary action against a pharmacy permittee, respectively, to incorporate the amendments made by the act to ss. 465.003 and 893.02, F.S., in references thereto; reenacting ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l), 499.0121(14), 768.36(1)(b), 810.02(3)(f), 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1), 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., relating to the Drug-Free Workplace Act, the compassionate use of low-THC cannabis, drug-free workplace program requirements, reporting of prescription drug distribution, the definition of the term “drug” for purposes of defenses from civil actions related to alcohol or drugs, burglary offenses, penalties for grand theft, the definition of the term “drug” for purposes of offenses related to open house parties, unlawful introduction of certain articles into correctional institutions, county detention facilities, or juvenile detention facilities, the definition of the term “controlled substance” for purposes of exceptional student instruction, and duties of school principals related to student discipline, respectively, to incorporate the amendment made by the act to s. 893.02, F.S., in references thereto; reenacting s. 893.0551(3)(d) and (e), F.S., relating to disclosure by the Department of Health of confidential information in prescription drug monitoring program records, to incorporate the amendments made by the act to ss. 893.04 and 893.05, F.S., in references thereto; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Grimsley, **HB 1241**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 298—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; revising exceptions to a prohibition on the installation of tracking devices or tracking applications to specify that the exception applies only to private investigators under certain circumstances; deleting a provision concerning persons engaged in private investigation; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

Pending further consideration of CS for CS for SB 298, pursuant to Rule 3.11(3), there being no objection, CS for HB 151 was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Rules.

On motion by Senator Evers, by two-thirds vote—

CS for HB 151—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; authorizing certain persons, business entities, and private investigators to install tracking devices or tracking applications under certain circumstances; deleting a provision concerning persons engaging private investigators; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 298, and by two-thirds vote, read the second time by title.

On motion by Senator Evers, by two-thirds vote, CS for HB 151 was read the third time by title.

On motion by Senator Evers, further consideration of CS for HB 151 was deferred.

CS for SB 440—A bill to be entitled An act relating to care for retired law enforcement dogs; creating s. 943.69, F.S.; providing a short title; defining terms; providing legislative findings; creating the Care for Retired Law Enforcement Dogs Program within the Department of Law Enforcement; requiring the department to contract with a corporation not for profit to administer and manage the program; providing requirements for the corporation not for profit; providing requirements for the disbursement of funds for the veterinary care of eligible retired law enforcement dogs; placing an annual cap on the amount of funds available for the care of an eligible retired law enforcement dog; prohibiting a former handler or adopter from receiving reimbursement if funds are depleted for the year for which such reimbursement is sought; providing for administrative fees; requiring the department to adopt rules; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, CS for SB 440 was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

HB 4009—A bill to be entitled An act relating to slungshot; amending s. 790.09, F.S.; deleting provisions prohibiting the manufacture or sale of any instrument or weapon usually known as slungshot; amending s. 790.001, F.S.; revising the definition of the term “concealed weapon” to delete the inclusion of a slungshot; amending s. 790.18, F.S.; deleting a

provision prohibiting a dealer in arms from selling or transferring a slungshot to a minor; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, HB 4009 was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1294—A bill to be entitled An act relating to offenses involving minors and vulnerable persons; amending ss. 92.53 and 92.54, F.S.; increasing the maximum age at which a victim or witness under may be allowed to testify via closed circuit television rather than in a courtroom in certain circumstances; amending s. 92.55, F.S.; revising the definition of the term “sexual offense victim or witness”; increasing the maximum age of victims and witnesses for whom the court may enter protective orders; authorizing certain advocates to file motions for such orders on behalf of certain persons; amending s. 741.281, F.S.; requiring a court to order that a defendant attend and complete a parenting course if domestic violence was committed upon or in the presence of a child; amending s. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; prohibiting certain defenses to prosecution under certain circumstances; amending s. 794.022, F.S.; including human trafficking and lewd and lascivious offenses in the rules of evidence applicable to sexually-related offenses; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Flores, CS for SB 1294, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for CS for SB 562—A bill to be entitled An act relating to consumer debt collection; amending s. 559.72, F.S.; specifying methods by which a debtor, represented by an attorney, may notify a creditor of such representation; specifying methods by which an attorney representing a debtor may notify a creditor of such representation; requiring a creditor to identify the manner by which a debtor may communicate notice of representation; providing that a creditor must cease direct communication with the debtor under certain circumstances; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Stargel, CS for CS for CS for SB 562, as amended, was passed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Evers	Latvala
Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Grimsley	Richter
Bradley	Hays	Simmons
Brandes	Hukill	Simpson
Detert	Hutson	Stargel

Nays—17

Abruzzo	Flores	Ring
Braynon	Garcia	Sachs
Bullard	Gibson	Smith
Clemens	Joyner	Sobel
Dean	Margolis	Soto
Diaz de la Portilla	Montford	

CS for SB 960—A bill to be entitled An act relating to protection of motor vehicle dealers’ consumer data; creating s. 320.646, F.S.; defining the terms “consumer data” and “data management system”; requiring that a licensee or a third party comply with certain restrictions on reuse or disclosure of consumer data received from a motor vehicle dealer; requiring that such person provide a written statement to the motor vehicle dealer delineating the established procedures adopted by the person which meet or exceed certain requirements to safeguard consumer data; requiring that upon request of a motor vehicle dealer a licensee provide a list of the consumer data obtained and all persons to whom any of the data has been disclosed, subject to certain requirements; prohibiting a licensee from requiring a motor vehicle dealer to grant the licensee or third party access to the dealer’s data management system; requiring a licensee to permit a motor vehicle dealer to furnish consumer data in a widely accepted file format and through a third-party vendor selected by the motor vehicle dealer; authorizing a licensee to access or obtain consumer data from a motor vehicle dealer’s data management system with the dealer’s express written consent, subject to certain requirements; requiring the licensee to indemnify the motor vehicle dealer for certain claims or damages; providing that a person bringing a specified cause of action for certain violations must meet certain requirements; reenacting s. 320.6992, F.S., relating to the provisions that apply to established systems of distribution of motor vehicles in this state, to incorporate s. 320.646, F.S., as created by the act, in a reference thereto; providing an effective date.

—was read the third time by title.

An amendment was considered and adopted to conform CS for SB 960 to CS for CS for HB 231.

Pending further consideration of CS for SB 960, as amended, pursuant to Rule 3.11(3), there being no objection, CS for CS for HB 231 was withdrawn from the Committees on Transportation; Appropria-

tions Subcommittee on Transportation, Tourism, and Economic Development; and Rules.

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

CS for CS for HB 231—A bill to be entitled An act relating to motor vehicle manufacturer licenses; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term “incentive”; revising provisions for denial or chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not designated by the applicant or licensee; defining the term “goods or services”; creating s. 320.646, F.S.; defining the terms “consumer data” and “data management system”; requiring that a licensee or a third party comply with certain restrictions on reuse or disclosure of consumer data received from a motor vehicle dealer; requiring that such person provide a written statement to the motor vehicle dealer delineating the established procedures adopted by the person which meet or exceed certain requirements to safeguard consumer data; requiring that upon request of a motor vehicle dealer a licensee provide a list of the consumer data obtained and all persons to whom any of the data has been disclosed, subject to certain requirements; prohibiting a licensee from requiring a motor vehicle dealer to grant the licensee or third party access to the dealer’s data management system; requiring a licensee to permit a motor vehicle dealer to furnish consumer data in a widely accepted file format and through a third-party vendor selected by the motor vehicle dealer; authorizing a licensee to access or obtain consumer data from a motor vehicle dealer’s data management system with the dealer’s express written consent, subject to certain requirements; requiring the licensee to indemnify the motor vehicle dealer for certain claims or damages; providing that a person bringing a specified cause of action for certain violations must meet certain requirements; reenacting s. 320.6992, F.S., relating to the provisions that apply to established systems of distribution of motor vehicles in this state, to incorporate s. 320.646, F.S., as created by the act, in a reference thereto; providing an effective date.

—a companion measure, was substituted for CS for SB 960, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Bradley, by two-thirds vote, CS for CS for HB 231 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1422—A bill to be entitled An act relating to insurer regulatory reporting; creating s. 628.8015, F.S.; defining terms; requiring an insurer to maintain a risk management framework; requiring certain insurers and insurance groups to conduct an own-risk and solvency assessment; providing requirements for the preparation and submission of an own-risk and solvency assessment summary report; providing exemptions and waivers; requiring certain insurers and members of an insurance group to prepare and submit a corporate governance annual disclosure; requiring the initial corporate governance annual disclosure to be submitted to the Office of Insurance Regulation by a specified date; authorizing the office to require an insurer or insurance group to provide a corporate governance annual disclosure before such date under certain circumstances; specifying requirements for preparing and annually filing the corporate governance annual disclosure; specifying privilege requirements and prohibitions for certain filings and related documents; authorizing the office to retain third-party consultants for certain purposes; providing certain requirements for the National Association of Insurance Commissioners or third-party consultants in an agreement; authorizing the Financial Services Commission to adopt rules; amending s. 628.803, F.S.; revising provisions relating to penalties to conform to the act; providing for contingent repeal of the act; providing a contingent effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 1422**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

HB 1205—A bill to be entitled An act relating to fumigation; amending s. 482.051, F.S.; revising general fumigation notification requirements; authorizing the Department of Agriculture and Consumer Services to adopt safety procedures for the clearance of residential structures before reoccupation after fumigation; amending s. 487.051, F.S.; authorizing the department to establish certain conditions for the registration or continued registration of fumigants; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Benacquisto, **HB 1205**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Benacquisto	Bullard
Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert

Diaz de la Portilla	Hukill	Ring
Evers	Hutson	Sachs
Flores	Joyner	Simmons
Gaetz	Latvala	Simpson
Galvano	Legg	Smith
Garcia	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1170—A bill to be entitled An act relating to health plan regulatory administration; amending s. 112.08, F.S.; authorizing local governmental units to contract for certain group insurance with a corporation not for profit whose membership consists of specified local governmental units; adding such a corporation not for profit as an alternative entity that a local governmental unit must contract with to administer certain insurance plans; amending s. 408.909, F.S.; redefining the terms “health care coverage” and “health flex plan coverage”; amending s. 409.817, F.S.; deleting a provision authorizing group insurance plans to impose a certain preexisting condition exclusion; amending s. 624.123, F.S.; conforming a cross-reference; amending s. 626.88, F.S.; revising the definition of the term “administrator”; amending s. 627.402, F.S.; redefining the term “nongrandfathered health plan”; amending s. 627.411, F.S.; deleting a provision relating to a minimum loss ratio standard for specified health insurance coverage; deleting provisions specifying certain incurred claims; amending s. 627.6011, F.S., conforming a cross-reference; amending s. 627.602, F.S.; conforming a cross-reference; amending s. 627.642, F.S.; revising the policies to which certain outline of coverage requirements apply; amending s. 627.6425, F.S.; redefining the term “individual health insurance”; revising applicability; amending s. 627.6487, F.S.; redefining terms; repealing s. 627.64871, F.S., relating to certification of coverage; amending s. 627.6512, F.S.; revising a provision specifying that certain sections of the Florida Insurance Code do not apply to a group health insurance policy as that policy relates to specified benefits, under certain circumstances; amending s. 627.6513, F.S.; excluding applicability as to certain types of benefits or coverages; amending s. 627.6561, F.S.; conforming a cross-reference; revising conditions under which an insurer may impose a preexisting condition exclusion; deleting the definition of the term “creditable coverage”; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 627.6562, F.S.; redefining the term “creditable coverage”; providing exceptions and applicability; amending s. 627.65626, F.S.; conforming a cross-reference; amending s. 627.6699, F.S.; redefining terms; deleting a provision that requires a certain health benefit plan to comply with specified preexisting condition provisions; amending s. 627.6741, F.S.; conforming cross-references; conforming a provision to changes made by the act; amending s. 641.31, F.S.; deleting a provision specifying that a law restricting or limiting deductibles, coinsurance, copayments, or annual or lifetime maximum payments may not apply to a certain health maintenance organization contract; conforming a cross-reference; amending s. 641.31071, F.S.; conforming a cross-reference; deleting the definition of the term “creditable coverage”; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 641.31074; requiring a health maintenance organization that issues a health insurance contract, rather than a group health insurance contract, to renew or continue in force such coverage at the contract holder’s option; revising conditions under which a health maintenance organization may discontinue offering a particular contract form; adding to the conditions under which a health maintenance organization may, at the time of coverage renewal, modify coverage for a product offered; amending s. 641.312, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for CS for SB 1170** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

SPECIAL ORDER CALENDAR, continued

Consideration of **CS for SB 970** was deferred.

On motion by Senator Evers—

SB 7022—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 406.136, F.S., which provides an exemption from public records requirements for a photograph or video or audio recording held by an agency that depicts or records the killing of a person; narrowing the exemption to depictions or recordings of the killing of a law enforcement officer who was acting in accordance with his or her official duties; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7022** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for SB 7050—A bill to be entitled An act relating to information technology security; amending s. 20.61, F.S.; revising the membership of the Technology Advisory Council to include a cybersecurity expert; amending s. 282.318, F.S.; revising the duties of the Agency for State Technology; providing that risk assessments and security audits may be completed by a private vendor; providing for the establishment of computer security incident response teams within state agencies; providing for the establishment of an information technology security incident reporting process; providing for information technology security and cybersecurity awareness training; revising duties of state agency heads; establishing computer security incident response team responsibilities; establishing notification procedures and reporting timelines for an information technology security incident or breach; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 7050** was placed on the calendar of Bills on Third Reading.

CS for SB 1260—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring or mooring of vessels in specified anchoring limitation areas; providing exceptions; providing for the removal and impoundment of vessels under certain circumstances; providing penalties; amending s. 327.70, F.S.; providing for violations to be enforced by the issuance of a uniform boating citation; amending s. 327.73, F.S.; providing penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1260**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1051** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Fiscal Policy.

On motion by Senator Simpson, by two-thirds vote—

CS for CS for HB 1051—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring of vessels in specified anchoring limitation areas; providing exceptions; providing applicability; authorizing specified law enforcement officers and agencies to remove and impound vessels or cause vessels to be removed or impounded under certain conditions; providing indemnification for such law enforcement officers and agencies in certain circumstances; providing requirements for contractors performing such removal or impoundment services; providing that certain vessel operators are required to pay removal and storage fees and are subject to specified penalties; providing for expiration; amending s. 327.70, F.S.; providing for issuance of uniform boating citations; amending s. 327.73, F.S.; providing penalties relating to the anchoring of vessels in anchoring limitation areas; providing an effective date.

—a companion measure, was substituted for **CS for SB 1260**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1051** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 822—A bill to be entitled An act relating to fire-safety; amending s. 633.202, F.S.; defining terms; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; providing criteria for such classifications; providing that such classifications are subject to annual inspection; specifying applicable fire prevention standards for each class; requiring that the State Fire Marshal adopt rules; providing requirements for revising certain dimensions of a tent that is exempt from the code; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 822**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 431** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Stargel—

CS for CS for HB 431—A bill to be entitled An act relating to fire safety; amending s. 633.202, F.S.; providing definitions; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; providing criteria for such classifications; providing that certain structures are subject to annual inspection; specifying applicable fire prevention standards; requiring the State Fire Marshal to adopt rules; revising certain dimensions of a tent that is exempt from the code; requiring that the State Fire Marshal adopt rules; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 822** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 431** was placed on the calendar of Bills on Third Reading.

SB 858—A bill to be entitled An act relating to clinical social worker, marriage and family therapist, and mental health counselor interns;

amending s. 491.0045, F.S.; revising clinical social worker, marriage and family therapist, and mental health counselor intern registration requirements; revising requirements for supervision of registered interns; deleting specified education and experience requirements; establishing validity periods and providing for expiration of intern registrations; establishing requirements for a subsequent intern registration and for an applicant who has held a provisional license; amending s. 491.005, F.S.; requiring a licensed mental health professional to be on the premises when a registered intern provides services in clinical social work, marriage and family therapy, or mental health counseling; deleting a clinical experience requirement for such registered interns; deleting a provision requiring that certain registered interns meet educational requirements for licensure; reenacting s. 491.012(1)(i),(j), and (k), F.S., relating to penalties, to incorporate the amendment made to s. 491.0045, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 858**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 373** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Fiscal Policy.

On motion by Senator Legg—

CS for HB 373—A bill to be entitled An act relating to mental health counseling interns; amending s. 491.0045, F.S.; revising mental health intern registration requirements; revising requirements for supervision of registered interns; deleting specified education and experience requirements; establishing a validity period and providing for expiration of intern registrations; amending s. 491.005, F.S.; requiring a licensed mental health professional to be on the premises when a registered intern provides services in clinical social work, marriage and family therapy, and mental health counseling; deleting a clinical experience requirement for such registered interns; deleting a provision requiring that certain registered interns meet educational requirements for licensure; providing an effective date.

—a companion measure, was substituted for **SB 858** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 373** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1164—A bill to be entitled An act relating to firesafety; amending s. 429.41, F.S.; requiring the State Fire Marshal to establish uniform firesafety standards for assisted living facilities; revising provisions relating to the minimum standards that must be adopted by the Department of Elderly Affairs for firesafety in assisted living facilities; clarifying the fees a utility may charge for the installation and maintenance of an automatic fire sprinkler system; providing an exemption from uniform firesafety code requirements for certain assisted living facilities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1164**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 965** was withdrawn from the Committees on Banking and Insurance; Children, Families, and Elder Affairs; and Fiscal Policy.

On motion by Senator Legg—

CS for CS for HB 965—A bill to be entitled An act relating to firesafety; amending s. 429.41, F.S.; requiring the State Fire Marshal to establish uniform firesafety standards for assisted living facilities; revising provisions relating to the minimum standards that must be adopted by the Department of Elderly Affairs for firesafety in assisted living facilities; clarifying the fees a utility may charge for the installation and maintenance of an automatic fire sprinkler system; providing an exemption from uniform firesafety code requirements for certain assisted living facilities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1164** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 965** was placed on the calendar of Bills on Third Reading.

CS for SB 268—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing an effective date.

—was read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (616816) (with title amendment)—Between lines 102 and 103 insert:

Section 2. *Chapter 2010-217, Laws of Florida, may be cited as "Taylor's Law for Teen Dating Violence Awareness and Prevention."*

And the title is amended as follows:

Delete line 13 and insert: instruction; providing a short title for chapter 2010-217, Laws of Florida, relating to requirements for health education curricula and district school board policies on teen dating violence and abuse; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Clemens moved the following amendment:

Amendment 2 (232458) (with directory and title amendments)—Between lines 19 and 20 insert:

(3) For purposes of this section:

(a) "Bullying" includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve:

1. Teasing;
2. Social exclusion;
3. Threat;
4. Intimidation;
5. Stalking;
6. Physical violence;
7. Theft;
8. Sexual, *sexual-orientation*, religious, or racial harassment;
9. Public or private humiliation; or
10. Destruction of property.

And the directory clause is amended as follows:

Delete lines 17-18 and insert:

Section 1. Paragraph (a) of subsection (3) and subsection (4) of section 1006.147, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line 3 and insert: schools; amending s. 1006.147, F.S.; revising the definition of the term "bullying"; requiring school

On motion by Senator Ring, further consideration of **CS for SB 268**, as amended, with pending **Amendment 2 (232458)** was deferred.

Consideration of **CS for SB 1722** and **CS for SM 1710** was deferred.

SM 600—A memorial to the Congress of the United States, urging Congress to annually recognize January 1 as “Haitian Independence Day,” May 18 as “Haitian Flag Day,” and the month of May as “Haitian Heritage Month.”

—was read the second time by title. On motion by Senator Bullard, **SM 600** was adopted and certified to the House.

By direction of the President, the Senate resumed consideration of—

CS for SB 268—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school’s bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (232458)** by Senator Clemens was withdrawn.

Pursuant to Rule 4.19, **CS for SB 268**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 750—A bill to be entitled An act relating to the temporary cash assistance program; amending s. 414.095, F.S.; revising the consideration of income from certain illegal noncitizen or ineligible noncitizen family members in determining the family’s eligibility for temporary cash assistance; revising the eligibility requirements for earned-income disregards for certain persons; revising the age of a child whose earned income is disregarded; reenacting s. 414.045(1)(b), F.S., relating to the cash assistance program, to incorporate the amendment made to s. 414.095, F.S., in a reference thereto; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 750**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 563** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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

CS for CS for HB 563—A bill to be entitled An act relating to public assistance; amending s. 39.5085, F.S.; revising eligibility guidelines for the Relative Caregiver Program with respect to relative and nonrelative caregivers; amending s. 402.82, F.S.; requiring the Department of Children and Families to impose a replacement fee for electronic benefits transfer cards under certain circumstances; amending s. 414.065, F.S.; revising penalties for noncompliance with the work requirements for temporary cash assistance; limiting the receipt of child-only benefits during periods of noncompliance with work requirements; providing applicability of work requirements before expiration of the minimum penalty period; requiring the Department of Children and Families to refer sanctioned participants to appropriate free and low-cost community services, including food banks; amending s. 414.095, F.S.; revising the consideration of income from illegal noncitizen or ineligible noncitizen family members in determining eligibility for temporary cash assistance; amending s. 445.024, F.S.; requiring the Department of Economic Opportunity, in cooperation with CareerSource Florida, Inc., the regional workforce boards, and the Department of Children and Families, to develop and implement a work plan agreement for participants in the temporary cash assistance program; requiring the plan to identify expectations, sanctions, and penalties for noncompliance with

work requirements; reenacting s. 414.045(1), F.S., relating to the cash assistance program, to incorporate the amendment made by the act to s. 414.095, F.S., in a reference thereto; providing a contingent appropriation; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 750** and read the second time by title.

Senator Hutson moved the following amendment which was adopted:

Amendment 1 (707276) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Effective October 1, 2016, paragraph (d) of subsection (3), and subsection (11) of section 414.095, Florida Statutes, are amended to read:

414.095 Determining eligibility for temporary cash assistance.—

(3) **ELIGIBILITY FOR NONCITIZENS.**—A “qualified noncitizen” is an individual who is admitted to the United States as a refugee under s. 207 of the Immigration and Nationality Act or who is granted asylum under s. 208 of the Immigration and Nationality Act; a noncitizen whose deportation is withheld under s. 243(h) or s. 241(b)(3) of the Immigration and Nationality Act; a noncitizen who is paroled into the United States under s. 212(d)(5) of the Immigration and Nationality Act, for at least 1 year; a noncitizen who is granted conditional entry pursuant to s. 203(a)(7) of the Immigration and Nationality Act as in effect prior to April 1, 1980; a Cuban or Haitian entrant; or a noncitizen who has been admitted as a permanent resident. In addition, a “qualified noncitizen” includes an individual who, or an individual whose child or parent, has been battered or subject to extreme cruelty in the United States by a spouse, a parent, or other household member under certain circumstances, and has applied for or received protection under the federal Violence Against Women Act of 1994, Pub. L. No. 103-322, if the need for benefits is related to the abuse and the batterer no longer lives in the household. A “nonqualified noncitizen” is a nonimmigrant noncitizen, including a tourist, business visitor, foreign student, exchange visitor, temporary worker, or diplomat. In addition, a “nonqualified noncitizen” includes an individual paroled into the United States for less than 1 year. A qualified noncitizen who is otherwise eligible may receive temporary cash assistance to the extent permitted by federal law. The income or resources of a sponsor and the sponsor’s spouse shall be included in determining eligibility to the maximum extent permitted by federal law.

(d) The income of an illegal noncitizen or ineligible noncitizen who is a mandatory member of a family, ~~less a pro rata share for the illegal noncitizen or ineligible noncitizen,~~ counts *in full* in determining a family’s eligibility to participate in the program.

(11) **DISREGARDS.**—

(a) As an incentive to employment, the first \$200 plus one-half of the remainder of earned income shall be disregarded. In order to be eligible for earned income to be disregarded, the individual must be:

1. A current participant in the program; ~~or~~
2. Eligible for participation in the program without the earnings disregard; *or*
3. *The ineligible noncitizen parent of a child who is a recipient or who would be eligible without the disregarded earned income.*

(b) A child’s earned income shall be disregarded if the child is a family member, attends high school or the equivalent, and is *less than 19 years of age or younger.*

Section 2. For the purpose of incorporating the amendment made by this act to section 414.095, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 414.045, Florida Statutes, is reenacted to read:

414.045 Cash assistance program.—Cash assistance families include any families receiving cash assistance payments from the state program for temporary assistance for needy families as defined in federal law, whether such funds are from federal funds, state funds, or commingled federal and state funds. Cash assistance families may also

include families receiving cash assistance through a program defined as a separate state program.

(1) For reporting purposes, families receiving cash assistance shall be grouped into the following categories. The department may develop additional groupings in order to comply with federal reporting requirements, to comply with the data-reporting needs of the board of directors of CareerSource Florida, Inc., or to better inform the public of program progress.

(b) Child-only cases.—Child-only cases include cases that do not have an adult or teen head of household as defined in federal law. Such cases include:

1. Children in the care of caretaker relatives, if the caretaker relatives choose to have their needs excluded in the calculation of the amount of cash assistance.

2. Families in the Relative Caregiver Program as provided in s. 39.5085.

3. Families in which the only parent in a single-parent family or both parents in a two-parent family receive supplemental security income (SSI) benefits under Title XVI of the Social Security Act, as amended. To the extent permitted by federal law, individuals receiving SSI shall be excluded as household members in determining the amount of cash assistance, and such cases shall not be considered families containing an adult. Parents or caretaker relatives who are excluded from the cash assistance group due to receipt of SSI may choose to participate in work activities. An individual whose ability to participate in work activities is limited who volunteers to participate in work activities shall be assigned to work activities consistent with such limitations. An individual who volunteers to participate in a work activity may receive child care or support services consistent with such participation.

4. Families in which the only parent in a single-parent family or both parents in a two-parent family are not eligible for cash assistance due to immigration status or other limitation of federal law. To the extent required by federal law, such cases shall not be considered families containing an adult.

5. To the extent permitted by federal law and subject to appropriations, special needs children who have been adopted pursuant to s. 409.166 and whose adopting family qualifies as a needy family under the state program for temporary assistance for needy families. Notwithstanding any provision to the contrary in s. 414.075, s. 414.085, or s. 414.095, a family shall be considered a needy family if:

a. The family is determined by the department to have an income below 200 percent of the federal poverty level;

b. The family meets the requirements of s. 414.095(2) and (3) related to residence, citizenship, or eligible noncitizen status; and

c. The family provides any information that may be necessary to meet federal reporting requirements specified under Part A of Title IV of the Social Security Act.

Families described in subparagraph 1., subparagraph 2., or subparagraph 3. may receive child care assistance or other supports or services so that the children may continue to be cared for in their own homes or in the homes of relatives. Such assistance or services may be funded from the temporary assistance for needy families block grant to the extent permitted under federal law and to the extent funds have been provided in the General Appropriations Act.

Section 3. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the temporary cash assistance program; amending s. 414.095, F.S.; revising the consideration of income from certain illegal noncitizen or ineligible noncitizen family members in determining the family's eligibility for temporary cash assistance; revising the eligibility requirements for earned-income disregards for

certain persons; revising the age of a child whose earned income is disregarded; reenacting s. 414.045(1)(b), F.S., relating to the cash assistance program, to incorporate the amendment made to s. 414.095, F.S., in a reference thereto; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 563**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 800** was deferred.

On motion by Senator Flores—

CS for SB 1106—A bill to be entitled An act relating to international trust entities; amending s. 663.01, F.S.; defining the term “international trust entity”; creating s. 663.041, F.S.; providing for a moratorium for a specified timeframe on enforcement by the Office of Financial Regulation of certain licensure requirements for certain organizations and entities providing services to international trust companies; providing conditions to apply the moratorium to specified persons of the organization or entity; providing for construction; specifying requirements for a letter to the office to request qualification as a party to the moratorium; requiring the office to confirm specified findings when processing a request; specifying circumstances for establishing adequate supervision; providing procedures and timeframes for the office's processing of requests and the office's requests for additional information; providing timeframes for the office to confirm with the organization or entity whether it has been confirmed as a party to the moratorium; requiring the office to issue a notice of denial if it determines that an organization or entity is not a party to the moratorium; providing that a denied organization or entity may request a certain hearing to contest the denial; providing for construction if certain timeframes are not met; authorizing the office to conduct an onsite visitation of an organization or entity for a specified purpose until a specified time; requiring the office to issue an immediate final order disqualifying an organization or entity if it finds that such organization or entity made a material false statement in its request; providing for construction; providing for future repeal; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1106** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1118** was deferred.

On motion by Senator Latvala—

CS for SB 1322—A bill to be entitled An act relating to juvenile detention costs; amending s. 985.686, F.S.; defining a term; revising the annual contributions by certain counties for the costs of detention care for juveniles; revising the methodology by which the Department of Juvenile Justice determines the percentage share for each county; requiring the state to pay all costs of detention care for juveniles residing out of state and for juveniles residing in state detention centers in counties that provide their own detention care for juveniles; deleting a requirement that the Department of Revenue and the counties provide certain technical assistance to the Department of Juvenile Justice; revising the applicability of specified provisions; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment:

Amendment 1 (232004) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 985.686, Florida Statutes, is amended, paragraph (c) is added to subsection (2) of that section, present subsections (9) and (11) of that section are redesignated as sub-

sections (8) and (10), respectively, and subsections (3) through (7) and present subsections (8) and (10) of that section are amended, to read:

985.686 Shared county and state responsibility for juvenile detention.—

(1)(a) It is the policy of this state that the state and the counties have a joint obligation, as provided in this section, to contribute to the financial support of the detention care provided for juveniles.

(b) *The Legislature finds that various Florida counties and the department have engaged in a multitude of legal proceedings regarding detention cost share for juveniles. Such litigation has largely focused on how the department calculates the detention costs that counties are responsible for paying, leading to the overbilling of counties for a period of years. Additionally, such litigation is a financial burden on the taxpayers of Florida.*

(c) *It is the intent of the Legislature that all counties in this state which are not fiscally constrained counties and which have related pending administrative or judicial claims or challenges file a notice of voluntary dismissal with prejudice to dismiss all actions pending on or before February 1, 2016, against the state or any state agency related to juvenile detention cost share. Additionally, all such counties shall execute a release and waiver of any existing or future claims and actions arising from detention cost share prior to the 2016-2017 fiscal year. The department may not seek reimbursement for underpayments of cost share prior to the 2016-2017 fiscal year from counties that comply with this subsection.*

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

(c) *“Total shared detention costs” means the amount of funds expended by the department for the costs of detention care for the prior fiscal year, and includes the most recent actual certify forward amounts, less any funds it expends on detention care for juveniles residing in fiscally constrained counties or out of state.*

(3)(a) *For the 2016-2017 state fiscal year each county that is not a fiscally constrained county that has taken the action fulfilling the intent of this legislation as described in (1)(c), shall pay to the department its annual percentage share of \$42.5 million. By June 1, 2016, the department shall calculate and provide to each such county its annual percentage share by dividing the total number of detention days for juveniles residing in that county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. Beginning July 1, 2016, each county shall pay to the department its annual percentage share of \$42.5 million, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care. This paragraph expires June 30, 2017.*

(b) *For the 2017-2018 state fiscal year, and each fiscal year thereafter, each county that is not a fiscally constrained county that has taken the action fulfilling the intent of this legislation as described in paragraph (1)(c), shall pay its annual percentage share of 50 percent of the total shared detention costs for the prior fiscal year. By July 15, 2017, and each year thereafter, the department shall calculate and provide to each such county its annual percentage share by dividing the total number of detention days for juveniles residing in the county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. The annual percentage share of each county that is not a fiscally constrained county must be multiplied by 50 percent of the total shared detention costs to determine that county's share of detention costs. Beginning August 1 of each year, each county shall pay to the department its share of detention costs, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care. Each county shall pay the costs of providing detention care, exclusive of the costs of any pre-adjudicatory nonmedical educational or therapeutic services and \$2.5 million provided for additional medical and mental health care at the detention centers, for juveniles for the period of time prior to final court disposition. The department shall develop an accounts payable system to allocate costs that are payable by the counties.*

(4) ~~Notwithstanding subsection (3),~~ The state shall pay all costs of detention care for juveniles *residing in for which a fiscally constrained county and for juveniles residing out-of-state would otherwise be billed. The state shall pay all costs of detention care for juveniles housed in state detention centers from counties that provide their own detention care for juveniles.*

(a) ~~By October 1, 2004, the department shall develop a methodology for determining the amount of each fiscally constrained county's costs of detention care for juveniles, for the period of time prior to final court disposition, which must be paid by the state. At a minimum, this methodology must consider the difference between the amount appropriated to the department for offsetting the costs associated with the assignment of juvenile pretrial detention expenses to the fiscally constrained county and the total estimated costs to the fiscally constrained county, for the fiscal year, of detention care for juveniles for the period of time prior to final court disposition.~~

(b) ~~Subject to legislative appropriation and based on the methodology developed under paragraph (a), the department shall provide funding to offset the costs to fiscally constrained counties of detention care for juveniles for the period of time prior to final court disposition. If county matching funds are required by the department to eliminate the difference calculated under paragraph (a) or the difference between the actual costs of the fiscally constrained counties and the amount appropriated in small county grants for use in mitigating such costs, that match amount must be allocated proportionately among all fiscally constrained counties.~~

(5) Each county that is not a fiscally constrained county shall incorporate into its annual county budget sufficient funds to pay its annual percentage share of the total shared detention costs required under subsection (3) of detention care for juveniles who reside in that county for the period of time prior to final court disposition. This amount shall be based upon the prior use of secure detention for juveniles who are residents of that county, as calculated by the department. Each county shall pay the estimated costs at the beginning of each month. Any difference between the estimated costs and actual costs shall be reconciled at the end of the state fiscal year.

(6) ~~Funds paid by the counties to the department pursuant to this section must be deposited~~ Each county shall pay to the department for deposit into the Shared County/State Juvenile Detention Trust Fund ~~its share of the county's total costs for juvenile detention, based upon calculations published by the department with input from the counties.~~

(7) ~~The department of Juvenile Justice shall determine each quarter whether the counties of this state are remitting funds as required to the department their share of the costs of detention as required by this section.~~

(8) ~~The Department of Revenue and the counties shall provide technical assistance as necessary to the Department of Juvenile Justice in order to develop the most cost effective means of collection.~~

(9)(10) This section does not apply to a any county that provides detention care for preadjudicated juveniles or that contracts with another county to provide detention care for preadjudicated juveniles.

Section 2. Subsection (2) of section 985.6015, Florida Statutes, is amended to read:

985.6015 Shared County/State Juvenile Detention Trust Fund.—

(2) The fund is established for use as a depository for funds to be used for the costs of pre-disposition juvenile detention. Moneys credited to the trust fund shall consist of funds from the counties' share of the costs for pre-disposition juvenile detention.

Section 3. Paragraph (a) of subsection (11) of section 985.688, Florida Statutes, is amended to read:

985.688 Administering county and municipal delinquency programs and facilities.—

(11)(a) Notwithstanding the provisions of this section, a county is in compliance with this section if:

1. The county provides the full cost for ~~preadjudication~~ detention for juveniles;
2. The county authorizes the county sheriff, any other county jail operator, or a contracted provider located inside or outside the county to provide ~~preadjudication~~ detention care for juveniles;
3. The county sheriff or other county jail operator is accredited by the Florida Corrections Accreditation Commission or American Correctional Association; and
4. The facility is inspected annually and meets the Florida Model Jail Standards.

Section 4. *The sum of \$7.3 million in recurring General Revenue funds is appropriated to the Department of Juvenile Justice for the purpose of implementing s. 985.66, Florida Statutes, as amended by this act. For the 2016-2017 fiscal year, an additional sum of \$3.5 million in nonrecurring General Revenue funds is appropriated to the department for the same purpose.*

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

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile detention costs; amending s. 985.686, F.S.; providing legislative findings and intent; defining a term; revising the annual contributions by certain counties for the costs of detention care for juveniles; revising the methodology by which the Department of Juvenile Justice determines the percentage share for each county; requiring the state to pay all costs of detention care for juveniles residing out of state and for juveniles residing in state detention centers in counties that provide their own detention care for juveniles; deleting a requirement that the Department of Revenue and the counties provide certain technical assistance to the Department of Juvenile Justice; revising the applicability of specified provisions; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment which was adopted:

Amendment 1A (810626) (with title amendment)—Delete lines 172-179 and insert:

Section 4. *Effective July 1, 2016, for the 2016-2017 fiscal year, the sum of \$7.3 million in recurring funds and the sum of \$3.5 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Juvenile Justice for the purpose of implementing the amendments to s. 985.686, Florida Statutes, made by this act. These funds supplement the funds appropriated to the department in the 2016-2017 General Appropriations Act to pay the state's costs for juvenile detention.*

Section 5. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete lines 202-203 and insert: changes made by the act; providing appropriations; providing effective dates.

Amendment 1 (232004), as amended, was adopted.

Pursuant to Rule 4.19, **CS for SB 1322**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1394** was deferred.

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

BILLS ON THIRD READING, continued

SB 908—A bill to be entitled An act relating to organization of the Department of Financial Services; amending ss. 17.04 and 17.0401, F.S.; authorizing the Chief Financial Officer, rather than the Division of Accounting and Auditing, to audit and adjust accounts of officers and those indebted to the state; making conforming changes; amending s. 20.121, F.S.; revising the divisions and the location of bureaus within the divisions; revising the functions of the department; providing duties for the Division of Investigative and Forensic Services; amending s. 624.26, F.S.; deleting a cross-reference; amending s. 624.307, F.S.; providing powers and duties of the Division of Consumer Services; authorizing the division to impose certain penalties; authorizing the department to adopt rules relating to the division; providing for construction; reenacting and amending s. 624.502, F.S., relating to service of process fees; providing that a party requesting service of process shall pay a specified fee to the department or the Office of Insurance Regulation for such service; abrogating the scheduled expiration and reversion of amendments to s. 624.502, F.S.; amending ss. 16.59, 400.9935, 409.91212, 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989, 626.9891, 626.9892, 626.9893, 626.9894, 626.99278, 627.351, 627.711, 627.736, 627.7401, 631.156, and 641.30, F.S., relating to the renaming of the Division of Insurance Fraud; conforming provisions to changes made by the act; making technical changes; amending ss. 282.709, 552.113, 552.21, 633.112, 633.114, 633.122, 633.126, 633.422, 633.508, 633.512, 633.518, and 791.013, F.S., relating to the transfer of certain functions to the Division of Investigative and Forensic Services; conforming provisions to changes made by the act; amending ss. 538.32, 717.1241, 717.1323, 717.135, 717.1351, and 717.1400, F.S., relating to the renaming of the Bureau of Unclaimed Property; conforming provisions to changes made by the act; making technical changes; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended March 2, was read the third time by title.

On motion by Senator Lee, **SB 908**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 7, 2016: Yea—Grimsley

CS for HB 793—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified programs and degree programs; amending ss. 1009.534 and 1009.535, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a profes-

sional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; creating the Florida Gold Seal CAPE Scholars award within the Florida Bright Futures Scholarship Program; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal CAPE Scholars award; providing that certain students may receive an award for a specified number of credits toward specified programs and degree programs; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for HB 793** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Mr. President

HB 967—A bill to be entitled An act relating to family law; providing a short title; providing a directive to the Division of Law Revision and Information; providing legislative findings; creating s. 61.55, F.S.; providing a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process begins when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

—was read the third time by title.

On motion by Senator Lee, **HB 967** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Grimsley	Negron
Dean	Hays	Richter
Detert	Hukill	Ring
Diaz de la Portilla	Hutson	Sachs
Evers	Joyner	Simmons
Flores	Latvala	Simpson
Gaetz	Lee	Smith
Galvano	Legg	Sobel
Garcia	Margolis	Soto
Gibson	Montford	Stargel

Nays—None

SENATOR RICHTER PRESIDING

CS for CS for SB 668—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring a court to consider certain alimony factors and make specific written findings of fact under certain circumstances; prohibiting a court from using certain presumptive alimony guidelines in calculating alimony pendente lite; amending s. 61.08, F.S.; defining terms; requiring a court to make specified initial written findings in a dissolution of marriage proceeding where a party has requested alimony; requiring a court to make specified findings before ruling on a request for alimony; providing for determinations of presumptive alimony amount range and duration range; providing presumptions concerning alimony awards depending on the duration of marriages; providing for imputation of income in certain circumstances; specifying exceptions to the guidelines for the amount and duration of alimony awards; providing for awards of nominal alimony in certain circumstances; providing for taxability and deductibility of alimony awards; prohibiting a combined award of alimony and child support from constituting more than a specified percentage of a payor's net income; authorizing the court to order a party to protect an alimony award by specified means; providing for termination of an award; authorizing a court to modify or terminate the amount of an initial alimony award; prohibiting a court from modifying the duration of an alimony award; providing for payment of awards; amending s. 61.13, F.S.; specifying a premise that a minor child should spend approximately equal amounts of time with each parent; revising a finite list of factors that a court must evaluate when establishing or modifying parental responsibility or a parenting plan; requiring a court order to be supported by written findings of fact under certain circumstances; amending s. 61.14, F.S.; prohibiting a court from changing the duration of alimony; authorizing a party to pursue an immediate modification of alimony in certain circumstances; revising factors to be considered in determining whether an existing award of alimony should be reduced or terminated because of an alleged supportive relationship; providing for burden of proof for claims concerning the existence of supportive relationships; providing for the effective date of a reduction or termination of an alimony award; providing that the remarriage of an alimony obligor is not a substantial change in circumstance; providing that the financial information of a spouse of a party paying or receiving alimony is inadmissible and undiscoverable; providing an exception; providing for modification or termination of an award based on a party's retirement; providing a presumption upon a finding of a substantial change in circumstance; specifying factors to be considered in determining whether to modify or terminate an award based on a substantial change in circumstance; providing for a temporary suspension of an obligor's payment of alimony while his or her petition for modification or termination is pending; providing for an award of attorney fees and costs for unreasonably pursuing or defending a modification of an award; providing for an effective date of a modification or termination of an award; amending s. 61.30, F.S.; requiring that a child support award be adjusted to reduce the combined alimony and child support award under certain circumstances; creating s. 61.192, F.S.; providing for motions to advance the trial of certain actions if a specified period has passed since the initial service on the respondent; amending ss. 61.1827 and 409.2579, F.S.; conforming cross-references; providing applicability; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Lee moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (224698) (with title amendment)—Between lines 637 and 638 insert:

Section 4. *The amendments by this act to s. 61.13, Florida Statutes, apply only to proceedings in which the initial petition for dissolution of marriage or initial petition to establish a parenting plan or time-sharing schedule is filed on or after October 1, 2016.*

And the title is amended as follows:

Delete line 37 and insert: circumstances; providing for prospective application of provisions of the act which relate to parenting plans and time-sharing; amending s. 61.14, F.S.; prohibiting a

THE PRESIDENT PRESIDING

On motion by Senator Stargel, **CS for CS for SB 668**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Evers	Lee
Altman	Gaetz	Margolis
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Simmons
Brandes	Hays	Simpson
Dean	Hutson	Sobel
Diaz de la Portilla	Latvala	Stargel

Nays—14

Abruzzo	Flores	Ring
Braynon	Hukill	Sachs
Bullard	Joyner	Smith
Clemens	Legg	Soto
Detert	Montford	

Vote after roll call:

Yea to Nay—Sobel

Nay to Yea—Detert

Vote preference:

March 7, 2016: Yea—Grimsley

SPECIAL ORDER CALENDAR, continued

On motion by Senator Gaetz, the Senate resumed consideration of—

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor’s reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a

charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.333, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of “full-time equivalent student”; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider’s contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of “full-time equivalent student”; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 1 (274472)** by Senator Gaetz, as amended.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Legg moved the following amendments to **Amendment 1 (274472)** which were adopted:

Amendment 1D (763426) (with title amendment)—Between lines 2570 and 2571 insert:

Section 24. *Notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years, the office shall not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year, shall remain on probation until the provider or school meets the minimum rate adopted by the office. This section expires July 1, 2017.*

And the title is amended as follows:

Delete line 2767 and insert: by the act; prohibiting the office from adopting a kindergarten readiness rate for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years; providing that any private prekindergarten provider or public school that was on probation for the 2013-2014 program year remains on probation until meeting the minimum kindergarten readiness rate adopted by the office; providing for future expiration; providing effective dates.

Amendment 1E (334880) (with title amendment)—Between lines 2570 and 2571 insert:

Section 24. Paragraph (a) of subsection (1) of section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools.

(a) To be eligible for a funding allocation, a charter school must:

- 1.a. Have been in operation for 3 or more years;
- b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;
- c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;
- d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or
- e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available ~~stability for future operation as a charter school.~~

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

And the title is amended as follows:

Delete line 2767 and insert: by the act; amending s. 1013.62, F.S.; revising requirements for a charter school to be eligible for funding appropriated for charter school capital outlay purposes; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1F (479366) (with title amendment)—Between lines 2570 and 2571 insert:

Section 24. Section 1013.385, Florida Statutes, is created to read:

1013.385 School district construction flexibility.—

(1) A district school board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the educational facilities construction requirements provided in this section. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for each educational facility to be constructed, as applicable, and demonstrates that implementation of the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(a) Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.

(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.

(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

(d) Site lighting, by approving construction specifications regarding site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.

2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.

3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.

And the title is amended as follows:

Delete line 2767 and insert: by the act; creating s. 1013.385, F.S.; providing for school district construction flexibility; authorizing exceptions to educational facilities construction requirements under certain circumstances; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1G (788462) (with directory and title amendments)—Between lines 127 and 128 insert:

(25) FISCAL TRANSPARENCY.—A parent has the right to know the average amount of money estimated to be expended from all local, state, and federal sources for the education of his or her child, including operating and capital outlay expenses. By December 31 of each year, the department shall publish on its website from each school district's annual financial report, expenditures on a per FTE basis for general, special revenue, debt service, and capital project funds and a total of such expenditures. Fiduciary, enterprise, and internal service funds may not be included. By December 31 of each year, each school district shall publish the school district's funding information in the same format on its website. With the exception of expenditures from debt service and capital project funds, the same information regarding the specific school shall be made available to students on each school's website, provided to parents in the school financial report, and published in the student handbook or a similar publication.

And the directory clause is amended as follows:

Delete line 57 and insert: amended, and subsection (25) is added to that section, to read:

And the title is amended as follows:

Delete line 2602 and insert: enrollment; providing the right of a parent to know an estimated amount of money expended for the education of his or her child; requiring the Department of Education to annually publish certain financial information on its website by a

specified date; requiring each school district to publish certain financial information on its website by a specified date; requiring certain financial information to be published on each school's website, provided in the school financial report, and authorizing the information to be published in the student handbook or a similar publication; amending s. 1002.31, F.S.; requiring each

Amendment 1 (274472), as amended, was adopted.

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

CS for SB 970—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; creating s. 717.1235, F.S.; requiring unclaimed funds reported in the name of specified campaigns for public office to be deposited with the Chief Financial Officer to the credit of the State School Trust Fund; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring certain persons claiming entitlement to unclaimed property to file certified copies of specified pleadings with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising applicability; deleting a provision that allows specified wording on a certain power of attorney; providing requirements for a certain authorization or agreement to recover unclaimed property; requiring the department to deny a claim under certain circumstances; amending s. 717.1351, F.S.; revising requirements and conditions for contracts to acquire ownership of or entitlement to property; deleting a provision that allows specified wording on a purchase agreement; providing requirements for a certain authorization or agreement to purchase unclaimed property; requiring the department to deny a claim under certain circumstances; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing legislative intent; amending s. 717.1400, F.S.; removing authorization for certain private investigators, public accountants, and attorneys to obtain social security numbers; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 970** to **CS for CS for CS for HB 783**.

Pending further consideration of **CS for SB 970**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 783** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Appropriations.

On motion by Senator Richter, by two-thirds vote—

CS for CS for CS for HB 783—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; amending s. 717.117, F.S.; providing an exception to unclaimed property reporting requirements; creating s. 717.1235, F.S.; requiring certain unclaimed funds to be deposited with the Chief Financial Officer for certain purposes; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring a copy of certain pleadings to be filed with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising requirements for a power of attorney used in the recovery of unclaimed property; revising applicability; requiring separate acknowledgement of a certain disclosure; deleting a provision that allows deletion of certain wording from a power of attorney; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; amending s. 717.1351, F.S.; revising requirements for contracts to acquire ownership of or entitlement to unclaimed property; requiring separate acknowledgement of a certain disclosure; providing that certain claims are void; deleting a provision that allows deletion of certain wording from a purchase agreement; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing a statement of public policy; amending s. 717.1400, F.S.; removing authority of certain private investigators, ac-

countants, and attorneys to obtain social security numbers; providing an effective date.

—a companion measure, was substituted for **CS for SB 970**, as amended, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 783** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith, by unanimous consent—

SB 288—A bill to be entitled An act relating to state designations; providing an honorary designation of a certain state park in a specified county; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

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

Pursuant to Rule 4.19, **SB 288** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 1394—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; defining the terms “service patrol vehicle” and “driver-assistive truck platooning technology”; amending s. 316.126, F.S.; requiring the driver of every other vehicle to take specified actions if a utility service vehicle displaying any visual signals or a service patrol vehicle displaying amber rotating or flashing lights is performing certain tasks on the roadside; amending s. 316.193, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; deleting obsolete provisions; deleting provisions relating to a qualified sobriety and drug monitoring program; directing the department to adopt rules providing for the implementation of the use of certain qualified sobriety and drug monitoring programs; redefining the terms “qualified sobriety and drug monitoring program” and “evidence-based program”; creating a qualified sobriety and drug monitoring pilot program effective on a specified date, subject to certain requirements; requiring a specified court to provide a report to the Governor and the Legislature by a specified date; amending s. 316.1937, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; amending s. 316.235, F.S.; revising requirements relating to a deceleration lighting system for buses; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against actively displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 320.02, F.S.; increasing the timeframe within which the owner of any motor vehicle registered in the state must notify the department of a change of address; providing exceptions to such notification; amending s. 320.03, F.S.; providing that an authorized electronic filing agent may charge a fee to the customer for use of the electronic filing system if a specified disclosure is made; amending s. 320.07, F.S.; prohibiting a law enforcement officer from issuing a citation for a specified violation until a certain date; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; revising conditions for discontinuing issuance of a specialty license plate; providing an exception to the minimum requirements for certain specialty license plates; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term “incentive”; revising provisions for denial or chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase

goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not designated by the applicant or licensee; defining the term “goods or services”; amending s. 322.051, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the identification card of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the card; authorizing a replacement identification card with the symbol without payment of a specified fee under certain circumstances; providing the international symbol for the deaf and hard of hearing; requiring the department to issue or renew an identification card to certain juvenile offenders; requiring that the department’s mobile issuing units process certain identification cards at no charge; amending s. 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the license; authorizing a replacement license without payment of a specified fee under certain circumstances; providing applicability; amending s. 322.19, F.S.; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in his or her legal name; providing exceptions to such requirement; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in the legal residence or mailing address in his or her application, license, or card; amending s. 322.21, F.S.; exempting certain juvenile offenders from a specified fee for an original, renewal, or replacement identification card; amending s. 322.221, F.S.; requiring the department to issue an identification card at no cost at the time a person’s driver license is suspended or revoked due to his or her physical or mental condition; amending s. 322.251, F.S.; requiring the department to include in a certain notice a specified statement; amending s. 322.2715, F.S.; requiring the department to use a certain qualified sobriety and drug monitoring program as an alternative to the placement of an ignition interlock device as of a specified date under certain circumstances; amending s. 765.521, F.S.; requiring the department to maintain an integrated link on its website referring certain visitors to a donor registry; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the Department of Transportation to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; providing effective dates.

—was read the second time by title.

Senator Brandes moved the following amendment:

Amendment 1 (836088) (with title amendment)—Between lines 468 and 469 insert:

Section 7. Paragraph (b) of subsection (3) of section 319.30, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

(3)

(b) The owner, including persons who are self-insured, of a motor vehicle or mobile home that is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company that pays money as compensation for the total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home, make the required notification to the National Motor Vehicle Title Information System, and, within 72 hours after receiving such certificate of title, forward such title to the department for processing. The owner or insurance company, as applicable, may not dispose of a vehicle or mobile home that is a total loss before it obtains a salvage certificate of title or certificate of destruction from the department. *Effective July 1, 2023:*

1. *Thirty days after payment of a claim for compensation pursuant to this paragraph, the insurance company may receive a salvage certificate of title or certificate of destruction from the department if it is unable to obtain a properly assigned certificate of title from the owner or lienholder*

of the motor vehicle or mobile home, if the motor vehicle or mobile home does not carry an electronic lien on the title and the insurance company:

a. *Has obtained the release of all liens on the motor vehicle or mobile home;*

b. *Has provided proof of payment of the total loss claim; and*

c. *Has provided an affidavit on letterhead signed by an authorized agent of the insurance company stating the attempts which have been made to obtain the title from the owner or lienholder and further stating that all attempts are to no avail. The affidavit must include a request that the salvage certificate of title or certificate of destruction be issued in the insurance company’s name due to payment of a total loss claim to the owner or lienholder. The attempts to contact the owner may be by written request delivered in person, by e-mail, or by first-class mail with a certificate of mailing to the owner’s or lienholder’s last known address.*

2. *If the owner or lienholder is notified of the request for title at its last known e-mail address and the insurance company does not receive a response, return receipt, or delivery confirmation from that e-mail address, the insurance company shall send the request for title by first-class mail with a certificate of mailing to the owner’s or lienholder’s last known address.*

3. *If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title.*

4. *The request to the owner or lienholder for the certificate of title must include a complete description of the motor vehicle or mobile home and the statement that a total loss claim has been paid on the motor vehicle or mobile home.*

(c) When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the mobile home are equal to 80 percent or more of the current retail cost of the mobile home, as established in any official used mobile home guide, the department shall declare the mobile home unbuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the mobile home. For a late model vehicle with a current retail cost of at least \$7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used car guide or valuation service, if the owner or insurance company determines that the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 90 percent or more of the current retail cost of the vehicle, as established in any official used motor vehicle guide or valuation service, the department shall declare the vehicle unbuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of “insurance-declared total loss.” The certificate of destruction shall be assignable a maximum of two times before dismantling or destruction of the vehicle is required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title. The department may not issue a certificate of title for that vehicle. This subsection is not applicable if a mobile home is worth less than \$1,500 retail just prior to sustaining the damage that resulted in the total loss in any official used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. If a motor vehicle has a current retail cost of less than \$7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used motor vehicle guide or valuation service, or if the vehicle is not a late model vehicle, the owner or insurance company that pays money as compensation for the total loss of the motor vehicle shall obtain a certificate of destruction, if the motor vehicle is damaged, wrecked, or burned to the extent that the only residual value of the motor vehicle is as a source of parts or scrap

metal, or if the motor vehicle comes into this state under a title or other ownership document that indicates that the motor vehicle is not repairable, is junked, or is for parts or dismantling only. A person who knowingly violates this paragraph or falsifies documentation to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Between lines 40 and 41 insert: 319.30, F.S.; authorizing insurance companies to receive a salvage certificate of title or certificate of destruction from the department after a specified number of days after payment of a claim as of a specified date, subject to certain requirements; requiring insurance companies seeking such title or certificate of destruction to follow a specified procedure; providing requirements for the request; amending s.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Brandes moved the following amendments to **Amendment 1 (836088)** which were adopted:

Amendment 1A (274096)—Delete line 39 and insert:
insurance company or an authorized agent of the insurance company stating the attempts

Amendment 1B (591696)—Delete lines 46-60 and insert:
owner may be by written request delivered in person or by first-class mail with a certificate of mailing to the owner's or lienholder's last known address.

2. If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title.

3. The request to the owner or lienholder for the

Amendment 1 (836088), as amended, was adopted.

Senator Brandes moved the following amendments which were adopted:

Amendment 2 (419478) (with title amendment)—Between lines 579 and 580 insert:

Section 12. Section 320.08062, Florida Statutes, is amended to read:

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

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

(b) Any organization not subject to audit pursuant to s. 215.97 shall annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. 320.08056 and 320.08058. The attestation shall be made annually in a form and format determined by the department. *In addition, the department shall audit any such organization every 2 years to ensure proceeds have been used in compliance with ss. 320.08056 and 320.08058.*

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

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

(b) The department must discontinue the distribution of revenues to any organization failing to submit the required documentation as re-

quired in subsection (1), but may resume distribution of the revenues upon receipt of the required information.

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

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

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

And the title is amended as follows:

Between lines 56 and 57 insert: amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates;

Amendment 3 (807296) (with title amendment)—Between lines 579 and 580 insert:

Section 12. Section 320.0843, Florida Statutes, is amended to read:

320.0843 License plates for persons with disabilities eligible for permanent disabled parking permits.—

(1) Any owner or lessee of a motor vehicle who resides in this state and qualifies for a disabled parking permit under s. 320.0848(2), upon application to the department and payment of the license tax for a motor vehicle registered under s. 320.08(2), (3)(a), (b), (c), or (e), (4)(a) or (b), (6)(a), or (9)(c) or (d), shall be issued a license plate as provided by s. 320.06 which, in lieu of the serial number prescribed by s. 320.06, shall be stamped with the international wheelchair user symbol after the serial number of the license plate. The license plate entitles the person to all privileges afforded by a parking permit issued under s. 320.0848. When more than one registrant is listed on the registration issued under this section, the eligible applicant shall be noted on the registration certificate.

(2) *An owner or lessee of a motor vehicle who resides in this state and qualifies for a license plate under s. 320.0842 and a Purple Heart license plate under s. 320.089, upon application to the department, shall be issued a license plate stamped with the term "Combat-wounded Veteran" followed by the serial number of the license plate and the international symbol of accessibility. The license plate entitles the person to all privileges afforded by a license plate issued under s. 320.0842. When more than one registrant is listed on the registration issued under this section, the eligible applicant shall be noted on the registration certificate.*

(3)(2) All applications for such license plates must be made to the department.

And the title is amended as follows:

Between lines 56 and 57 insert: amending s. 320.0843, F.S.; providing for a license plate that combines the Purple Heart license plate with the license plate for persons with disabilities; providing for issu-

ance of such plate to qualified persons; requiring certain wording and symbols on the plate;

Amendment 4 (825716)—Delete line 779 and insert:

(a) *Any materials subject to applicant's or licensee's intellectual property rights, including*

Pursuant to Rule 4.19, **CS for CS for SB 1394**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

On motion by Senator Simmons, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Monday, March 7, 2016.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, March 4, 2016: SB 356, CS for CS for SB 760, CS for SB 1156, CS for CS for SB 7000, SB 418, SB 394, CS for CS for SB 756, CS for CS for SB 1310, CS for CS for SB 1190, CS for CS for CS for SB 1262, SB 994, CS for SB 970, CS for CS for SB 992, SB 850, CS for CS for SB 574, CS for SB 1166, SB 7022, CS for SB 7050, CS for CS for SB 1050, CS for SB 1260, CS for CS for SB 822, SB 858, CS for CS for SB 1164, CS for SB 268, CS for SB 1722, CS for SM 1710, SM 600.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Appropriations recommends the following pass: HB 7099 with 1 amendment

The bill was placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for SJR 170; CS for CS for SB 172; CS for SB 868; SB 1290; SB 7054

The bills with committee substitute attached were placed on the Calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; and Finance and Tax; and Senators Brandes and Hutson—

CS for CS for SJR 170—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution to authorize the Legislature, by general law, to exempt the assessed value of a solar or renewable energy source device from the tangible personal property tax, to authorize the Legislature, by general law, to prohibit the consideration of the installation of such device in determining the assessed value of residential and non-residential real property for the purpose of ad valorem taxation, and to provide effective and expiration dates.

By the Committees on Appropriations; Finance and Tax; and Community Affairs; and Senators Brandes and Hutson—

CS for CS for CS for SB 172—A bill to be entitled An act relating to a special election; providing for a special election to be held August 30, 2016, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an exemption from the tangible personal property tax for solar or renewable energy source devices, a limitation on the assessed value of real property used for nonresidential purposes for the installation of such devices, and an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing a contingent effective date.

By the Committees on Appropriations; and Finance and Tax; and Senator Smith—

CS for CS for SB 868—A bill to be entitled An act relating to community redevelopment; amending s. 163.387, F.S.; specifying uses of redevelopment trust fund moneys for certain community redevelopment agencies that support youth centers; defining the terms “youth center” and “year-round”; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

By the Committee on Appropriations; and Senator Simpson—

CS for SB 1290—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions; providing that title to certain acquired lands are vested in the board; providing for the administration of such lands; authorizing the board to adopt specified rules; revising requirements for the appraisal of lands proposed for acquisition; requiring an agency proposing an acquisition to pay the associated costs; deleting provisions directing the board to approve qualified fee appraisal organizations; requiring fee appraisers to submit certain affidavits to an agency before contracting with a participant in a multiparty agreement; prohibiting fee appraisers from negotiating with property owners; revising the minimum survey standards incorporated by reference for conducting certified surveys; authorizing the disclosure of confidential appraisal reports under certain conditions; providing for public agencies and nonprofit organizations to enter into written agreements with the Department of Environmental Protection, rather than the Division of State Lands, to purchase and hold property for subsequent resale to the board, rather than the division; revising the definition of the term “nonprofit organization”; directing the board to adopt by rule the method for determining the value of parcels sought to be acquired by state agencies; providing requirements for such acquisitions; expanding the scope of real estate acquisition services for which the board and state agencies may contract; authorizing the Department of Environmental Protection to use outside counsel to review any agreements or documents or to perform acquisition closings under certain conditions; requiring state agencies to furnish the Department of Environmental Protection rather than the Division of State Lands with specified acquisition documents; providing that the purchase price of certain parcels is not subject to an increase or a decrease as a result of certain circumstances; authorizing the board of trustees to direct the Department of Environmental Protection to exercise eminent domain for the acquisition of certain conservation parcels under certain circumstances; authorizing the department to exercise condemnation authority directly or by contracting with the Department of Transportation or a water management district to provide such service; authorizing the board of trustees to direct the Department of Environmental Protection to purchase lands on an immediate basis using specified funds; authorizing

the board of trustees to waive or modify all procedures required for such land acquisition; providing that title to certain lands held jointly by the board of trustees and a water management district meet the standards necessary for ownership by the board; creating s. 253.0251, F.S.; providing for the use of alternatives to fee simple acquisition for land purchases by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and water management districts; amending s. 253.03, F.S.; deleting provisions directing the board of trustees to adopt by rule an annual administrative fee for certain leases and similar instruments; revising the criteria by which specified structures have the right to continue submerged land leases; directing the board of trustees to adopt by rule an annual administrative fee for certain leases and instruments; authorizing nonwater-dependent uses for submerged lands; amending s. 253.031, F.S.; providing for the Department of Environmental Protection to maintain documents concerning all state lands; deleting an obsolete provision; amending s. 253.034, F.S.; authorizing the department to submit certain state-owned lands to the Acquisition and Restoration Council or board of trustees for review and consideration; requiring that all non-conservation land use plans are managed to provide the greatest benefit to the state; deleting provisions requiring an analysis of natural or cultural resources as part of a nonconservation land use plan; specifying that certain management and short-term and long-term goals for the conservation of plant and animal species apply to conservation lands; providing conditions under which the Secretary of Environmental Protection, the Commissioner of Agriculture, or the executive director of the Fish and Wildlife Conservation Commission or their designees are required to submit land management plans to the board of trustees; requiring that updated land management plans identify conservation lands that are no longer needed for conservation purposes; deleting provisions directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; deleting provisions requiring that buildings and parcels of land be offered for lease to state agencies, state universities, and Florida College System institutions before being offered for lease or sale to a local or federal unit of government or a private party; amending s. 253.0341, F.S.; deleting provisions authorizing counties and local governments to submit requests for the surplus of state-owned lands and requiring that such requests be expedited; directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; providing that lands acquired before a certain date using specified proceeds are deemed to have been acquired for conservation purposes; providing that certain lands used by the Department of Corrections, the Department of Management Services, and the Department of Transportation may not be designated as lands acquired for conservation purposes; requiring updated land management plans to identify conservation and nonconservation lands that are no longer used for the purposes for which they were originally leased and that could be disposed of; deleting an obsolete provision; requiring that facilities and nonconservation parcels of land be offered for lease to state agencies before being offered for lease to a local or federal unit of government, state university, Florida College System institution, or private party; providing for the valuation and disposition of surplus lands; providing for the deposit of proceeds from the sale of such lands; authorizing the board of trustees to adopt rules; requiring surplus lands conveyed to a local government for affordable housing to be disposed of by the local government; amending s. 253.111, F.S.; deleting provisions requiring the board of trustees to afford an opportunity to local governments to purchase certain state-owned lands; revising provisions relating to the rights of riparian owners to secure certain state-owned lands; amending s. 253.42, F.S.; authorizing individuals or entities to submit requests to the Division of State Lands to exchange state-owned land for privately held land; requiring the state to retain permanent conservation easements over the state-owned land and all or a portion of the privately held land; requiring the division, under certain circumstances, to submit requests to the Acquisition and Restoration Council for review and recommendation and to the board of trustees with recommendations from the division and the council; providing applicability; directing the board of trustees to consider a request if certain conditions are met; providing special consideration for certain requests; providing that such lands are subject to inspection; amending s. 253.782, F.S.; deleting a provision directing the Department of Environmental Protection to retain ownership of and maintain lands or interests in land owned by the

board of trustees; amending s. 253.7821, F.S.; assigning the Cross Florida Greenways State Recreation and Conservation Area to the Department of Environmental Protection rather than the Office of Greenways Management within the Office of the Secretary; creating s. 253.87, F.S.; directing the Department of Environmental Protection to include certain county, municipal, state, and federal lands in the Florida State-Owned Lands and Records Information System (FL-SO-LARIS) database and to update the database at specified intervals; requiring counties, municipalities, and financially disadvantaged small communities to submit a list of certain lands to the department by a specified date and at specified intervals; directing the department to conduct a study and submit a report to the Governor and the Legislature on the technical and economic feasibility of including certain lands in the database or a similar public lands inventory; amending s. 259.01, F.S.; renaming the "Land Conservation Act of 1972" as the "Land Conservation Program"; repealing s. 259.02, F.S., relating to issuance of state bonds for certain land projects; amending s. 259.032, F.S.; conforming cross-references; revising provisions relating to the management of conservation and recreation lands to conform with changes made by the act; revising duties of the Acquisition and Restoration Council; amending s. 259.035, F.S.; requiring recipients of funds from the Land Acquisition Trust Fund to annually report certain performance measures to the Department of Environmental Protection rather than the Division of State Lands; amending s. 259.036, F.S.; revising the composition of the regional land management review team; providing for the Department of Environmental Protection rather than the Division of State Lands to act as the review team coordinator; revising requirements for conservation and recreation land management reviews and plans; amending s. 259.037, F.S.; removing the director of the Office of Greenways and Trails from the Land Management Uniform Accounting Council; repealing s. 259.041(1)-(6) and (8)-(19), F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.047, F.S.; revising provisions relating to the acquisition of land on which an agricultural lease exists to conform with changes made by the act; amending s. 259.101, F.S.; conforming cross-references; revising provisions relating to alternate use of lands acquired under the Florida Preservation 2000 Act to conform with changes made by the act; deleting provisions for alternatives to fee simple acquisition of such lands to conform with changes made by the act; amending s. 259.105, F.S.; deleting provisions requiring the advancement of certain goals and objectives of imperiled species management on state lands to conform with changes made by the act; conforming cross-references; revising provisions directing the Acquisition and Restoration Council to give increased priority to certain projects when developing proposed rules relating to Florida Forever funding and additions to the Conservation and Recreation Lands list; deleting provisions requiring that such rules be submitted to the Legislature for review; amending s. 259.1052, F.S.; deleting provisions authorizing the Department of Environmental Protection to distribute revenues from the Florida Forever Trust Fund for the acquisition of a portion of Babcock Crescent B Ranch; creating s. 570.715, F.S., and transferring, renumbering, and amending s. 259.04(7), F.S.; providing procedures for the acquisition of conservation easements by the Department of Agriculture and Consumer Services; amending s. 373.089, F.S.; extending the timeframe within which a certified appraisal may be obtained for parcels of land to be sold as surplus; providing an additional exception to the requirement that the governing board first offer title to certain lands; revising the procedures a water management district must follow for publishing a notice of intention to sell surplus lands; providing an exception from such notice requirements if a parcel of land is valued below a certain threshold; authorizing such parcels to be sold directly to the highest bidder; amending ss. 73.015, 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031, 375.041, 380.05, 380.055, 380.508, 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.; conforming cross-references; providing an appropriation and authorizing positions; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs—

CS for SB 7054—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising definitions; repealing s. 393.0641, F.S., relating to a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring the agency to allow an individual to receive specified services if the individual's parent or legal guardian is an active duty military servicemember, under certain circumstances; requiring the agency to send an annual letter requesting updated information to clients, their guardians, or their families; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.066, F.S.; providing for the use of an agency data management system; providing requirements for persons or entities under contract with the agency; amending s. 393.0662, F.S.; revising the allocations methodology that the agency is required to use to develop each client's iBudget; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client's allocated funds; revising duties of the Agency for Health Care Administration relating to the iBudget system; creating s. 393.0663, F.S.; providing legislative findings; establishing The Arc Dental Program in the Agency for Persons with Disabilities; authorizing the agency to enter into a memorandum of agreement with and assist The Arc of Florida; providing requirements for the memorandum of agreement; requiring the agency to submit an annual report to the Governor and the Legislature; providing that implementation of the program is contingent upon an appropriation; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring specified intermediate care facilities to comply with certain requests and inspections by the agency; amending s. 393.11, F.S.; providing for annual reviews for persons involuntarily committed to residential services; requiring the agency to employ or contract with a qualified evaluator; providing requirements for annual reviews; requiring a hearing to be held to consider the results of an annual review; requiring the agency to provide a copy of the review to certain persons; defining a term; repealing s. 24 of chapter 2015-222, Laws of Florida, relating to the abrogation of the scheduled expiration of an amendment to s. 393.067(15), F.S., and the scheduled reversion of the text of that section; repealing s. 26 of chapter 2015-222, Laws of Florida, relating to the abrogation of the scheduled expiration of an amendment to s. 393.18, F.S., and the scheduled reversion of the text of that section; reenacting s. 393.067(15), F.S., relating to contracts between the agency and licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; requiring the supervisor of the clinical director of such programs to meet specified requirements; requiring such programs to include specified components; revising the organization and operation of the components; requiring components of a program to be located within the same agency region; providing for the integration of educational components of the program, including individual education plans, with the local school district of school-aged residents; requiring licensees that have entered into settlement agreements with the agency to comply with the agreement or face disciplinary action; authorizing the agency to approve the proposed admission or readmission of an individual to a program for a specified period of time; providing for an extended stay under certain circumstances; amending s. 393.501, F.S.; conforming provisions to changes made by the act; amending ss. 383.141 and 1002.385, F.S.; conforming cross references; providing effective dates.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 93 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Jones, S., Williams, A., Baxley, Berman, Campbell, Clarke-Reed, Cortes, J., DuBose, Fullwood, Harrell, Jones, M., Lee, Murphy, Narain, Pafford, Pilon, Powell, Torres, Van Zant, Watson, B., Watson, C.—

HB 93—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that permits its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from specified provisions relating to the interception of wire, electronic, and oral communications; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 151 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Cortes, B.—

CS for HB 151—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; authorizing certain persons, business entities, and private investigators to install tracking devices or tracking applications under certain circumstances; deleting a provision concerning persons engaging private investigators; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 231, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Business & Professions Subcommittee and Representative(s) Trujillo, Artilles—

CS for CS for HB 231—A bill to be entitled An act relating to motor vehicle manufacturer licenses; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term "incentive"; revising provisions for denial or chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not

designated by the applicant or licensee; defining the term "goods or services"; creating s. 320.646, F.S.; defining the terms "consumer data" and "data management system"; requiring that a licensee or a third party comply with certain restrictions on reuse or disclosure of consumer data received from a motor vehicle dealer; requiring that such person provide a written statement to the motor vehicle dealer delineating the established procedures adopted by the person which meet or exceed certain requirements to safeguard consumer data; requiring that upon request of a motor vehicle dealer a licensee provide a list of the consumer data obtained and all persons to whom any of the data has been disclosed, subject to certain requirements; prohibiting a licensee from requiring a motor vehicle dealer to grant the licensee or third party access to the dealer's data management system; requiring a licensee to permit a motor vehicle dealer to furnish consumer data in a widely accepted file format and through a third-party vendor selected by the motor vehicle dealer; authorizing a licensee to access or obtain consumer data from a motor vehicle dealer's data management system with the dealer's express written consent, subject to certain requirements; requiring the licensee to indemnify the motor vehicle dealer for certain claims or damages; providing that a person bringing a specified cause of action for certain violations must meet certain requirements; reenacting s. 320.6992, F.S., relating to the provisions that apply to established systems of distribution of motor vehicles in this state, to incorporate s. 320.646, F.S., as created by the act, in a reference thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 371 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Williams, A., Albritton, Costello, Drake, Dudley, Fullwood, Jacobs, Jones, M., Murphy, Pilon, Rouson, Stevenson—

CS for CS for HB 371—A bill to be entitled An act relating to the Florida Council on Poverty; establishing the council within the Department of Economic Opportunity; specifying the membership of the council; providing for organization of the council; authorizing reimbursement for per diem and travel expenses; prescribing the scope of the council's activities; requiring the council to annually submit a report to the Governor and Legislature; requiring the council's abolition by a specific date; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 419 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Burgess—

HB 419—A bill to be entitled An act relating to the Highlands Road and Bridge District, Pasco County; abolishing the district; repealing chapters 8803 (1921), 9568 (1923), 9570 (1923), 13248 (1927), 13249 (1927), and 26125 (1949), Laws of Florida; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 481 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Porter—

HB 481—A bill to be entitled An act relating to the Columbia County Law Library; repealing chapter 61-2045, Laws of Florida; abolishing the library; transferring assets and liabilities; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 519 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Perry—

HB 519—A bill to be entitled An act relating to the Gilchrist County Development Authority; repealing chapters 97-373, 81-382, and 59-1308, Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has adopted CS/HM 601, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local & Federal Affairs Committee and Representative(s) Cortes, B., Campbell, Cortes, J., DuBose, Peters, Plasencia, Pritchett, Rodriguez, J., Torres—

CS for HM 601—A memorial to the Congress of the United States, urging Congress to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 649 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Pigman—

CS for HB 649—A bill to be entitled An act relating to the Eagle Bay Sub-Drainage District, Okeechobee County; repealing chapters 12010 (1927), 19556 (1939), and 21916 (1943), Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 659, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Santiago—

CS for CS for HB 659—A bill to be entitled An act relating to automobile insurance; amending s. 627.0651, F.S.; providing an exception to a provision that deems use of a single zip code as a rating territory for insurance rates to be unfairly discriminatory; requiring the Office of Insurance Regulation to ensure that rates or rate changes contained in certain rate filings are not excessive, inadequate, or unfairly discriminatory; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for nonpayment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing additional forms of premium payment for motor vehicle insurance contracts; authorizing insurers to charge an insufficient funds fee of up to a specified amount; amending s. 627.744, F.S.; requiring the Division of Insurance Fraud of the Department of Financial Services to provide a report on the required preinsurance inspection of private passenger motor vehicles; specifying data to be included in the report; authorizing the Legislature to use specified data in determining the future public necessity for specified provisions; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; specifying additional entities that may receive reimbursement under the Florida Motor Vehicle No-Fault Law regardless of whether they meet a specified licensure requirement; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 773 by the required constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee and Representative(s) Albritton, Kerner, Watson, C.—

CS for HB 773—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing specified exceptions; defining the term "agricultural pole barn" for purposes of the exceptions; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 783 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Trumbull—

CS for CS for CS for HB 783—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; amending s. 717.117, F.S.; providing an exception to unclaimed property reporting requirements; creating s. 717.1235, F.S.; requiring certain unclaimed funds to be deposited with the Chief Financial Officer for certain purposes; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring a copy of certain pleadings to be filed with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising requirements for a power of attorney used in the recovery of unclaimed property; revising applicability; requiring separate acknowledgement of a certain disclosure; deleting a provision that allows deletion of certain wording from a power of attorney; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; amending s. 717.1351, F.S.; revising requirements for contracts to acquire ownership of or entitlement to unclaimed property; requiring separate acknowledgement of a certain disclosure; providing that certain claims are void; deleting a provision that allows deletion of certain wording from a purchase agreement; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing a statement of public policy; amending s. 717.1400, F.S.; removing authority of certain private investigators, accountants, and attorneys to obtain social security numbers; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 785 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee, Local Government Affairs Subcommittee and Representative(s) Lee—

CS for CS for HB 785—A bill to be entitled An act relating to the St. Lucie County Fire District, St. Lucie County; amending chapter 2004-407, Laws of Florida; revising requirements for the district's board of commissioners to borrow money; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 845 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Trumbull—

HB 845—A bill to be entitled An act relating to the Bay County Bridge Authority, Bay County; repealing chapter 84-391, Laws of Florida; abolishing the authority; transferring assets and liabilities of the authority to the Board of County Commissioners of Bay County; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 847 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Burgess—

HB 847—A bill to be entitled An act relating to Pasco County; repealing chapter 99-166, Laws of Florida, relating to sewage treatment facility discharges into coastal waters within the county or waters tributary thereto; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 871 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Clarke-Reed—

HB 871—A bill to be entitled An act relating to Broward County; amending chapter 86-364, Laws of Florida, as amended; repealing a civil penalty for an operator of a vessel exceeding the speed limit in specified waterways; providing applicability; repealing requirements for the erection of waterway speed limit signs; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 891 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Drake—

HB 891—A bill to be entitled An act relating to the Northwest Florida Community Hospital Board of Trustees, Washington County; repealing chapter 88-532, Laws of Florida; abolishing the board; transferring assets and liabilities of the board; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 895 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Boyd—

CS for HB 895—A bill to be entitled An act relating to the West Manatee Fire and Rescue District, Manatee County; amending chapter 2000-401, as amended; revising provisions related to the terms of the members of the district's board of commissioners; deleting obsolete provisions relating to the initial board of commissioners; providing for continuation of the staggered terms of commissioners; confirming certain non-ad valorem assessment rates adopted by the district on a specified date; specifying that the district may amend the non-ad valorem assessment rates as authorized by the district's enabling legislation as provided by general law; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 911 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Hager—

HB 911—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County; repealing chapters 97-324, 86-428, 83-397, 80-496, 79-447, 67-1284, and 25784 (1949), Laws of Florida; repealing the civil service act for the city; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1025 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Energy & Utilities Subcommittee and Representative(s) Antone, Cortes, B.—

CS for CS for HB 1025—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term "utility"; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1051 and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Caldwell, Moraitis—

CS for CS for HB 1051—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring of vessels in specified anchoring limitation areas; providing exceptions; providing applicability; authorizing specified law enforcement officers and agencies to remove and impound vessels or cause vessels to be removed or impounded under certain conditions; providing indemnification for such law enforcement officers and agencies in certain circumstances; providing requirements for contractors performing such removal or impoundment services; providing that certain vessel operators are required to pay removal and storage fees and are subject to specified penalties; providing for expiration; amending s. 327.70, F.S.; providing for issuance of uniform boating citations; amending s. 327.73, F.S.; providing penalties relating to the anchoring of vessels in anchoring limitation areas; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Fiscal Policy.

The Honorable Andy Gardiner, President

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

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Stark, Jenne—

CS for HB 1071—A bill to be entitled An act relating to the South Broward Hospital District, Broward County; amending chapter 2004-397, Laws of Florida; revising the authority of the district's board of commissioners to invest funds; authorizing investments listed in an investment policy adopted by the board pursuant to requirements applicable to various units of local government; deleting a list of authorized investments; revising construction and severability; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1081 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) O'Toole—

HB 1081—A bill to be entitled An act relating to the North Sumter County Hospital District, Sumter County; repealing chapter 2004-451, Laws of Florida; abolishing the district; transferring assets and liabilities of the district to the Board of County Commissioners of Sumter County; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1149 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Spano, Edwards, Rodríguez, J.—

CS for HB 1149—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term "technical violation"; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender's participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1181 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Grant, Artilés—

CS for CS for HB 1181—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; authorizing the award of actual damages; revising provisions authorizing the award of punitive damages; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1221 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Hudson, Pigman—

HB 1221—A bill to be entitled An act relating to Barron Water Control District, Glades and Hendry Counties; amending chapter 2001-301, Laws of Florida; abrogating the scheduled abolition of the district; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1265 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Passidomo—

HB 1265—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; expanding district boundaries; deleting obsolete provisions; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1267 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Passidomo, Artilés—

CS for HB 1267—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; expanding district boundaries; deleting obsolete provisions; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1333, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee and Representative(s) Baxley—

CS for HB 1333—A bill to be entitled An act relating to sexual offenders; amending s. 775.21, F.S.; revising definitions; revising the criteria for a felony offense for which an offender is designated as a

sexual predator; expanding the criteria by removing a requirement that the defendant not be the victim's parent or guardian; revising the information that a sexual predator is required to provide to specified entities under certain circumstances; revising registration and verification requirements imposed upon a sexual predator; conforming provisions to changes made by the act; amending s. 856.022, F.S.; revising the criteria for loitering or prowling by certain offenders; expanding the criteria by removing a requirement that the offender not be the victim's parent or guardian; amending s. 943.0435, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; deleting provisions of applicability; amending s. 943.04354, F.S.; modifying the list of offenses for which a sexual offender or sexual predator must be considered by the department for removal from registration requirements; deleting from the list a conviction or adjudication of delinquency for sexual battery; specifying the appropriate venue for a defendant to move the circuit court to remove the requirement to register as a sexual offender or sexual predator; amending s. 944.606, F.S.; revising definitions; revising the information that the Department of Law Enforcement is required to provide about a sexual offender upon his or her release from incarceration; conforming provisions to changes made by the act; amending s. 944.607, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.481, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.4815, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; amending ss. 92.55, 775.0862, 943.0515, 947.1405, 948.30, 948.31, 1012.315, and 1012.467, F.S.; conforming cross-references; reenacting s. 938.085, F.S., relating to additional costs to fund rape crisis centers, to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 794.056(1), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.0022(3)(g), F.S., relating to level 7 of the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to ss. 775.21, 943.0435, 944.607, and 985.4815, F.S., in references thereto; reenacting s. 985.04(6)(b), F.S., relating to confidential information, to incorporate the amendments made to ss. 775.21, 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S., in references thereto; reenacting ss. 322.141(3) and (4), 948.06(4), and 948.063, F.S., relating to color or markings of certain licenses or identification cards, probation or community control, and violations of probation or community control by designated sexual offenders and sexual predators, respectively, to incorporate the amendments made to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 944.607(10)(c), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 397.4872(2) and 435.07(4)(b), F.S., relating to exemptions from disqualification, to incorporate the amendment made to s. 943.04354, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to ss. 944.606 and 944.607, F.S., in references thereto; reenacting ss. 775.24(2) and 944.608(7), F.S., relating to duty of the court to uphold laws governing sexual predators and sexual offenders and notification to the Department of Law Enforcement of information on career offenders, respectively, to incorporate the amendment made to s. 944.607, F.S., in references thereto; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1355 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Local Government Affairs Subcommittee and Representative(s) Perry—

CS for CS for HB 1355—A bill to be entitled An act relating to the City of Gainesville, Alachua County; amending chapter 12760, Laws of Florida (1927), as amended by chapter 90-394, Laws of Florida, relating to the city's charter; repealing section 3.06 of the charter, relating to the general manager for utilities of Gainesville Regional Utilities; creating the Gainesville Regional Utilities Authority and establishing it as the

governing board of Gainesville Regional Utilities; providing definitions; providing a ballot statement; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1433 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Magar—

HB 1433—A bill to be entitled An act relating to Martin County; repealing chapters 63-1619, 91-389, and 2011-246, Laws of Florida, relating to the issuance of special alcoholic beverage licenses to hotels, motels, motor courts, and certain restaurants; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 190.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 286.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1046.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 3 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for SB 1294; Gibson—SB 418, SM 600, CS for CS for SB 760, CS for CS for SB 1652; Sachs—CS for SB 268, CS for SB 1294, SB 1312; Smith—SM 600, CS for CS for SB 760

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:54 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Monday, March 7 or upon call of the President.



Journal of the Senate

Number 21—Regular Session

Monday, March 7, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—33:

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson

Excused: Senator Lee periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Senator Altman:

Heavenly Father, all powerful, all loving God, creator of the universe, creator of everything that is good: You have placed us here at this point in time, in this special place here in the universe called Florida. You have given us dominion; you have given us authority; and you have given us the opportunity to exercise wisdom and judgment.

We pray for your guidance. We turn to you for your wisdom and we work hard to implement your will. We look to you for power, understanding, patience, but most of all, love. We look to you to enable us to work together in harmony. This is the day that you have made and we give you thanks for these wonderful gifts. We pray this in your name. Amen.

PLEDGE

Senate Pages, Brandon Beebe and Bridget Beebe of Inverness, joined by several children; the President's niece, Abby Boyer; Joey Esposito, Bella Esposito, and Gianna Esposito; and the President's children, Andrew Gardiner, Jr., Joanna Gardiner, and Kathryn Gardiner; led the

Senate in the Pledge of Allegiance to the flag of the United States of America.

BILLS ON THIRD READING

CS for CS for SB 7000—A bill to be entitled An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for SB 7000** was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Soto
Clemens	Hutson	Stargel
Dean	Joyner	Thompson
Detert	Legg	

Nays—None

Vote after roll call:

Yea—Flores, Garcia, Sachs

Vote preference:

March 8, 2016: Yea—Lee

May 6, 2016: Yea—Sobel

Consideration of **SB 7022**, **CS for SB 7050**, **SB 288**, **CS for SB 1322**, **CS for SB 1106**, and **CS for SB 268** was deferred.

CS for SB 1106—A bill to be entitled An act relating to international trust entities; amending s. 663.01, F.S.; defining the term “international trust entity”; creating s. 663.041, F.S.; providing for a moratorium for a specified timeframe on enforcement by the Office of Financial Regulation of certain licensure requirements for certain organizations and entities providing services to international trust companies; providing conditions to apply the moratorium to specified persons of the organization or entity; providing for construction; specifying requirements for a letter to the office to request qualification as a party to the moratorium; requiring the office to confirm specified findings when processing a request; specifying circumstances for establishing adequate supervision; providing procedures and timeframes for the office’s processing of requests and the office’s requests for additional information; providing timeframes for the office to confirm with the organization or entity whether it has been confirmed as a party to the moratorium; requiring the office to issue a notice of denial if it determines that an organization or entity is not a party to the moratorium; providing that a denied organization or entity may request a certain hearing to contest the denial; providing for construction if certain timeframes are not met;

authorizing the office to conduct an onsite visitation of an organization or entity for a specified purpose until a specified time; requiring the office to issue an immediate final order disqualifying an organization or entity if it finds that such organization or entity made a material false statement in its request; providing for construction; providing for future repeal; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for SB 1106** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia, Latvala, Sachs

Vote preference:

March 8, 2016: Yea—Lee

SB 7022—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 406.136, F.S., which provides an exemption from public records requirements for a photograph or video or audio recording held by an agency that depicts or records the killing of a person; narrowing the exemption to depictions or recordings of the killing of a law enforcement officer who was acting in accordance with his or her official duties; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **SB 7022** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Gaetz	Richter
Benacquisto	Galvano	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Garcia, Latvala, Sachs

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for SB 1394** was deferred.

CS for HB 299—A bill to be entitled An act relating to expressway authorities; amending s. 348.0003, F.S.; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority’s governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

—as amended March 4, was read the third time by title.

On motion by Senator Flores, **CS for HB 299**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Gaetz	Richter
Benacquisto	Galvano	Ring
Bradley	Garcia	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Bullard	Hays	Sobel
Clemens	Hukill	Soto
Dean	Hutson	Stargel
Detert	Joyner	Thompson

Nays—None

Vote after roll call:

Yea—Latvala, Sachs

Vote preference:

March 8, 2016: Yea—Lee

HB 819—A bill to be entitled An act relating to the sunset review of Medicaid Dental Services; amending s. 409.973, F.S.; providing for the future removal of dental services as a minimum benefit of managed care plans; requiring the Office of Program Policy Analysis and Government Accountability to provide a report to the Governor and Legislature; specifying requirements for the report; providing for use of the report’s findings; requiring the Agency for Health Care Administration to implement a statewide Medicaid prepaid dental health program upon the occurrence of certain conditions; specifying requirements for the program and the selection of providers; providing effective dates.

—was read the third time by title.

On motion by Senator Negron, **HB 819** was passed and certified to the House. The vote on passage was:

Yeas—35

Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—2

Mr. President Joyner

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 1361—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing county boards to meet and discuss matters of mutual interest with specified counties or municipalities upon due public notice; providing parameters for such meetings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing for certain purposes in certain counties; specifying how the tax increment will be determined; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3175, F.S.; providing that representatives of military installations who serve ex officio on certain local governments' land planning or zoning boards are not required to file a statement of financial interest; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to the Administration Commission; establishing deadlines for the state land planning agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to act; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; providing that comprehensive plan amendments and land development regulations in the Apalachicola Bay Area of critical state concern will be reviewed and approved by the state land planning agency; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; authorizing certain developments to be considered essentially built out when certain reporting requirements of a development order are not met; providing criteria under which one approved land use may be substituted for another approved land use in certain land development agreements under certain circumstances; providing that certain criteria constitute a substantial deviation and shall cause the development to be subject to further review through the notice of proposed change process; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

—as amended March 4, was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for CS for HB 1361**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Diaz de la Portilla	Montford
Abruzzo	Evers	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Hutson	Stargel
Clemens	Latvala	Thompson
Dean	Legg	
Detert	Margolis	

Nays—2

Flores Joyner

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 749—A bill to be entitled An act relating to agriculture; amending 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands replanted in citrus; amending s. 320.51, F.S.; exempting certain farm vehicles from registration requirements under certain circumstances; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; amending s. 704.06, F.S.; providing for conservation easement agreements to include provisions which allow agricultural activities under certain conditions; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for HB 749** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for CS for HB 1133—A bill to be entitled An act relating to applicability of revenue laws to out-of-state businesses during disaster-response periods; amending s. 213.055, F.S.; providing definitions; providing exemptions from certain registration and licensing requirements and taxes for out-of-state businesses and employees that enter the state in response to a disaster or an emergency; specifying the applicability of certain transaction taxes and fees; specifying the obligations and privileges of an out-of-state business or employee after the disaster-response period; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for CS for HB 1133** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for CS for HB 783—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; amending s. 717.117, F.S.; providing an exception to unclaimed property reporting requirements; creating s. 717.1235, F.S.; requiring certain unclaimed funds to be deposited with the Chief Financial Officer for certain purposes; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring a copy of certain pleadings to be filed with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising requirements for a power of attorney used in the recovery of unclaimed property; revising applicability; requiring separate acknowledgement of a certain disclosure; deleting a provision that allows deletion of certain wording from a power of attorney; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; amending s. 717.1351, F.S.; revising requirements for contracts to acquire ownership of or entitlement to unclaimed property; requiring separate acknowledgement of a certain disclosure; providing that certain claims are void; deleting a provision that allows deletion of certain wording from a purchase agreement; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing a statement of public policy; amending s. 717.1400, F.S.; removing authority of certain private investigators, accountants, and attorneys to obtain social security numbers; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for CS for HB 783** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Hutson
Bean	Evers	Joyner
Benacquisto	Flores	Latvala
Bradley	Gaetz	Legg
Brandes	Galvano	Margolis
Braynon	Garcia	Montford
Bullard	Gibson	Negron
Clemens	Grimsley	Richter

Ring	Smith	Stargel
Simmons	Sobel	Thompson
Simpson	Soto	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

HB 549—A bill to be entitled An act relating to offenses concerning racketeering and illegal debts; reordering and amending s. 895.02, F.S.; specifying the earliest date that incidents constituting a pattern of racketeering activity may have occurred; conforming a cross-reference; amending s. 895.05, F.S.; authorizing an investigative agency to institute a civil proceeding for forfeiture in a circuit court in certain circumstances; adding diminution in value as a ground for an action under certain circumstances; removing certain grounds for an action; authorizing a court to order the forfeiture of other property of the defendant up to the value of unavailable property in certain circumstances; authorizing the Department of Legal Affairs to bring an action for certain violations to obtain specified relief, fees, and costs for certain purposes; providing for civil penalties for natural persons and other persons who commit certain violations; providing for deposit of moneys received for certain violations; authorizing a party to a specific civil action to petition the court for entry of a consent decree or for approval of a settlement agreement; providing requirements for such decrees or agreements; amending s. 895.06, F.S.; deleting the definition of “investigative agency” for purposes of provisions relating to civil investigative subpoenas; providing that a subpoena must be confidential for a specified time; restricting to whom the subpoenaed person or entity may disclose the existence of the subpoena; requiring certain information be included in the subpoena; authorizing the investigative agency to apply for an order extending the amount of time the subpoena remains confidential rather than having it extended by the court for a specified period; providing that the investigative agency has the authority to stipulate to protective orders with respect to documents and information submitted in response to a subpoena; amending s. 895.09, F.S.; conforming a cross-reference; providing for distribution of forfeiture proceeds to victims; amending ss. 16.56 and 905.34, F.S.; conforming cross-references; reenacting and amending s. 16.53, F.S., relating to the Department of Legal Affairs Trust Fund, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; conforming a cross-reference; reenacting ss. 27.345(1) and 92.142(3), F.S., relating to the State Attorney RICO Trust Fund and witness pay, respectively, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **HB 549** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for HB 7029** was deferred.

CS for CS for HB 563—A bill to be entitled An act relating to public assistance; amending s. 39.5085, F.S.; revising eligibility guidelines for the Relative Caregiver Program with respect to relative and nonrelative caregivers; amending s. 402.82, F.S.; requiring the Department of Children and Families to impose a replacement fee for electronic benefits transfer cards under certain circumstances; amending s. 414.065, F.S.; revising penalties for noncompliance with the work requirements for temporary cash assistance; limiting the receipt of child-only benefits during periods of noncompliance with work requirements; providing applicability of work requirements before expiration of the minimum penalty period; requiring the Department of Children and Families to refer sanctioned participants to appropriate free and low-cost community services, including food banks; amending s. 414.095, F.S.; revising the consideration of income from illegal noncitizen or ineligible non-citizen family members in determining eligibility for temporary cash assistance; amending s. 445.024, F.S.; requiring the Department of Economic Opportunity, in cooperation with CareerSource Florida, Inc., the regional workforce boards, and the Department of Children and Families, to develop and implement a work plan agreement for participants in the temporary cash assistance program; requiring the plan to identify expectations, sanctions, and penalties for noncompliance with work requirements; reenacting s. 414.045(1), F.S., relating to the cash assistance program, to incorporate the amendment made by the act to s. 414.095, F.S., in a reference thereto; providing a contingent appropriation; providing an effective date.

—as amended March 4, was read the third time by title.

On motion by Senator Hutson, **CS for CS for HB 563**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for HB 373—A bill to be entitled An act relating to mental health counseling interns; amending s. 491.0045, F.S.; revising mental health intern registration requirements; revising requirements for supervision

of registered interns; deleting specified education and experience requirements; establishing a validity period and providing for expiration of intern registrations; amending s. 491.005, F.S.; requiring a licensed mental health professional to be on the premises when a registered intern provides services in clinical social work, marriage and family therapy, and mental health counseling; deleting a clinical experience requirement for such registered interns; deleting a provision requiring that certain registered interns meet educational requirements for licensure; providing an effective date.

—was read the third time by title.

On motion by Senator Legg, **CS for HB 373** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 965—A bill to be entitled An act relating to fire-safety; amending s. 429.41, F.S.; requiring the State Fire Marshal to establish uniform firesafety standards for assisted living facilities; revising provisions relating to the minimum standards that must be adopted by the Department of Elderly Affairs for firesafety in assisted living facilities; clarifying the fees a utility may charge for the installation and maintenance of an automatic fire sprinkler system; providing an exemption from uniform firesafety code requirements for certain assisted living facilities; providing an effective date.

—was read the third time by title.

On motion by Senator Legg, **CS for CS for HB 965** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 1051—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring of vessels in specified anchoring limitation areas; providing exceptions; providing applicability; authorizing specified law enforcement officers and agencies to remove and impound vessels or cause vessels to be removed or impounded under certain conditions; providing indemnification for such law enforcement officers and agencies in certain circumstances; providing requirements for contractors performing such removal or impoundment services; providing that certain vessel operators are required to pay removal and storage fees and are subject to specified penalties; providing for expiration; amending s. 327.70, F.S.; providing for issuance of uniform boating citations; amending s. 327.73, F.S.; providing penalties relating to the anchoring of vessels in anchoring limitation areas; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, CS for CS for HB 1051 was passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Mr. President, Evers, Legg, Abruzzo, Flores, Margolis, Altman, Gaetz, Montford, Bean, Galvano, Richter, Benacquisto, Garcia, Ring, Bradley, Gibson, Simmons, Braynon, Grimsley, Simpson, Bullard, Hays, Smith, Clemens, Hukill, Sobel, Dean, Hutson, Soto, Detert, Joyner, Stargel, Diaz de la Portilla, Latvala, Thompson

Nays—2

Table with 2 columns: Brandes, Negron

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 431—A bill to be entitled An act relating to fire safety; amending s. 633.202, F.S.; providing definitions; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; providing criteria for such classifications; providing that certain structures are subject to annual inspection; specifying applicable fire prevention standards; requiring the State Fire Marshal to adopt rules; revising certain dimensions of a tent that is exempt from the code; requiring that the State Fire Marshal adopt rules; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, CS for CS for HB 431 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, Abruzzo, Altman

Table with 3 columns: Bean, Gaetz, Montford, Benacquisto, Galvano, Negron, Bradley, Garcia, Richter, Brandes, Gibson, Ring, Braynon, Grimsley, Simmons, Bullard, Hays, Simpson, Clemens, Hukill, Smith, Dean, Hutson, Sobel, Detert, Joyner, Soto, Diaz de la Portilla, Latvala, Stargel, Evers, Legg, Thompson, Flores, Margolis

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

HB 303—A bill to be entitled An act relating to unlicensed activity fees; amending s. 455.2281, F.S.; prohibiting the Department of Business and Professional Regulation from imposing a specified fee in certain circumstances; providing for applicability of the waiver; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, HB 303 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, Evers, Margolis, Abruzzo, Flores, Montford, Altman, Gaetz, Negron, Bean, Galvano, Richter, Benacquisto, Garcia, Ring, Bradley, Gibson, Simmons, Brandes, Grimsley, Simpson, Braynon, Hays, Smith, Bullard, Hukill, Sobel, Clemens, Hutson, Soto, Dean, Joyner, Stargel, Diaz de la Portilla, Latvala, Thompson, Legg

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

HB 93—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that permits its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from specified provisions relating to the interception of wire, electronic, and oral communications; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **HB 93** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Grimsley, Sachs

Vote preference:

March 8, 2016: Yea—Lee

SB 288—A bill to be entitled An act relating to state designations; providing an honorary designation of a certain state park in a specified county; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Smith moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (155402) (with title amendment)—Delete lines 11-14 and insert:
Broward County is redesignated as the “Von D. Mizell-Eula Johnson State Park.”

(2) *The following structures at the Von D. Mizell-Eula Johnson State Park are designated or redesignated, as appropriate, as follows:*

- (a) *Boat ramp as the Alphonso Giles Boat Ramp.*
- (b) *Marina pavilion as the Dr. Calvin Shirley Marina Pavilion.*
- (c) *Osprey pavilion as the George and Agnes Burrows Osprey Pavilion.*
- (d) *Leatherback pavilion as the W. George Allen Leatherback Pavilion.*

(3) *The Department of Environmental Protection is directed to erect suitable markers designating the Von D. Mizell-Eula Johnson State Park and the structures as described in subsections (1) and (2).*

And the title is amended as follows:

Delete line 4 and insert: specified county; designating and redesignating structures in the park; directing the Department of

On motion by Senator Smith, **SB 288**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Abruzzo	Altman
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Bean	Flores	Margolis
Benacquisto	Galvano	Montford
Bradley	Garcia	Negron
Brandes	Gibson	Richter
Braynon	Grimsley	Ring
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Hutson	Smith
Detert	Joyner	Sobel
Diaz de la Portilla	Latvala	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Sachs, Soto

Vote preference:

March 8, 2016: Yea—Lee

CS for HB 971—A bill to be entitled An act relating to community development districts; amending s. 190.005, F.S.; amending the acreage threshold for the establishment, by rule or ordinance, of a community development district; revising criteria for requiring a petition for a proposed district to be filed with the Florida Land and Water Adjudicatory Commission; amending s. 190.012, F.S.; authorizing a district to contract with a towing operator to remove vehicles or vessels from specified facilities or properties, subject to certain requirements; amending s. 190.046, F.S.; revising the criteria necessary for amending the boundaries of a district; authorizing up to a certain number of districts to merge into one surviving district, subject to certain requirements; providing for membership of the surviving merged district board; providing requirements of the merger agreement; providing for public hearings subject to certain requirements; prohibiting a petition to merge from being filed within a specified timeframe; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for HB 971** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Hays, Sachs

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for CS for HB 651** was deferred.

HB 7027—A bill to be entitled An act relating to the Department of Transportation; amending ss. 311.07 and 311.09, F.S.; revising the minimum amount of funds that the department must request for the Florida Seaport Transportation and Economic Development Program; amending s. 316.003, F.S.; defining the term “port-of-entry” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.545, F.S.; providing fines for certain commercial motor vehicles that obtain a specified temporary registration permit; amending s. 334.044, F.S.; authorizing the department to assume certain responsibilities of the United States Department of Transportation with respect to highway projects within the state; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under specified federal law; authorizing the department to adopt rules and relevant federal environmental standards; providing a limited waiver of sovereign immunity to civil suit in federal court; amending s. 334.30, F.S.; revising requirements for the development and approval of a proposal to finance or refinance a transportation project; authorizing the Division of Bond Finance of the State Board of Administration to make certain recommendations to the Governor; creating s. 337.027, F.S., relating to highway project contracts; authorizing the department to establish a program that would assist small businesses; defining the term “small business”; authorizing the department to adopt rules; amending s. 338.165, F.S.; removing certain facilities from a list of facilities whose toll revenues may be used to secure bonds; amending s. 338.231, F.S., relating to the turnpike system; revising the length of time that a prepaid toll account must be inactive before reverting to unclaimed property; creating s. 339.0809, F.S.; establishing the Florida Department of Transportation Financing Corporation; providing for a board of directors; providing for membership and organization; providing powers and duties of the corporation; authorizing the corporation to borrow money; providing for effect of dissolution with respect to property owned by the corporation; amending s. 339.135, F.S.; revising requirements for amendments to the department’s adopted work program to be submitted to the Legislative Budget Commission; providing an effective date.

—as amended March 4, was read the third time by title.

On motion by Senator Brandes, **HB 7027**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Stargel
Dean	Joyner	Thompson
Detert	Latvala	
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs, Soto

Vote preference:

March 8, 2016: Yea—Lee

CS for CS/CS/HB 307 & HB 1313—A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a physician to update the registry within a specified

timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient’s legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispensing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the department to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization’s approval under certain circumstances; requiring the department to renew the dispensing organization biennially under certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule ; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; authorizing certain colleges and universities to conduct certain cannabis research; providing an effective date.

—was read the third time by title.

SENATOR RICHTER PRESIDING

THE PRESIDENT PRESIDING

SENATOR RICHTER PRESIDING

On motion by Senator Bradley, **CS for CS/CS/HB 307 & HB 1313** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Galvano	Sachs
Abruzzo	Gibson	Simmons
Bean	Grimsley	Simpson
Bradley	Hays	Smith
Braynon	Hutson	Sobel
Dean	Joyner	Soto
Detert	Margolis	Stargel
Diaz de la Portilla	Montford	Thompson
Flores	Negron	
Gaetz	Richter	

Nays—11

Altman	Clemens	Latvala
Benacquisto	Evers	Legg
Brandes	Garcia	Ring
Bullard	Hukill	

SPECIAL GUESTS

Senator Brandes introduced his parents, Russ and Mary Brandes, who were present in the gallery.

MOTIONS

On motion by Senator Simmons, the rules were waived and the following bills were added to the Special Order Calendar for Tuesday, March 8, 2016: **CS for CS for SB 212, CS for CS for SB 488, CS for SJR 492, CS for CS for SB 766, CS for CS for SB 868, and CS for SJR 1194.**

RECESS

The President declared the Senate in recess at 1:15 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by Senator Gaetz at 2:00 p.m. A quorum present—38:

Mr. President	Gaetz	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Bradley	Hays	Simmons
Brandes	Hukill	Simpson
Braynon	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	

SPECIAL RECOGNITION OF PRESIDENT GARDINER

SPECIAL GUESTS

Senator Gaetz introduced the President's wife, Camille Gardiner; children, Andrew, Joanna Lynn, and Kathryn Lucille; parents, Bill and Linda Gardiner; Camille's parents, Joanne and Richard Wood; and Camille's sister and niece, Julie and Abby Boyer, who were present in the chamber. Senator Gaetz also welcomed friends and family of the Gardiner's who were present in the gallery.

Senator Gaetz introduced the House of Representatives Speaker Designate Richard Corcoran; former Senators Ellyn Bogdanoff and Carey Baker, Lake County Appraiser; former Senate Presidents Jim Scott and Jeff Atwater, Chief Financial Officer; former Speakers Dean Cannon and Tom Feeney; and the Speaker of the House of Representatives Steve Crisafulli, who were present in the chamber.

A video tribute was played honoring President Gardiner.

REMARKS

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

Senator Braynon: Andy made me make a lot of promises about my language and everything I said in my remarks, so I'm going to definitely try to be not the "Angry Andy." You know, the whole thought process behind why we created "Angry Andy" is because Andy's genuinely just a nice guy and, you know, he just really—it's hard for him to say no to people, it's hard for him to tell people when he's upset or anything—it's rare in this process that you find somebody that is just a genuine, nice, great, and good-hearted guy. That's one of the reasons—see and he's always crying up there, and now you're going to make me cry.

I've served in the Senate for about four years now and I guess—coming from the House, the Speaker is so far from you when you're a Democrat—it was just somebody that's sitting up there. Even in our seating chart, when they were a Republican member with you, they were sitting in front of you.

Well, when you come to the Senate, you get to know your presiding officer. Well, this was the presiding officer that when I had a personal issue or anything, I would go sit in his office and I'd just talk to him. He was a friend beyond just being a President.

I'm going to really miss you. I'm going to miss the relationship we had, and anytime you have anybody that's not treating you right, just let your Angry Interpreter know and I'll come and let 'em know.

Senator Gibson: When I first went to the House in 2002, I met Andy. I thought he was a little stiff, but what I've realized is that he just had good posture. During his presidency, I've really come to learn much more about him. Obviously he wasn't stiff because I remember that "Make it Rain" video that he did for the press skit.

One of the greatest things I appreciate about him is his love for family. I mentioned this morning how much family means to me. I see the love and care that he gives to his wife and every one of his children. That's what made him a great President, because family is first. When you come from good roots, through both of the parents of Andy and Camille, it shows in every single thing that you do.

I've appreciated so much the fact that we were able to get out of here early, because I know family was important to you. You know how important family is to the most of us. So, we could never go wrong having a leader like you who understands where everything emanates from. I appreciate you very, very much. I certainly will miss you presiding. I appreciate the relationship that we have developed, not just during your presidency, but in working with you in the Senate. Thank you.

Senator Detert: I've known Andy Gardiner 16 years. We sat next to each other in the House. At one point we didn't always agree on issues; mostly didn't. One time he turned to me and he said, "You're

voting for my bill, right?" I said, "Ah, no." Then he said, "But you sit next to me." I said, "Well then, you'll have to move my chair."

I knew President Gardiner before they had children, and I've got to say, it's been a remarkable pleasure to watch your kids grow and to see what a beautiful family you have. Your wife gets prettier every year. We all remember when Andrew was born. One thing that impressed me is when we swore you in as President, to hear the story of your parents. Those are the kind of parents every kid in the world would love to have, and if everybody had those kind of parents, we wouldn't need to spend a lot of money on most of the problems we're spending a lot of money on.

I was going to save this for my remarks for tomorrow, but I wanted to take the opportunity to personally thank you, President Gardiner, for all the help you've given me on Loveland School. What a great project it's going to be. I hope you will come to the groundbreaking. So, we'll miss you when you are gone but hope to see you in Orlando.

Senator Stargel: Similar to what I said with Senator Altman, I met you through your wife. When my husband was in the House and you were in the House at the time, we would frequently sit up and watch the bills and watch the process. It's so interesting to hear the wife's perspective of the angst, the passion, and the efforts at home that people put into their bills; knowing you from that perspective and then getting to come over here.

You hear all these things about a liberal Senate and, "the liberal Senate did this," and "the liberal Senate did that," but the fact that "the liberal Senate" was able to select a man such as your stature, with your conservative values, with your love of family, and with your love for looking out for the people who maybe don't have a lot of people up there in a lobby corp—who are up there lobbying for them. The things that you've done in this Senate and in this body to further the "little person," the person who doesn't have a voice of their own, the people with unique abilities, the unborn, the people who are on Medicaid and things like that. You've actually run this Senate with the passion of your heart, of what was important to you—not by the bucks, not by the donors, not by the people who pay to be a part of this process—but because it was the right thing to do.

When we've had an issue and come to you, you've been respectful to all the members—the Democrats, the Republicans—you know that we all had our own agenda that we wanted to accomplish. Sometimes we would have liked you to just rule with an iron fist and say, "We're going to do it this way, and not regard those people," but you didn't do that; you did what you thought was best. You knew we all came up here with a passion for what we wanted to accomplish and I thank you. I'm honored to have served in the Senate with you. I look forward to seeing you when you get back to Orlando and working with Camille on many things in the future.

Senator Sobel: Well, first of all, you have a wonderful family—especially your wife and your mother-in-law, who are from Brooklyn—yes, they are fantastic women and your children are beautiful.

I've been in the Legislature 16 years and I'm really proud that, finally, we have a champion for people with unique abilities. We will make a change in the history of the State of Florida that will have such a tremendous impact on kids—whether they're early steps or whether they're in universities. We will see that changes to people with unique abilities will have the opportunities that they deserve—a different perspective on how we view these young children and young adults.

Thanks to this body—which supported you in every way that they could to make this happen—it wouldn't have happened without the rest of us, but you led the way, the charges, and we followed, we actually followed. Some day we will see in our universities and in our youngsters excelling, exceeding, and doing all the things that they could possibly do, and contribute to our society.

I like it when you say, "Don't fear the debate, don't fear the debate." President Gardiner often says that and we just had a tremendous debate on marijuana, we heard all sides, and we voted our conscience—that's what the Senate is about—hearing the debate, working together, coming up with possible solutions, and moving forward. So I thank you for your leadership, from the bottom of my heart, and so will thousands and thousands of youngsters who appreciate what you did today—you and your family—for future generations. Thank you very much.

Senator Ring: President Gardiner, Andy, a few things: First, I want to tell you one of the most enjoyable times I've had this year was when your father and I got to spend quite a bit of time speaking about a month ago. I think we caught each other up for about 30 or 40 minutes—Mr. Gardiner, that was quite a pleasure, thank you, it really was.

So, I'll say a couple of things about you. Number one, we've known each other since I got here. What I marveled at were a few things: First, you knew why you came to elected office—you got it, you had a reason, you had a purpose, and you had a thesis for doing it. You've achieved why you came and everyone obviously has spoken about it before and will after. It's always good to go through anything in life and know why you're actually doing it; that's important. I think that's a lesson for anybody that wants to get into the political world: First and foremost, ask yourself, "Why are you doing this?" You had an answer, you knew why.

Second, and I would say this—as a number of us are terming out—to any future Senate and future presiding officers, what you brought to the Florida Senate and what has been here ever since I was elected—and I think it's so critical and important that it stays—I think you brought it to a whole new level, is the idea of family. We're all in this room together, and sometimes it is us versus them—"them" could be the House or "them" could be the middle of the chamber over there with all the lobbyists—but when the Florida Senate is at its best, it's at its best when it's "us." On multiple occasions that we could list off, you've turned the Senate into "us" and you've created "us" as a family.

The third part about it is speaking, obviously, as someone who is a member of the minority party—yes, every so often we see the 26-14 votes, and that happens—but more times than not, it's not about that. It's not about what political party you are from. You represent half a million people and that makes you an equal as a Senator. I think that was demonstrated several years ago when we had a special session on the contentious issue of the rail, high-speed rail, and SunRail. You were able to ensure—President Atwater was the President at the time—that a Democrat, myself, would be the sponsor of that major piece of legislation—the only piece of legislation we were doing in that special session, that it was called for. So, when you come into politics and you're a member of the minority party—vast minority party—you're certainly not expecting that you're going to be handed the key and only piece of legislation to do during an actual special session. What I don't know if other members know is you weren't Senate President at the time, but you were the one that pushed for me to get that bill. I knew that and I certainly appreciated it, and all the other work that we've worked closely together on we've tried to help children that have unique abilities and everyone else will talk about that because, obviously, that's a legacy that will live past the hundred years that you'll be up on the wall. Thank you.

Senator Hays: Mr. President, I know that behind every successful man is a wonderful wife and a surprised mother-in-law. I'd like to thank both those ladies for sharing you with us, and your entire family, for sharing you with the people of Florida and with the Senate. I also know that behind every successful leader, there's a good team of other leaders that leader has chosen. You've put together a very good team of leaders to raise the hopes of people across Florida, and I certainly respect you for that and the manner in which you have conducted business here. It's been a joy to work with your leadership team and to be a part of it.

Frequently, people say, "Well, tell me about Andy." Unlike Alan, who's loud and boisterous, your favorite expression I think is, "I'm just trying to get Hays to tell you what he really thinks, or come out of his shell." I've been out of my shell a long time! I tell folks, Andy is not like Alan at all—he's very quiet—but he who interprets that quietness as weakness is about to make a very big mistake because you're a picture of strength, when strength needs to be shown. I need a little more of that quietness myself. It would help me sometimes. I appreciate what you've done as our President; I thank you for your leadership; I thank you for your dedication to the task; and certainly have tremendous respect and love for you and your family. It's been a joy to serve with you. Thank you.

Senator Simmons: Senators, I met President Gardiner in probably 2000, when we were both elected to the Florida House of Representatives—part of that famous class of 2000. I remember our Speaker at that time telling each one of us saying, "I see out there in this class

senators, congress people, governors,” and lo and behold, 16 years later, obviously, Senate President.

It is amazing how life throws curves at you, and you have relationships with people you never thought you would have a relationship with, or just how close that relationship can become. For each of us, I know that I measure character not by what life throws at you or challenges you with, but how you respond to it. Character is measured by how you treat other people, specifically people you don't have to treat in a way that they might want to be treated. Character is measured by once you have been given the authority and the power how you treat other people. Character is measured by judicious conduct, fairness, and the constants that, even under stress, those characteristics that you have of honesty and decency remain.

I didn't know until we were in the Senate that President Gardiner and I are fraternity brothers. We laugh about that we have never given each other the secret handshake. The fact of it is that you are a man of character, and Camille, you are a wonderful, wonderful, wife, mother, and leader. You are more than a brother, you are a friend—a great friend. Thank you so much for the opportunity to be a part of your life. Thank you.

Senator Bean: Good afternoon to the Florida Senate and the Wood and Gardiner family. We are glad to have you here. What a big day it is. I had the opportunity to speak on Andy's nomination when we launched this whole leadership thing for the Gardiner family, and yes, we did talk about the class of 2000. There are some great leaders. Our leader of the class of 2000, there is Tom Feeney, Speaker Feeney as we like to refer to him. There's Jeff Atwater from that class of 2000, Chair Simmons, Negron, and so many others. That was a big class and that is where we got the start to our relationship with Andy Gardiner.

Now, I am not big on titles or names or whatnot, but let me tell you the nickname many people in the lobbying corp had for me for the years 2000 to about 2008, which was basically my tenure in the Florida House. The nickname they had for me was, “Andy.” How about that? They called me Andy all the time. I got to like it because, hey, they are thinking of me as up there with Andy Gardiner, and so I answered to basically everything right there. Let me tell you about a particularly awkward day, in fact, it was pictured on the photo montage that we just played earlier. That was just an extremely awkward day when President Gardiner and I wore the exact same suit. How about that? Extremely awkward. We came and we looked at each other. What was even more awkward was that 72 percent of the readers of People Magazine said that President Gardiner wore it better. That was really hard for me to overcome. That was a fun day. We actually milked it for all it was worth.

Let me tell you something. During that nomination speech that I got to second, we talked about his life and the life that Andy Gardiner leads with his family. He is the George Bailey from “It's a Wonderful Life” in our state. The richest man in the Florida Senate with his family sitting beside him is no doubt Andy Gardiner. I am pleased to be confused with him based on his reputation, his love of family. I know Abby wishes she were here today to say, “We salute you Andy Gardiner,” for all that you have done, all that you have stood for, and we are looking forward to seeing the next chapter in your life. We know family is going to be based out of it. Here is to you my friend. God bless you and Godspeed.

Senator Richter: Andy, I would like to address my comments to Andrew, Joanna, and Kathryn. I have had such great fun watching these three beautiful children stare at you with their eyes and watch their chests swell with pride. The pride that they have in their dad, it has been just phenomenal. Every time Andrew comes into this chamber, we do what Andrew? I recall when you were made President, he gave his mom a rub on the head. What a beautiful family. I met President Gardiner for the first time in the lunchroom in the House, seated at a lunch table with Loranne Ausley, you, and me. You won't remember this, but I walked away from that lunch thinking this guy has got to be a nut. They were talking about how far they ran every morning. He would run further every morning than I would drive every week. What a runner. But one thing that showed was everybody knew that Andy Gardiner was always in for the long haul.

When I think of President Gardiner the word that comes to my mind is class. I didn't know you much in the House. I didn't really get to know you until the last four, maybe five or six years here in the Senate, but

class is what comes to my mind. The “C” in class, first off, stands for commitment. The commitment that you have made to your family. The commitment you have made to your priorities. The commitment that you have made to the long run. The “C” also stands for consistent, because you have never swayed from that commitment. You have been consistent. If this montage that we saw this morning was done after we take the pictures here today and those pictures were added to this montage, the pictures of the unveiling of your picture and your family here would not be the picture that you are most proud of. The picture that I am sure you are most proud of was the picture when the Governor signed into legislation the bill that you carried under your arm, in your heart, and in your back pocket on every run that you ever made—mile, after mile, after mile. What a difference that was.

The “C” in class stands for composure. Goodness knows you needed composure, especially last year and this year. The “C” stands for composure. One of the things that you have said in your office on many times, much more than just once, “Doggone it. We are going to be the adults in the room”—composure.

The “L” in class stands for leadership; the leadership that your colleagues have expressed here; the leadership that you have delivered here; the leadership that “L” stands for. It not only stands for leadership, the “L,” more importantly, stands for being a loving father to Andrew, Joanna, and Kathryn—the loving father that you are to them and the loving husband that you are to Camille. It stands for the leadership that you carried from the chamber to here in Tallahassee.

The “A” in class stands for advocate. One thing you have always advocated for is the right thing. If it is the right thing, you want to look up and see who is advocating for it, it is going to be President Gardiner.

The first “S” in class stands for successful. You have gone through the House, you mentioned you were an aide in the House, Majority Leader in the House, then into the Senate, and President of the Senate. That is success. More importantly, the success is measured not only by what you have done for the State of Florida, but your success will be measured in the years ahead as you watch these three beautiful children grow and make you very, very proud. That is what the “S” stands for. It also stands for sincere, because I know you are going to sincerely continue to push for their success so that the success you have they will carry with them on their runs throughout their life.

The last “S” in class stands for something that I know that you are really looking forward to. It stands for sine die.

Senator Smith: Andy moved my parking spot this year and put me on some committees that I really didn't want to be on, so I want to add to his misery today. He is hating life right now. This is the most modest human being I know. Andy does so much for all of us and he is hating life. He is hating that 39 people are going to get up and say good stuff about him. He would rather be up there working on our issues, working on things to make this state Florida. But we have to take this time to say how we feel about him.

I'll just tell a quick story, about one incident that happened about two years ago. Andy and I worked together on some funds for the Urban League, a great program they have that we are continuing. If you are working on the budget, make sure you work that out. So the Urban League said, “We are going to honor you and Senator Gardiner who worked hard on this.” So I called Senator Gardiner and said, “Andy, you know the Urban League wants to do this award for us because this is a great program.” So I told him the date and he said, “Man, my kid's birthday is the next day. We have to get ready for this party and everything.” But in typical Andy fashion he said, “You know what? I would love to come to your district and stand on the stage with you.” So, the day before his kid's birthday, when he is going to have family members and all kind of stuff going on, Andy drove all the way down to Broward County that night just to come to that dinner. Now the great part about it is when he got to Port Everglades, even though he's flown all around this country and done a lot of things, they wouldn't let him in Port Everglades because his license was expired. So, you have done a great job of making sure we have good security at Port Everglades.

So, Andy, as we go forward, next time you cross County Line Road coming into Broward, just give me a holler and I'll vouch for you. Thank you.

Senator Thompson: Senators, I'm from Orange County so I have known of Andy Gardiner for a long time. I knew Andy when he was with the Chamber of Commerce. I knew Andy when we worked on some things with the YMCA together. But I had not really known him, I had known of him.

When I was elected to the Senate, I went to the softball game that the firefighters organize every year. President Gardiner was there, and he was playing on the side of the Republicans and I was cheering for the Democrats. Well, you all know that the Democrats always lose that game. I had an issue that I needed his help with, so I went to see him in his district office on Michigan. I don't remember now what the issue was, but I remember his office being very organized. On his desk, he had a baseball glove. While we talked, he moved the glove from here to there, and toward the end of the meeting I said, "Is this a reminder, this baseball glove, of how badly you all plan to beat us next year when the Democrats play the Republicans?" So he laughed and said, "Oh no, that's not what this is about." I said, "Well, I thought you put it there to kind of intimidate me and let me know that you were gonna win." And sure enough, when we played them again, the Republicans won. Not only did they win, they ran up the score. We had like a basketball score of 56 to 4, or something like that. So every year, I do not look forward to that game because I pretty much know what the outcome is going to be. The other thing about those softball games is that Andy Gardiner would seek me out. He would find me and come and sit with me to establish rapport. We would talk about any number of things just to get to know each other as individuals.

I know that I'll be seeing you in Orlando. I'm sure we will be working on some things in common. Now that you are leaving and you won't be playing on the softball team, maybe the Democrats can win. Thank you.

Senator Soto: President Gardiner and I met under very unique circumstances: I ran against him in the 2006 election! It was under an interesting set of circumstances where one or two Democrats actually had a shot at winning, so several of us filed in different seats to make sure they were contested. I'm just glad we kept it clean—particularly now. I consider the President not only our President, but also a neighbor of mine. He lives about five miles away from us and his house is a little nicer than mine—truth be told.

The main reason why I'm up standing today is because, Mr. President, you've been a champion for Central Florida, from the beginning—particularly at a time when there was so much growth and so much of a need for help. From 2000 onward, our community has progressed by leaps and bounds. Your fight to help with the springs, which, they're under attack in Central Florida, is critical; for SunRail; Medical City at Lake Nona; UCF Medical School; downtown venues; and hopefully we'll add a downtown campus and sensors this year.

So I want to thank you for being a champion for Central Florida and also for helping so much with projects that I've worked on with you, that may happen to be in my district, but also are going to help out all over Central Florida. Thanks for being our champ, Andy. I appreciate it.

Senator Altman: We all have these amazing experiences here in the Senate and in the House. Most of them are public, where we're involved in some public issue, but also, just the remarkable experiences we have. We have incredibly uplifting and life-changing personal experiences. I want to thank President Gardiner for making that happen for me.

Over in the House, we had a very active group. Every Wednesday morning we would meet with a prayer meeting, a prayer breakfast type of meeting, where people would come together. This group was made up of all faiths: Jewish faith, Catholics, Protestants, and Evangelicals; very diverse men and women. It was a time we would come together and really pray for members, family members, and staff who had challenges, share experiences, get to know each other on a very deep and personal level. What I learned about Andy Gardiner is that he is a remarkable man of deep, spiritual faith, and that's what drives him. That particular year, Andy was our leader in the prayer group, and he selected this series of tapes following the book "The Purpose Driven Life," by Rick Warren. Now that's a big deal. Rick Warren was the Evangelical that hosted the public forum on the presidency with Barack Obama and John McCain the first time they met in public, and get this, he did it for the purpose of restoring civility in our civil discourse. Wow, that's appropriate in today's world, isn't it? So we did the series of tapes and lo and

behold, I go to the last meeting, and who's there leading the group? Rick Warren himself. I realized then, this Andy Gardiner is a remarkable guy. When he does something he does it right.

We got to meet Rick Warren. We went to the Governor's Mansion with Governor Bush and had dinner. It was a life-changing experience, the greatest personal experience I've had in my 14 sessions, and I want to thank Andy for that. I want to thank him for his spiritual leadership, his heart is in the right place. It's so good to know that we have leaders—and I can say that about all the members here—there's a strong, spiritual driver in this process to do the right thing, to do God's will, to do what's right for the people of Florida. Thank you for your leadership in that prayer group and your spiritual leadership as well.

Senator Garcia: I was going to start off with a joke, but I am not going to go there. Anyway, you stand up and you wonder what are you going to say about Andy? Andy is such a great guy. He is such a humble guy and we all know that he is, but—Mr. President—I have to say thank you. Thank you for being a leader amongst leaders. You truly have been and truly are. You empowered us in this chamber like I have never seen before. You have empowered the determined to do what they think is right. You have empowered the Senate to take the stand on principle. You empowered each individual member to fight for what we believe in and I know all of us can agree with that because that is what you have done. That is who you are. It wasn't about you, but it was about us and about the residents that we represent. So, Mr. President, and to your family from Orlando that is here, he is not a politician. He truly is a public servant, and it has been an honor for me to serve under Andy Gardiner.

I want to say that I am going to miss him, but I'm really not. I really want you to go because I am tired of working this hard. I have never worked this hard in my life, but—Mr. President—the truth is, that number one, I did not want to disappoint this institution and, number two, I didn't want to disappoint you.

The moment that you asked me to be chairman of the Health Appropriations Committee, I asked, "Are you serious? Are you sure you want to do that?" He saw something in me that I didn't and, Mr. President, for that I will always be eternally grateful. You are not only a President but you are my friend and I thank you for that. Senator Braynon, you got up and said Andy can't say no to anyone. He has said "no" to me plenty of times. So I must be doing something really wrong. But, he has always said it with a smile on his face.

Camille, thank you for giving up Andy to make sure that he leads this Senate and now that you are going home, Mr. President, you have a friend in Miami. I know you are scared of living in Miami Beach. We had a fundraiser in Miami Beach and it happened to be at the Fontainebleau. Do I not go there? But anyway, you should have seen him walking in with his Dockers pants and his plaid shirt. I said, "Mr. President, no, not on the beach. That is not how you dress on the beach."

Anyway, Mr. President, it has been an awesome endeavor to work with you. I will miss you, thank you, and Godspeed Mr. President. Take care.

Senator Flores: I was elected in 2004 in the House. Speaker Bense was my first Speaker and Leader Gardiner was the Majority Leader. As a freshman member of the House, you see the Majority Leader and you know that this is someone who is a big deal. Someone who you don't cross. That was kind of like "House me," not "Senate me." Sorry Leader Galvano and actually Leader Gardiner. At the time, in the House, when I was starting, I said we should not mess with this guy and I knew he was a big deal and I wondered why that was the case. Over the years, we realized that it was because of many of the things that some folks have said, but the real, real reason is because you have a super awesome, amazing wife who is Catholic and Italian. Italian women from the Bronx are almost the same as Cuban women from Miami. So I think that it was more like a healthy level of respect and maybe fear. You were always an incredible leader.

I remember your last session ended with making the very difficult decision about what to do with the issue of insurance companies covering students with autism and other unique abilities and disabilities. At the time it was so hard for us because it was similar to other debates that we have had here in the past. Do you do the right thing for a couple of people when what we really should be fighting for is to do the right

thing for a lot of people? We went back and forth and it was a tough decision for Andy, at the time, because he said, "I know that I could block this, but we have to do the right thing for the people that we can help at the time." We have had opportunities since then to come back, but that was a really difficult decision and I think it was an incredible testament to your leadership to say, "I am going to put myself aside to do what is right for other people."

In 2009, I decided that it would be a really great idea to maybe come over to the Senate in 2010. So I walked over here, and that was also something at the time, well there are a couple House members in here, but at the time, House members just didn't come to the Senate. It was scary and very intimidating, but Senator Gardiner had asked me to talk to him and get some advice about running for the Senate. The particular race I was contemplating was against a couple of individuals who were "tough guys." His advice was, "Listen, you want to do this for the right reasons and you should go for it. Don't be afraid of the tough guy. Don't be afraid of what people are saying. Don't be afraid of everyone saying that you shouldn't do this. If you want to do this because it is for the right reason, then you should." So, we joined in 2010, and I have been honored to be part of Team Andy and Team Gardiner since the very first day when we had to go up against the tough guy, the establishment, and people on the other side when it wasn't popular.

You have always made the right decision. I think that people across the state, not just today, but for generations to come are going to look at the issues that you have championed and know that you have made an incredible difference. To stand up for issues of life is something that is just not popular. I don't think there has ever been a presiding officer that has said, "This is part of my agenda. We are going to get this done." That is so incredible because you think of the difference that you have made and the lives that you have saved and it means a lot to so many different people. There will be people that you will never meet that are here on this earth because of the decisions that you have made. I think that is incredibly powerful.

We have had some losses along the way as well, but we have had mostly wins. Those of you that know me know that I am a very competitive person. I like to be on the winning side and so luckily with Leader/President/Senator Gardiner at the helm, we have had more wins than losses. We have also had a little bit of fun.

So, I will just start wrapping things up by saying a couple of things. In the realm of fun, you know that pit bull is not just a dog, so that I think is very positive. You think that the number 18 is the best number ever. You came up with a really great acronym "CCB," which just means that you don't mess with opinionated colleagues, and I think that you learned that from your wife over there—smart lady.

I know that when all of this is said and done, Andrew, Joanna, Kathryn, and Camille, if the offer is still open and the invitation is still there, Dustin, Maximo, Lucas, and myself would love to spend some time by the pool, cooking out on the Green Egg. I think we will probably have more fun over there than we have over here. Thank you for everything and know that Club 305 will never be the same without you.

Senator Benacquisto: When I decided to run for the Senate in 2009, he didn't know who I was, and I didn't know who Andy Gardiner was. But he had a friend who was a total and complete maniac—Joe Negron, who called me every day. "Have you signed a card, have you signed a card?" You know, I kind of think it's appropriate that I get to meet the guy before I pledge my undying loyalty to him. He said, "Uh, I don't think so. Can you just sign the card?" I said, "Well, no, can you just arrange for me to meet him?" So the President drove to my district. We met in Starbucks. The man that I met that day, who is the absolute, most humble human being, explained to me in great detail what he thought the presidency should be like, what he thought he would want to accomplish while he was here, and the reasons why he was fighting for those policy goals is exactly who he turned out to be when he was in the chair.

If I can say anything, I think that is the greatest accomplishment and the most pride to have invested in a friendship based on a 15 or 20 minute conversation in Starbucks and have the knowledge and experience there out that you are just that great a guy. I, too, like Senator Richter, will look up in that gallery every day and the person that I'm going to miss the most is that little smiley face. Because no matter what we are working on the floor—fearing the loss of a vote, fearing the loss of

a debate, wondering what is going to happen, is our bill going to be pulled up, is our budget item going to go through—it is that good natured happiness that makes us feel good about being here. You did invest in all of us. You empowered chairmen, because I know everybody out there in the world was so happy that I was the Banking and Insurance chairman, and they are going to be so happy to get rid of me. But you invested in us and gave us the ability to see things as we wanted to see them. Call the balls and strikes, as you said, based on what we felt was right for the Senate of the State of Florida.

The greatest accomplishment, and everyone has touched on it, is bringing folks and families out of the shadows, making it known and expected that we will give nothing less than the best opportunities for everyone. We will look back, 10, 20, 30 years from now, knowing that if we did nothing else, we changed culture. That is something we really don't get to talk about that much. We solve food fights, we advance the issues, but you have changed a culture. That will probably be, setting aside every other legislative accomplishment that I can claim as my own, that will be what we end up most proud of for our time in the Senate and our time in helping you pursue those goals.

You will be missed. Doctor Van Nostrand is the greatest Doctor of the Day, ever. And to think, he's going to be gone, too, is just something I can't bear. You, a friend to all, will be missed very much. Thank you so much for your leadership, your friendship, and your belief in us. Thank you.

Senator Lee: It's probably risky for me to do this because I'm a little spent right now. In fact, I hit a new low this morning. At about 9:30 this morning, I had to call my wife, who, thank God is in town, and ask her to bring me my blue jacket to my blue suit. I had walked out with my gray pin-stripe jacket with my blue slacks. The irony is, the people that I'm working with down in the Appropriations suite are so much in a fog like me, they didn't even notice. But I don't want to miss this moment. Some of this I said last year when we were debating the unique abilities bill on the floor and it was clear that it wasn't going to happen. It bears mentioning again today because you have so many of your family and friends in town and they weren't here.

I know that for myself and many of us, we don't really know how this movie is going to end when we come here. Senator Ring mentioned it; you come here with a purpose. Usually it is ideological core values. We try to drive those into government and accomplish things in statutes, but we never really know how this movie is going to end. Time is pretty fickle. In the course of human events, the Gardiner family has been blessed with a son, Andrew, who they love a great deal. Who would have thought, when he started out as an aide down in the House of Representatives, that he would find his purpose for being here in his own child. Many of us have served with leaders in the House, leaders in the Senate, they all come with different agendas. What strikes me as so powerful about President Gardiner is the manner in which he has used his influence as a leader and the purity of his purpose. The purity of his purpose to dedicate his time and his energy to advancing the lives of children, because he has walked in the shoes of parents and he has seen how the unique abilities of children affect lives. How ill-prepared our government is in some ways to help lift those families up, to make it a little easier.

I am so grateful to have had the privilege of serving with a man who used his influence for something like that. I never heard from a special interest group or a lobbyist or anyone trying to lift up these issues on his behalf. It was Andy Gardiner and his wife, Camille, and the inspiration that they have attained from their own personal lives' experience. I should be so lucky as to have dedicated my time to this institution over 14 sessions as well as he has. It has been an honor serving with him. I promised him when he asked me to do this job that I would do everything I could do to make sure that the portrait we are going to unveil, and hang on the wall, will be something he can look at, his children can look at, his grandchildren can look at for generations and have fond memories of his time here. I think that is one of the things we all owe our presiding officers, is to try to do what we can to make their time in this chamber a fond memory. I know we've had some rough patches along the road, but my hope is that when the hanky drops here this Friday, he'll feel that I have fulfilled that commitment. You are a great friend, you are a great man, and it has been an honor, Mr. President, to have served with you.

RETIRING OF PORTRAIT

Senator Gaetz: As is the Senate tradition, the portrait on display on the west side of the chamber will be retired to the Historic Capitol. We pay tribute today for one last time to Senator John B. Johnson, a Democrat from Live Oak, Florida. Senator Johnson was elected in 1907. He served eight terms in the Senate, finishing in 1923. He was the Senate's 35th President. He also was President Pro Tempore. During the same time that he served in the Senate, he also served as the Mayor of the City of Live Oak. After his legislative career, President Johnson went on to serve as the Attorney General of Florida and then as a Circuit Judge in the Second Judicial Circuit. President John B. Johnson died on June 26, 1940, at the age of 71. His portrait will be retired from this chamber and will be hung with honor in the Historic Capitol.

UNVEILING OF PORTRAIT

Senator Gaetz invited President Gardiner, his wife, Camille, their children, Andrew, Joanna Lynn, and Kathryn Lucille, to the front of the chamber where the President's portrait was unveiled by Sergeant at Arms Tim Hay. The portrait was created by artist Jie Ruan of Leon Loard Commission Portraits.

Senator Joyner: Helen Keller once said, "The only thing worse than being blind is having sight, but no vision." President Gardiner, you have that vision. You know firsthand that a disability may be an obstacle, but is not insurmountable. You know those who might seem to take a little longer to grasp a concept and those whose minds have already moved on to tackle greater, more complex questions. You know that humanity is not defined by identical images, but the collection of all the people, in all sizes, colors, talents, strengths, and weaknesses.

As this event marks the countdown to November and the end of your Presidency, you know that you have kept your commitment to your son, Andy, the one you made twelve years ago. Your promise to expect the best from your son is now the promise to expect the best from other children with unique abilities in education and in careers in their lives. You turned dreams into reality by creating a unique path forward for these children. New opportunities born from a vision that others could not see, but God gifted you with the ability to see it, and you have moved on and made your vision a reality. For that, thousands of people in this state 100 years from now, and even the occupants of this great chamber will look and say, "Who are they?" History will record that everybody will know about the Gardiner Scholarship, the one that helps all the kids in this great state with unique abilities. Your legacy has been cast, Mr. President, and I am so blessed to have been here to experience this with you.

We came here together in 2000, and you formed an alliance with a Democrat: you and Loranne Ausley. You were the two running folks. Every time I looked, she was out running and you were out running. On the floor of the House, you all, the two of you, coalesced and made a significant difference. She had a child who was born with unique abilities, and you consoled her. You had a child born with unique abilities, and the two of you together have made history in the state. I saw at that point in my political career, a Republican and a Democrat, people who developed a relationship notwithstanding what party they were or what gender they were. They just coalesced around their running, that eventually ended up being greater than all of that. That has made all the difference for me and countless others in this state.

You know, you never had the big head, as they call that. You've just been an ordinary guy—at first, I thought a little nerdy. I said, "Oh gosh, look at him: upright, handsome, and a gentleman." He didn't talk that smack that some of the others did. Not an Evers or a Dean, but nice, nice Andy Gardiner from Orlando. I like that.

You brought something different to the chamber. Then it ended up that we are here in the Senate together. As something greater than both of us ordained, I became the Leader Designate to serve alongside you as President. You called and said, "Leader Joyner, we need to talk." We did. We met, we talked, and made plans, and we said that this was going to be fun. Our last two years would be fun. It has been just that. We toasted and made a commitment to each other, and we started our Session by dining with R's and D's across the aisle. For that, I am thankful.

You never once said, "No." Senator Garcia, I have never been the recipient of an "Andy Gardiner no." It might have been, "I'll take it under advisement," "I will consider it," and maybe, "Let me take a look at it and I'll get back to you," but never ever a "No." That has made all the difference to me.

I came in pretty partisan, I want you to know that. You know that we had all those satellite trucks out there in 2000, and it was the Bush v. Gore. It was chaos in the House, but we persevered, relationships developed, and now we are at the end of our 16 year career in the Florida Legislature.

When I go back home, you are the person that I can tell people about. I talk all the time, "They aren't mean old guys, we just have a difference of opinion." The one thing that my folks taught me that embodies our relationship is respect for your fellow man's decisions and their values. They are individuals and they are entitled to that right. You just stand up for what you believe in and respect their right to do the same thing. That has made the difference, Andy.

You are a remarkable guy and a wonderful, wonderful father. I see the love that these children have for you and Camille, and it is truly phenomenal, awesome, and outstanding. It reinforces one's commitment to family just to see the love amongst and between the five of you. This whole chamber loves and appreciates that. You are just an ordinary guy who has risen to gargantuan heights. You have made us all proud, and I am so happy that my steps were ordered for me to be here, to be beside you in this chamber. Thank you so much, Mr. President.

Senator Galvano: Before we go any further, you are right. He never did say, "No." He made me say it. Thank you for that, by the way—how to lose friends and influence people. So we have some gifts. I know the Egyptian blue satin is calling your name, but be patient. But before I do, I just want to say a few words and I think I will start with thank you, as well. Thank you for your leadership as a phenomenal President. Also on a personal note, thank you for your friendship, Mr. President. You know when you take the office of President, you don't know what hand you are dealt. We all know that the last couple of years have been some very challenging times. President Gardiner, you have met every challenge with steadiness, with courage, and with poise. I don't think there were many days that went by where you didn't have to make an extremely difficult decision. You met every challenge, you made those decisions, and you did it confidently. I came to really admire the way that you operated. Your patience, your calmness—you never get rattled. That is why it was so funny when Senator Braynon did the "Mad Andy," because you don't get rattled. You are calm. I don't know how many times we were in the office and you said, "Let's just let things bubble for a while. Let them simmer. It is going to answer itself. It will work out." And it did. It was like a second sight that you had beyond the physical to know that things would come together. When you would say, "You know, all we need is a little 'strategy,'" at one point I googled 'strategy'. I was like, "Is that a real word that he is saying?" It actually comes from Saturday Night Live when they were doing George W. Bush, but it worked. I really appreciated it.

You know I watch you generate respect among the members by respecting them, and it is not an easy body. It really isn't. There are so many different personalities. Frankly, everyone is not as even-keeled as Senator Latvala, as mousy as Senator Evers, or as politically correct as Senator Hays. But I digress. You have dealt with these personalities and you have definitely shown me how one earns respect. Throughout this process, and it has been said a couple of times, you have remained extremely humble.

You know I met you when I got elected to the House in 2002, and you are essentially the same guy that I met back then. You truly are. You drink better wine, you dress a little better, but overall you are pretty much the same guy. It has been said here today that you are an example of faith and family. The beauty of it is that, Camille, he doesn't have to articulate it. He doesn't have to tell any of us that is what he is made of. He does it by his actions and he has become an example through that.

I know I am not alone when I say this to you, Mr. President. I have learned a lot from you. There is frankly not a battle that you could be in that I wouldn't want to join you there at your side. Frankly, I am going to truly miss taking that walk from your office around the corner into this chamber. It has been an absolute privilege, sir. It really has.

SPECIAL PRESENTATION

Senators Galvano and Joyner presented the President with a Rolex watch and a plaque honoring his years of service to the Senate.

ADDRESS BY THE PRESIDENT

President Gardiner: I'm going to be brief, because I think the kids have to use the restroom; I might need to, too. I said this last week, on behalf of the Gardiner family: It truly will be an honor for us to follow the Gaetz family for the next hundred years. I truly mean that. You have been a true friend and a rock. It's not a surprise that when the big issues hit, you're in the middle of them—that's your style—but as a servant leader I took every advantage of it, I can assure you of that.

There are a few people that I want to thank: First and foremost, the residents of district 13. For me—we all have our stories of how we got here, and the districts that we represent, and the people that sent you to Tallahassee—but my story started back in 2000. I was just a local kid that went to Blankner, Howard, and Boone High School, and we had this idea of running for office. To think that, to get elected to the House in that class of 2000, to go through 16 years, and to be here, and to know that I'm going home to the exact same place, half a mile from my mom and dad's house, that's pretty good, and that's a real blessing for me.

Second, and probably more important than any, Chris Hart, who—most of you know—we served in the House together. Chris had a line that I've never forgotten. He said, "If you want to make God laugh, tell God what you have planned for your life," and that's true. If it had not been for the plan that God had for me, I may have been that kid that just worked in a bait shop in Key West. When I was in college, my fraternity brothers said, "Yeah, that's what you're going to end up doing. You're going to run a bait shop in Key West." I told Jimmy Buffett that when he came to visit me, that I almost flunked out of school because of him.

God has a plan for each one of us, there's just no doubt about it. To think that I had the opportunity to be elected to the House, Majority Leader of the House, Senate Majority Leader, and then to be given the opportunity to be your Senate President, there is no doubt in my mind that God has a plan for each one of us, every step of the way—there's just no doubt. Plain and simple. It's such an honor to have Speaker Crisafulli here, the Speaker Designate—and I would say this to the President Designate as well, to both of you—enjoy the ride; it's a fleeting moment. Enjoy every moment of it. There has not been a time that I haven't shown up in this office—even through some tough times, we all know it—that I didn't look forward to being here. I loved it. I've loved every moment of it, and I'm sure the Speaker has as well. It's an incredible opportunity to serve the residents of this great State.

There are a couple of people that I want to recognize, the staff. I know Kathy Johnson and Kevin, down here on the floor, handle our district office; thank you for everything you've done. I am going to call out Stacy a little bit. Most of you know Stacy Vancamp-Garcia, but what you don't know is that Stacy has worked for me for 18 or 19 years, give or take. I hired Stacy when she was a student at UCF, just a graduate of Apopka High School, at the Apopka Chamber of Commerce. She worked two days a week, and I said, "We're thinking about running for office, do you have any interest in making a little extra money and working another day or two?" Well that was 18 years ago and she's been here—and when you're on the journey of trying to become Senate President or Speaker, you know your staff becomes the most important people to help you get there, they just are. The reality is, at some point, not sure when the transition happened, most of the lobbyists and most of the members would go see Stacy before they'd come see me. She really has been the rock for our office and a very dear friend for all of us, so Stacy, thank you. Thank you for everything you've done.

The other part of it is—and I've mentioned this to others—you spend all your time to become Senate President, with the members. That's what you do and I love it. I love hanging out at 305, I love all that. Then when you become President, there's a whole new wave of responsibility and things that come into your life, and I could not have picked a better Senate staff than the ones that each of you have worked with over the last two years—I just couldn't have. Starting with, of course, Reynold Meyer, who we have nicknamed Reynaldo Maximus. As you know, sometimes he lurks around a little bit. He's just been an incredible Chief

of Staff. I could not have asked for a better Chief of Staff to keep calm, allow the Senators to be Senators, and just keep the trains running on time. Of course, Carlecia, everybody knows Carlecia. She's the first person you see when you walk in, the first person you see when you leave out; usually she's the one telling you to leave, right? Then Katie, Carol Gormley, Lisa Vickers, Andrew Mackintosh, Debbie, George Levesque. I've gotten to know George more. I told George, "I feel like I should get honorarily allowed into The Florida Bar after all the things that we've been a part of," but George Levesque has done an incredible job—and Cindy. Then of course, somebody that's not only worked for me in the President's Office, but also in the Majority Office, Tony Cortese. Tony has done just an incredible job. A few years ago—this will tell you a lot about Tony—a few years ago we had a little issue here in the Senate about some various things, and Tony was my Staff Director at the time in the Majority Office, and some things were happening. I can remember going in and I said, "Tony, you know, this could be a really bad day," and the first thing he said was, "Let's pray about it." I've never forgotten that. Never forgotten that. I've just been incredibly blessed.

To the members: I can look around this Senate chamber and over 16 years, I can think of a story where each one of you has had an impact on my life. Each one of you. I'm sitting here, I'm looking and I'm thinking of each one of them. Whether it's Aaron Bean and I—Aaron Bean and I did the New York City Marathon together, many years ago. I finished about an hour before him, but we did do—I should have said, "We both completed." I would take up way too much time if I sat here and just said everything. It's just been an absolutely incredible journey. While each of you have talked about my legacy and helping individuals with unique abilities, honestly, it's your legacy, and it's the Speaker's legacy. The only thing I did, is maybe, for two years raise it to a level that people took notice. I couldn't have done it on my own. I mean, none of those bills have my name on them, none of them. They had your names on them; every one of them. For that, I am forever grateful, for everything that you all have done for us as a family. You've embraced our journey. You could have very easily said, "No, Andy. We don't believe in that," or "No, let's work on this or that," and we did, but you embraced what we believed in. For that, I want to thank you.

To my family, my mom and dad: What was said earlier was absolutely true. Senator Detert, everything you said is absolutely true. My dad was a used truck salesman, a one-man show in Orlando. I'm a southsider from Orlando, born and raised, but so was my dad. My dad remembers when Orange Avenue coming into Downtown Orlando was a dirt road. He talks a lot about growing orange trees when he was a kid. When my dad was born in Orlando, the doctor was paid—and it's still a dispute in the family—two dozen eggs or three? Three dozen eggs was the payment to the doctor when my dad was born. Who would have thought that my dad would get to see the Gardiner name up here for a long, long time?

To my children: I know that I've been distracted and busy. I hope that there will come a point—and I think you do now—but I hope when you all grow up and you bring your children here, and they get a chance to—my grandchildren and your grandchildren—they see the picture that you'll be able to say, "You know, he did ok." I love you guys. I've loved having you all up here. I've been blessed. I know the Speaker's kids are in school and it's a little more difficult. I've been blessed to have my children here almost the entire session. That has been just so incredibly special and I want to thank you all. I hope that you'll understand as you grow older why we've done what we've done.

To Camille: I still blame Camille for all of this. I still remember the day—we had just a really easy, simple life, we were newly-married—and she said, "There was a little article about Representative Bill Sublette, and he was not going to run for reelection." He was term limited out—a lot of you all remember Bill. It's her fault because she said, "You know, you ought to run for that seat." When you marry your best friend, they know you better than you know yourself. I never would have run if it had not been for Camille. She knocked on more doors than me, she worked harder than me. To be quite honest, she would have been a better Representative and Senator than me. I cannot thank her enough for the opportunity to go and do this. I'm ready to go home. I am. I feel—you're ready to go home too? Ok. Just a second honey, we'll go home in just a second, I promise.

What I'm going home to are the people that were my closest friends growing up, that are up here in the audience. When we get together, we talk about fishing and baseball, we don't talk about this. They were my

friends then, they've been my friends through all this, and they will be my friends after. Orlando Health, my friends up here all came up. I'm ready to come home, and for that I'm grateful. There are a couple of other people I need to just recognize up here. I see Joel Springer and the team, David Johnson and Christina, the whole crew. Of course, little Robert, who had to travel with me for three or four years. "Sparky," Senator Detert, I think you nicknamed him that.

I'll leave you with this. I'd love to take credit for the quote, but it was President Jeff Atwater that stood right here and said, and I'll never forget it, "Don't fear the debate. Don't fear the debate." We will always have disputes. We will always have differences of opinions with our friends in the House, in the Governor's Office, in the press, whatever it may be. But don't fear the ability to raise an issue. Just don't. If you do, if you walk away from what you believe, then you will forever be sad that you walked away from an opportunity to make a difference, you just will. I've probably lost more issues in this legislative process than I've won, but I never lost sleep at night because I always felt as though I did everything I could to be successful.

To the President Designate: You will absolutely love this. You will. You're going to cry. You're going to laugh. You're going to yell. You will feel every emotion that you can possibly think of, but I will tell you this: Enjoy every minute of it. Surround yourself with people that you enjoy being around, because you will be around them a lot—I can assure you of that.

On behalf of the Gardiner family, and to everybody that has been here and been a part of my political career—which is coming to an end—thank you. Thank you to the press; thank you for everything. Thank you for embracing the Gardiner family on this journey. I cannot thank you enough. It has been truly a humbling experience and it's time to go home. Thank you. Thank you.

BILLS ON THIRD READING, continued

THE PRESIDENT PRESIDING

Consideration of **CS for SB 7050** was deferred.

CS for SB 1322—A bill to be entitled An act relating to juvenile detention costs; amending s. 985.686, F.S.; providing legislative findings and intent; defining a term; revising the annual contributions by certain counties for the costs of detention care for juveniles; revising the methodology by which the Department of Juvenile Justice determines the percentage share for each county; requiring the state to pay all costs of detention care for juveniles residing out of state and for juveniles residing in state detention centers in counties that provide their own detention care for juveniles; deleting a requirement that the Department of Revenue and the counties provide certain technical assistance to the Department of Juvenile Justice; revising the applicability of specified provisions; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing appropriations; providing effective dates.

—as amended March 4, was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (227052) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 985.6865, Florida Statutes, is created to read:

985.6865 *Juvenile detention.*—

(1) *The Legislature finds that various counties and the Department of Juvenile Justice have engaged in a multitude of legal proceedings regarding detention cost sharing for juveniles. Such litigation has largely focused on how the Department of Juvenile Justice calculates the detention costs that the counties are responsible for paying, leading to the*

overbilling of counties for a period of years. Additionally, litigation pending in 2016 is a financial burden on the taxpayers of this state.

(2) *It is the intent of the Legislature that all counties that are not fiscally constrained counties and that have pending administrative or judicial claims or challenges file a notice of voluntary dismissal with prejudice to dismiss all actions pending on or before February 1, 2016, against the state or any state agency related to juvenile detention cost sharing. Furthermore, all counties that are not fiscally constrained shall execute a release and waiver of any existing or future claims and actions arising from detention cost share prior to the 2016-2017 fiscal year. The department may not seek reimbursement from counties complying with this subsection for any underpayment for any cost-sharing requirements before the 2016-2017 fiscal year.*

(3) *As used in this section, the term:*

(a) *"Detention care" means secure detention and respite beds for juveniles charged with a domestic violence crime.*

(b) *"Fiscally constrained county" means a county within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or each county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1.*

(c) *"Total shared detention costs" means the amount of funds expended by the department for the costs of detention care for the prior fiscal year. This amount includes the most recent actual certify forward amounts minus any funds it expends on detention care for juveniles residing in fiscally constrained counties or out of state.*

(4)(a) *Notwithstanding s. 985.686 and for the 2016-2017 state fiscal year, each county that is not a fiscally constrained county that has taken the action fulfilling the intent of this legislation as described in subsection (2) shall pay to the department its annual percentage share of \$42.5 million. By June 1, 2016, the department shall calculate and provide to each county that is not a fiscally constrained county its annual percentage share by dividing the total number of detention days for juveniles residing in that county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. Beginning July 1, 2016, each such county shall pay to the department its annual percentage share of \$42.5 million, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care. This paragraph expires June 30, 2017.*

(b) *Notwithstanding s. 985.686, for the 2017-2018 fiscal year, and each fiscal year thereafter, each county that is not a fiscally constrained county and that has taken the action fulfilling the intent of this section as described in subsection (2) shall pay its annual percentage share of 50 percent of the total shared detention costs. By July 15, 2017, and each year thereafter, the department shall calculate and provide to each county that is not a fiscally constrained county its annual percentage share by dividing the total number of detention days for juveniles residing in the county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. The annual percentage share of each county that is not a fiscally constrained county must be multiplied by 50 percent of the total shared detention costs to determine that county's share of detention costs. Beginning August 1, each such county shall pay to the department its share of detention costs, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care.*

(5) *The state shall pay all costs of detention care for juveniles residing in a fiscally constrained county and for juveniles residing out of state. The state shall pay all costs of detention care for juveniles housed in state detention centers from counties that provide their own detention care for juveniles.*

(6) *Each county that is not a fiscally constrained county and that has taken the action fulfilling the intent of this section as described in subsection (2) shall incorporate into its annual county budget sufficient funds to pay its annual percentage share of the total shared detention costs required by subsection (4).*

(7) Funds paid by the counties to the department pursuant to this section must be deposited into the Shared County/State Juvenile Detention Trust Fund.

(8) The department shall determine each quarter whether the counties are remitting funds as required by this section.

(9) Funds received from counties pursuant to this section are not subject to the service charges provided in s. 215.20.

(10) The department may adopt rules to administer this section.

Section 2. Subsection (2) of section 985.6015, Florida Statutes, is amended to read:

985.6015 Shared County/State Juvenile Detention Trust Fund.—

(2) The fund is established for use as a depository for funds to be used for the costs of ~~pre-disposition~~ juvenile detention. Moneys credited to the trust fund shall consist of funds from the counties' share of the costs for ~~pre-disposition~~ juvenile detention.

Section 3. Paragraph (a) of subsection (11) of section 985.688, Florida Statutes, is amended to read:

985.688 Administering county and municipal delinquency programs and facilities.—

(11)(a) Notwithstanding the provisions of this section, a county is in compliance with this section if:

1. The county provides the full cost for ~~pre-adjudication~~ detention for juveniles;
2. The county authorizes the county sheriff, any other county jail operator, or a contracted provider located inside or outside the county to provide ~~pre-adjudication~~ detention care for juveniles;
3. The county sheriff or other county jail operator is accredited by the Florida Corrections Accreditation Commission or American Correctional Association; and
4. The facility is inspected annually and meets the Florida Model Jail Standards.

Section 4. *Effective July 1, 2016, for the 2016-2017 fiscal year, the sum of \$7.3 million in recurring funds and the sum of \$3.5 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Juvenile Justice for the purpose of implementing s. 985.6865, Florida Statutes, as created by this act. These funds supplement the funds appropriated to the department in the 2016-2017 General Appropriations Act to pay the state's costs for juvenile detention.*

Section 5. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile detention costs; creating s. 985.6865, F.S.; providing legislative findings and intent; defining terms; requiring certain counties that are not fiscally constrained counties to each pay to the Department of Juvenile Justice its annual percentage share of specified amounts for specified fiscal years; requiring such counties to pay its annual percentage share of the specified amounts in 12 equal payments beginning on a specified date; creating the methodology by which the department determines the percentage share for each county; providing an expiration date; requiring the state to pay all costs of detention care for juveniles residing in a fiscally constrained county, residing out of state, and residing in state detention centers in counties that provide their own detention care for juveniles; requiring a county that is not fiscally constrained county to incorporate into its annual budget sufficient funds to pay its annual percentage share; requiring certain funds to be deposited into the Shared County/State Juvenile Detention Trust Fund; requiring the department to determine certain compliance on a quarterly basis; exempting certain funds collected from specified service charges; providing rulemaking; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing appropriations; providing effective dates.

On motion by Senator Latvala, **CS for SB 1322**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 7050—A bill to be entitled An act relating to information technology security; amending s. 20.61, F.S.; revising the membership of the Technology Advisory Council to include a cybersecurity expert; amending s. 282.318, F.S.; revising the duties of the Agency for State Technology; providing that risk assessments and security audits may be completed by a private vendor; providing for the establishment of computer security incident response teams within state agencies; providing for the establishment of an information technology security incident reporting process; providing for information technology security and cybersecurity awareness training; revising duties of state agency heads; establishing computer security incident response team responsibilities; establishing notification procedures and reporting timelines for an information technology security incident or breach; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 7050**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1033** was withdrawn from the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Ring, by two-thirds vote—

CS for CS for CS for HB 1033—A bill to be entitled An act relating to information technology security; amending s. 20.61, F.S.; revising the membership of the Technology Advisory Council to include a cybersecurity expert; amending s. 282.318, F.S.; revising the duties of the Agency for State Technology; providing that risk assessments and security audits may be completed by a private vendor; providing for the establishment of computer security incident response teams within state agencies; providing for the establishment of an information technology security incident reporting process; providing for information technology security and cybersecurity awareness training; revising duties of state agency heads; establishing computer security incident response team responsibilities; establishing notification procedures and reporting timelines for an information technology security incident or breach; amending s. 282.0051, F.S.; requiring the agency to establish an information technology policy for certain state contracts; providing policy requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 7050**, and by two-thirds vote, read the second time by title.

On motion by Senator Ring, by two-thirds vote, **CS for CS for CS for HB 1033** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 268—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing a short title for chapter 2010-217, Laws of Florida, relating to requirements for health education curricula and district school board policies on teen dating violence and abuse; providing an effective date.

—as amended March 4, was read the third time by title.

Pending further consideration of **CS for SB 268**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 229** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Fiscal Policy.

On motion by Senator Ring, by two-thirds vote—

CS for HB 229—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring each school district to review its bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing a short title for chapter 2010-217, Laws of Florida, relating to requirements for health education curricula and district school board policies on teen dating violence and abuse; providing an effective date.

—a companion measure, was substituted for **CS for SB 268**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Ring, by two-thirds vote, **CS for HB 229** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Hutson
Bean	Evers	Joyner
Benacquisto	Gaetz	Latvala
Bradley	Galvano	Legg
Brandes	Garcia	Margolis
Bullard	Gibson	Montford
Clemens	Grimsley	Negron

Richter	Simpson	Stargel
Ring	Smith	Thompson
Sachs	Sobel	
Simmons	Soto	

Nays—None

Vote after roll call:

Yea—Braynon, Flores

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1394—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; defining the terms “service patrol vehicle” and “driver-assistive truck platooning technology”; amending s. 316.126, F.S.; requiring the driver of every other vehicle to take specified actions if a utility service vehicle displaying any visual signals or a service patrol vehicle displaying amber rotating or flashing lights is performing certain tasks on the roadside; amending s. 316.193, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; deleting obsolete provisions; deleting provisions relating to a qualified sobriety and drug monitoring program; directing the department to adopt rules providing for the implementation of the use of certain qualified sobriety and drug monitoring programs; redefining the terms “qualified sobriety and drug monitoring program” and “evidence-based program”; creating a qualified sobriety and drug monitoring pilot program effective on a specified date, subject to certain requirements; requiring a specified court to provide a report to the Governor and the Legislature by a specified date; amending s. 316.1937, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; amending s. 316.235, F.S.; revising requirements relating to a deceleration lighting system for buses; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against actively displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 319.30, F.S.; authorizing insurance companies to receive a salvage certificate of title or certificate of destruction from the department after a specified number of days after payment of a claim as of a specified date, subject to certain requirements; requiring insurance companies seeking such title or certificate of destruction to follow a specified procedure; providing requirements for the request; amending s. 320.02, F.S.; increasing the timeframe within which the owner of any motor vehicle registered in the state must notify the department of a change of address; providing exceptions to such notification; amending s. 320.03, F.S.; providing that an authorized electronic filing agent may charge a fee to the customer for use of the electronic filing system if a specified disclosure is made; amending s. 320.07, F.S.; prohibiting a law enforcement officer from issuing a citation for a specified violation until a certain date; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; revising conditions for discontinuing issuance of a specialty license plate; providing an exception to the minimum requirements for certain specialty license plates; amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; amending s. 320.0843, F.S.; providing for a license plate that combines the Purple Heart license plate with the license plate for persons with disabilities; providing for issuance of such plate to qualified persons; requiring certain wording and symbols on the plate; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term “incentive”; revising provisions for denial or

chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not designated by the applicant or licensee; defining the term “goods or services”; amending s. 322.051, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the identification card of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the card; authorizing a replacement identification card with the symbol without payment of a specified fee under certain circumstances; providing the international symbol for the deaf and hard of hearing; requiring the department to issue or renew an identification card to certain juvenile offenders; requiring that the department’s mobile issuing units process certain identification cards at no charge; amending s. 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the license; authorizing a replacement license without payment of a specified fee under certain circumstances; providing applicability; amending s. 322.19, F.S.; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in his or her legal name; providing exceptions to such requirement; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in the legal residence or mailing address in his or her application, license, or card; amending s. 322.21, F.S.; exempting certain juvenile offenders from a specified fee for an original, renewal, or replacement identification card; amending s. 322.221, F.S.; requiring the department to issue an identification card at no cost at the time a person’s driver license is suspended or revoked due to his or her physical or mental condition; amending s. 322.251, F.S.; requiring the department to include in a certain notice a specified statement; amending s. 322.2715, F.S.; requiring the department to use a certain qualified sobriety and drug monitoring program as an alternative to the placement of an ignition interlock device as of a specified date under certain circumstances; amending s. 765.521, F.S.; requiring the department to maintain an integrated link on its website referring certain visitors to a donor registry; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the Department of Transportation to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; providing effective dates.

—as amended March 4, was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (564610)—Delete line 478 and insert:
316.003(2), and is being operated in autonomous mode, as

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment:

Amendment 2 (822546) (with title amendment)—Delete lines 149-171 and insert:

Section 1. Section 316.003, Florida Statutes, is reordered and amended to read:

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

(1) **AUTHORIZED EMERGENCY VEHICLES.**—Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments, public service corporations operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Health, the Department of Transportation, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any of the various counties.

(3)(2) **BICYCLE.**—Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. No person under the age of 16 may operate or ride upon a motorized bicycle.

(7)(3) **BUS.**—Any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons and any motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(4) **BICYCLE LANE.**—A portion of a roadway or highway that has been designated by pavement markings and signs for the preferential or exclusive use by bicycles.

(8)(4) **BUSINESS DISTRICT.**—The territory contiguous to, and including, a highway when 50 percent or more of the frontage thereon, for a distance of 300 feet or more, is occupied by buildings in use for business.

(9)(5) **CANCELLATION.**—Cancellation means that a license which was issued through error or fraud is declared void and terminated. A new license may be obtained only as permitted in this chapter.

(14)(6) **CROSSWALK.**—

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(15)(7) **DAYTIME.**—The period from a half hour before sunrise to a half hour after sunset. Nighttime means at any other hour.

(16)(8) **DEPARTMENT.**—The Department of Highway Safety and Motor Vehicles as defined in s. 20.24. Any reference herein to Department of Transportation shall be construed as referring to the Department of Transportation, defined in s. 20.23, or the appropriate division thereof.

(17)(9) **DIRECTOR.**—The Director of the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles.

(18)(10) **DRIVER.**—Any person who drives or is in actual physical control of a vehicle on a highway or who is exercising control of a vehicle or steering a vehicle being towed by a motor vehicle.

(19) **DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.**—*Vehicle automation and safety technology that integrates sensor array, wireless vehicle-to-vehicle communications, active safety systems, and specialized software to link safety systems and synchronize acceleration and braking between two vehicles while leaving each vehicle’s steering control and systems command in the control of the vehicle’s driver in compliance with the National Highway Traffic Safety Administration rules regarding vehicle-to-vehicle communications.*

(21)(11) **EXPLOSIVE.**—Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or

other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effect on contiguous objects or of destroying life or limb.

(23)(12) FARM TRACTOR.—Any motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(24)(13) FLAMMABLE LIQUID.—Any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

(26)(14) GROSS WEIGHT.—The weight of a vehicle without load plus the weight of any load thereon.

(28)(15) HOUSE TRAILER.—

(a) A trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place (either permanently or temporarily) and is equipped for use as a conveyance on streets and highways, or

(b) A trailer or a semitrailer the chassis and exterior shell of which is designed and constructed for use as a house trailer, as defined in paragraph (a), but which is used instead, permanently or temporarily, for the advertising, sales, display, or promotion of merchandise or services or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(29)(16) IMPLEMENT OF HUSBANDRY.—Any vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(30)(17) INTERSECTION.—

(a) The area embraced within the prolongation or connection of the lateral curblines; or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

(31)(18) LANED HIGHWAY.—A highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

(32)(19) LIMITED ACCESS FACILITY.—A street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be parkways from which trucks, buses, and other commercial vehicles are excluded; or they may be freeways open to use by all customary forms of street and highway traffic.

(33)(20) LOCAL AUTHORITIES.—Includes all officers and public officials of the several counties and municipalities of this state.

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

(40)(22) MOTORCYCLE.—Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or a moped.

(43)(23) OFFICIAL TRAFFIC CONTROL DEVICES.—All signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

(44)(24) OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

(45)(25) OPERATOR.—Any person who is in actual physical control of a motor vehicle upon the highway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(46)(26) OWNER.—A person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee, or lessee, or mortgagor shall be deemed the owner, for the purposes of this chapter.

(47)(27) PARK OR PARKING.—The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this chapter.

(48)(28) PEDESTRIAN.—Any person afoot.

(49)(29) PERSON.—Any natural person, firm, copartnership, association, or corporation.

(50)(30) PNEUMATIC TIRE.—Any tire in which compressed air is designed to support the load.

(51)(31) POLE TRAILER.—Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(52)(32) POLICE OFFICER.—Any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations, including Florida highway patrol officers, sheriffs, deputy sheriffs, and municipal police officers.

(53)(33) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph (76)(b) (53)(b), any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(54)(34) RADIOACTIVE MATERIALS.—Any materials or combination of materials which emit ionizing radiation spontaneously in which the radioactivity per gram of material, in any form, is greater than 0.002 microcuries.

(55)(35) RAILROAD.—A carrier of persons or property upon cars operated upon stationary rails.

(56)(36) RAILROAD SIGN OR SIGNAL.—Any sign, signal, or device erected by authority of a public body or official, or by a railroad, and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

(57)(37) RAILROAD TRAIN.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except a streetcar.

(58)(38) RESIDENCE DISTRICT.—The territory contiguous to, and including, a highway, not comprising a business district, when the property on such highway, for a distance of 300 feet or more, is, in the main, improved with residences or residences and buildings in use for business.

(59)(39) REVOCATION.—Revocation means that a licensee’s privilege to drive a motor vehicle is terminated. A new license may be obtained only as permitted by law.

(60)(40) **RIGHT-OF-WAY.**—The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

(61)(41) **ROAD TRACTOR.**—Any motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon, either independently or as any part of the weight of a vehicle or load so drawn.

(62)(42) **ROADWAY.**—That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term “roadway” as used herein refers to any such roadway separately, but not to all such roadways collectively.

(63)(43) **SADDLE MOUNT; FULL MOUNT.**—An arrangement whereby the front wheels of one vehicle rest in a secured position upon another vehicle. All of the wheels of the towing vehicle are upon the ground, and only the rear wheels of the towed vehicle rest upon the ground. Such combinations may include one full mount, whereby a smaller transport vehicle is placed completely on the last towed vehicle.

(64)(44) **SAFETY ZONE.**—The area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or so marked by adequate signs or authorized pavement markings as to be plainly visible at all times while set apart as a safety zone.

(66)(45) **SCHOOL BUS.**—Any motor vehicle that complies with the color and identification requirements of chapter 1006 and is used to transport children to or from public or private school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children. The term “school” includes all preelementary, elementary, secondary, and postsecondary schools.

(67)(46) **SEMITRAILER.**—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle.

(68) **SERVICE PATROL VEHICLE.**—*A motor vehicle that bears an emblem or markings with the wording “SERVICE VEHICLE” which is visible from the roadway and clearly indicates that the vehicle belongs to or is under contract with a person, an entity, a cooperative, a board, a commission, a district, or a unit of government that provides highway assistance services to motorists, clears travel lanes, or provides temporary maintenance of traffic support for incident response operations.*

(69)(47) **SIDEWALK.**—That portion of a street between the curb-line, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

(70)(48) **SPECIAL MOBILE EQUIPMENT.**—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(71)(49) **STAND OR STANDING.**—The halting of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this chapter.

(72)(50) **STATE ROAD.**—Any highway designated as a state-maintained road by the Department of Transportation.

(73)(51) **STOP.**—When required, complete cessation from movement.

(74)(52) **STOP OR STOPPING.**—When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a law enforcement officer or traffic control sign or signal.

(76)(53) **STREET OR HIGHWAY.**—

(a) The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic;

(b) The entire width between the boundary lines of any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons, or any limited access road owned or controlled by a special district, whenever, by written agreement entered into under s. 316.006(2)(b) or (3)(b), a county or municipality exercises traffic control jurisdiction over said way or place;

(c) Any area, such as a runway, taxiway, ramp, clear zone, or parking lot, within the boundary of any airport owned by the state, a county, a municipality, or a political subdivision, which area is used for vehicular traffic but which is not open for vehicular operation by the general public; or

(d) Any way or place used for vehicular traffic on a controlled access basis within a mobile home park recreation district which has been created under s. 418.30 and the recreational facilities of which district are open to the general public.

(77)(54) **SUSPENSION.**—Temporary withdrawal of a licensee’s privilege to drive a motor vehicle.

(83)(55) **THROUGH HIGHWAY.**—Any highway or portion thereof on which vehicular traffic is given the right-of-way and at the entrances to which vehicular traffic from intersecting highways is required to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or yield sign, or otherwise in obedience to law.

(84)(56) **TIRE WIDTH.**—Tire width is that width stated on the surface of the tire by the manufacturer of the tire, if the width stated does not exceed 2 inches more than the width of the tire contacting the surface.

(85)(57) **TRAFFIC.**—Pedestrians, ridden or herded animals, and vehicles, streetcars, and other conveyances either singly or together while using any street or highway for purposes of travel.

(88)(58) **TRAILER.**—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle.

(91)(59) **TRUCK.**—Any motor vehicle designed, used, or maintained primarily for the transportation of property.

(92)(60) **TRUCK TRACTOR.**—Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(36)(61) **MIGRANT OR SEASONAL FARM WORKER.**—Any person employed in hand labor operations in planting, cultivation, or harvesting agricultural crops.

(22)(62) **FARM LABOR VEHICLE.**—Any vehicle equipped and used for the transportation of nine or more migrant or seasonal farm workers, in addition to the driver, to or from a place of employment or employment-related activities. The term does not include:

(a) Any vehicle carrying only members of the immediate family of the owner or driver.

(b) Any vehicle being operated by a common carrier of passengers.

(c) Any carpool as defined in s. 450.28(3).

(5)(63) **BICYCLE PATH.**—Any road, path, or way that is open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is

located either within the highway right-of-way or within an independent right-of-way.

(10)(64) CHIEF ADMINISTRATIVE OFFICER.—The head, or his or her designee, of any law enforcement agency which is authorized to enforce traffic laws.

(11)(65) CHILD.—A child as defined in s. 39.01, s. 984.03, or s. 985.03.

(12)(66) COMMERCIAL MOTOR VEHICLE.—Any self-propelled or towed vehicle used on the public highways in commerce to transport passengers or cargo, if such vehicle:

- (a) Has a gross vehicle weight rating of 10,000 pounds or more;
- (b) Is designed to transport more than 15 passengers, including the driver; or
- (c) Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

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

(13)(67) COURT.—The court having jurisdiction over traffic offenses.

(25)(68) GOLF CART.—A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes.

(27)(69) HAZARDOUS MATERIAL.—Any substance or material which has been determined by the secretary of the United States Department of Transportation to be capable of imposing an unreasonable risk to health, safety, and property. This term includes hazardous waste as defined in s. 403.703(13).

(75)(70) STRAIGHT TRUCK.—Any truck on which the cargo unit and the motive power unit are located on the same frame so as to form a single, rigid unit.

(80)(71) TANDEM TRAILER TRUCK.—Any combination of a truck tractor, semitrailer, and trailer coupled together so as to operate as a complete unit.

(81)(72) TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway network consisting primarily of four or more lanes, including all interstate highways; highways designated by the United States Department of Transportation as elements of the National Network; and any street or highway designated by the Florida Department of Transportation for use by tandem trailer trucks, in accordance with s. 316.515, except roads on which truck traffic was specifically prohibited on January 6, 1983.

(82)(73) TERMINAL.—Any location where:

- (a) Freight either originates, terminates, or is handled in the transportation process; or
- (b) Commercial motor carriers maintain operating facilities.

(89)(74) TRANSPORTATION.—The conveyance or movement of goods, materials, livestock, or persons from one location to another on any road, street, or highway open to travel by the public.

(94)(75) VEHICLE.—Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

(6)(76) BRAKE HORSEPOWER.—The actual unit of torque developed per unit of time at the output shaft of an engine, as measured by a dynamometer.

(37)(77) MOPED.—Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels; with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground; and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(42)(78) NONPUBLIC SECTOR BUS.—Any bus which is used for the transportation of persons for compensation and which is not owned, leased, operated, or controlled by a municipal, county, or state government or a governmentally owned or managed nonprofit corporation.

(97)(79) WORK ZONE AREA.—The area and its approaches on any state-maintained highway, county-maintained highway, or municipal street where construction, repair, maintenance, or other street-related or highway-related work is being performed or where one or more lanes is closed to traffic.

(35)(80) MAXI-CUBE VEHICLE.—A specialized combination vehicle consisting of a truck carrying a separable cargo-carrying unit combined with a semitrailer designed so that the separable cargo-carrying unit is to be loaded and unloaded through the semitrailer. The entire combination may not exceed 65 feet in length, and a single component of that combination may not exceed 34 feet in length.

(79)(81) TANDEM AXLE.—Any two axles whose centers are more than 40 inches but not more than 96 inches apart and are individually attached to or articulated from, or both, a common attachment to the vehicle, including a connecting mechanism designed to equalize the load between axles.

(41)(82) MOTORIZED SCOOTER.—Any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

(20)(83) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in this section.

(87)(84) TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or device with the capability of activating a control mechanism mounted on or near traffic signals which alters a traffic signal’s timing cycle.

(95)(85) VICTIM SERVICES PROGRAMS.—Any community-based organization whose primary purpose is to act as an advocate for the victims and survivors of traffic crashes and for their families. The victims services offered by these programs may include grief and crisis counseling, assistance with preparing victim compensation claims excluding third-party legal action, or connecting persons with other service providers, and providing emergency financial assistance.

(38)(86) MOTOR CARRIER TRANSPORTATION CONTRACT.—

- (a) A contract, agreement, or understanding covering:
 1. The transportation of property for compensation or hire by the motor carrier;
 2. Entrance on property by the motor carrier for the purpose of loading, unloading, or transporting property for compensation or hire; or
 3. A service incidental to activity described in subparagraph 1. or subparagraph 2., including, but not limited to, storage of property.

(b) “Motor carrier transportation contract” does not include the Uniform Intermodal Interchange and Facilities Access Agreement administered by the Intermodal Association of North America or other agreements providing for the interchange, use, or possession of intermodal chassis, containers, or other intermodal equipment.

(86)(87) **TRAFFIC INFRACTION DETECTOR.**—A vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

(90)(88) **TRI-VEHICLE.**—An enclosed three-wheeled passenger vehicle that:

- (a) Is designed to operate with three wheels in contact with the ground;
- (b) Has a minimum unladen weight of 900 pounds;
- (c) Has a single, completely enclosed, occupant compartment;
- (d) Is produced in a minimum quantity of 300 in any calendar year;
- (e) Is capable of a speed greater than 60 miles per hour on level ground; and
- (f) Is equipped with:

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

2. A steering wheel used to maneuver the vehicle;

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

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

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

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

(78)(89) **SWAMP BUGGY.**—A motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

(2)(90) **AUTONOMOUS VEHICLE.**—Any vehicle equipped with autonomous technology. The term “autonomous technology” means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(34)(91) **LOCAL HEARING OFFICER.**—The person, designated by a department, county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a), who is authorized to conduct hearings related to a notice of violation issued pursuant to s. 316.0083. The charter county, non-charter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.

(65)(92) **SANITATION VEHICLE.**—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides garbage, trash, refuse, or recycling collection.

(93) **UTILITY SERVICE VEHICLE.**—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides electric, natural gas, water, wastewater, cable, telephone, or communications services.

(96) **VULNERABLE USER OF A PUBLIC ROADWAY OR VULNERABLE USER.**—

(a) *A pedestrian, including a person actually engaged in work upon a highway, work upon utility facilities along a highway, or the provision of emergency services within the right-of-way;*

(b) *A person operating, or who is a passenger on, a bicycle, motorcycle, scooter, or moped lawfully on the roadway;*

(c) *A person riding an animal; or*

(d) *A person lawfully operating on a public roadway, crosswalk, or shoulder of the roadway:*

1. *A farm tractor or similar vehicle designed primarily for farm use;*

2. *A horse-drawn carriage;*

3. *An electric personal assistive mobility device; or*

4. *A wheelchair.*

Section 2. Subsection (1) and paragraphs (e) and (f) of subsection (2) of section 316.027, Florida Statutes, are amended to read:

316.027 Crash involving death or personal injuries.—

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

(a) “serious bodily injury” means an injury to a person, including the driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

(b) “Vulnerable road user” means:

1. ~~A pedestrian, including a person actually engaged in work upon a highway, or in work upon utility facilities along a highway, or engaged in the provision of emergency services within the right of way;~~

2. ~~A person operating a bicycle, motorcycle, scooter, or moped lawfully on the roadway;~~

3. ~~A person riding an animal; or~~

4. ~~A person lawfully operating on a public right of way, crosswalk, or shoulder of the roadway:~~

- a. ~~A farm tractor or similar vehicle designed primarily for farm use;~~

- b. ~~A skateboard, roller skates, or in-line skates;~~

- c. ~~A horse-drawn carriage;~~

- d. ~~An electric personal assistive mobility device; or~~

~~e. A wheelchair.~~

(2)

(e) A driver who violates paragraph (a), paragraph (b), or paragraph (c) shall have his or her driver license revoked for at least 3 years as provided in s. 322.28(4).

1. A person convicted of violating paragraph (a), paragraph (b), or paragraph (c) shall, before his or her driving privilege may be reinstated, present to the department proof of completion of a victim's impact panel session in a judicial circuit if such a panel exists, or if such a panel does not exist, a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway as provided in s. 322.0261(2).

2. The department may reinstate an offender's driving privilege after he or she satisfies the 3-year revocation period as provided in s. 322.28(4) and successfully completes either a victim's impact panel session or a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway as provided in s. 322.0261(2).

3. For purposes of this paragraph, an offender's driving privilege may be reinstated only after the department verifies that the offender participated in and successfully completed a victim's impact panel session or a department-approved driver improvement course.

(f) For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, an offense listed in this subsection is ranked one level above the ranking specified in s. 921.0022 or s. 921.0023 for the offense committed if the victim of the offense was a vulnerable road user.

Section 3. Section 316.083, Florida Statutes, is amended to read:

316.083 Overtaking and passing a vehicle.—The following provisions shall govern the overtaking and passing of a vehicle proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall give an appropriate signal as provided for in s. 316.156, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) The driver of a motor vehicle overtaking a person operating a bicycle or other vulnerable user of a public roadway ~~nonmotorized vehicle~~ must pass the person operating the bicycle or other vulnerable user ~~nonmotorized vehicle~~ at a safe distance of not less than 3 feet between any part of or attachment to the motor vehicle, anything extending from the motor vehicle, or any trailer or other thing being towed by the motor vehicle and the bicycle, the person operating the bicycle, or other vulnerable user ~~nonmotorized vehicle~~.

~~(3)(2)~~ Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle, on audible signal or upon the visible blinking of the headlamps of the overtaking vehicle if such overtaking is being attempted at nighttime, and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.

~~(4)(3)~~ A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318. *If a violation of this section contributes to the bodily injury of a vulnerable user of a public roadway or to the damage to a motor vehicle and bodily injury of a motor vehicle occupant, the law enforcement officer issuing the citation to the responsible party for the violation shall note such information on the citation.*

Section 4. Section 316.084, Florida Statutes, is amended to read:

316.084 When overtaking on the right is permitted.—

(1) The driver of a vehicle may overtake and pass on the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving traffic in each direction;

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

(2) The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

(3) This section does not prohibit a bicycle that is in a bicycle lane or on the shoulder of a roadway or highway from passing another vehicle on the right at the bicycle rider's own risk with no liability to other motor vehicle drivers.

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

Section 5. Section 316.0875, Florida Statutes, is amended to read:

316.0875 No-passing zones.—

(1) The Department of Transportation and local authorities are authorized to determine those portions of any highway under their respective jurisdiction where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones, and, when such signs or markings are in place and clearly visible to an ordinarily observant person, ~~each~~ every driver of a vehicle shall obey the directions thereof.

(2) Where signs or markings are in place to define a no-passing zone as set forth in subsection (1), ~~a no~~ driver may not, ~~shall~~ at any time, drive on the left side of the roadway with such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

(3) This section does not apply to a person who safely and briefly drives to the left of the center of the roadway or pavement striping only to the extent necessary to:

(a) Avoid ~~When an obstruction; exists making it necessary to drive to the left of the center of the highway, nor~~

(b) Turn ~~To the driver of a vehicle turning~~ left into or from an alley, private road, or driveway; or

(c) Comply with the requirements regarding a safe distance to pass a vulnerable user, as required by s. 316.083(2).

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

Section 6. Section 316.151, Florida Statutes, is amended to read:

316.151 Required position and method of turning at intersections.—

(1)(a) *Right turn.*—The driver of a vehicle intending to turn right at an intersection onto a highway, public or private roadway, or driveway shall do so as follows:

~~1.(a) Right turn.~~—Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

2. *When overtaking and passing a bicycle or other vulnerable user proceeding in the same direction, the driver of a motor vehicle shall give an appropriate signal as provided for in s. 316.155 and may make the right turn only if the bicycle or other vulnerable user is at least 20 feet from the highway, public or private roadway, or driveway.*

(b) *Left turn.*—The driver of a vehicle intending to turn left at ~~an~~ *any intersection onto a highway, public or private roadway, or driveway shall do so as follows:*

1. *The driver shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. Thereafter, and, after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered.*

2. A person riding a bicycle and intending to turn left in accordance with this section is entitled to the full use of the lane from which the turn may legally be made. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

~~(c) *Left turn by bicycle.*—In addition to the method of making a left turn described in paragraph (b), a person riding a bicycle and intending to turn left may do so as follows has the option of following the course described hereafter:~~

a. The rider shall approach the turn as close as practicable to the right curb or edge of the roadway;

b. After proceeding across the intersecting roadway, the turn shall be made as close as practicable to the curb or edge of the roadway on the far side of the intersection; and,

c. Before proceeding, the bicyclist shall comply with any official traffic control device or police officer regulating traffic on the highway along which the bicyclist intends to proceed.

(2) The state, county, and local authorities in their respective jurisdictions may cause official traffic control devices to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection. When such devices are so placed, ~~the~~ *no* driver of a vehicle may *not* turn a vehicle at an intersection other than as directed and required by such devices.

(3) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318. *If a violation of this section contributes to the bodily injury of a vulnerable user of a public roadway or the damage to a motor vehicle and injury of a motor vehicle occupant, the law enforcement officer issuing the citation to the responsible party for the violation shall note such information on the citation.*

Section 7. Section 316.1925, Florida Statutes, is amended to read:

316.1925 Careless driving.—

(1) ~~Any~~ *Any* person operating a vehicle upon the streets or highways within the state shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as not to endanger the life, limb, or property of any person. ~~A person who fails~~ *Failure* to drive in such manner ~~commits shall constitute~~ *careless driving and a violation of this section.*

~~(2) Any person who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.~~

(2) If a violation under subsection (1) contributed to the bodily injury of a vulnerable user of a public roadway, the law enforcement officer issuing the citation for the violation shall note such information on the citation.

Section 8. Subsections (1), (5), and (6) of section 316.2065, Florida Statutes, are amended to read:

316.2065 Bicycle regulations.—

(1) *A bicycle is a vehicle under Florida law and shall be operated in the same manner as any other vehicle and every person operating a bicycle propelling a vehicle by human power has all of the rights and all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this chapter, and except as to provisions of this chapter which by their nature can have no application.*

(5)(a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride in the ~~bicycle lane marked for bicycle use~~ *or, if there is no bicycle lane in the roadway is marked for bicycle use, as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:*

1. When overtaking and passing another bicycle or vehicle proceeding in the same direction.

2. When preparing for a left turn at an intersection or into a private road or driveway.

3. When reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane. For the purposes of this subsection, a “substandard-width lane” is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

(6)(a) Persons riding bicycles upon a roadway *or in a bicycle lane* may not ride more than two abreast except on *bicycle* paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and shall ride within a single lane.

(b) When stopping at a stop sign, persons riding bicycles in groups of four or more, after coming to a full stop and obeying all traffic laws, may proceed through the stop sign in a group of 10 or fewer at a time, and motor vehicle operators shall allow that group to travel through the intersection before moving forward.

Section 9. Section 318.19, Florida Statutes, is amended to read:

318.19 Infractions requiring a mandatory hearing.—Any person cited for the infractions listed in this section shall not have the provisions of s. 318.14(2), (4), and (9) available to him or her but must appear before the designated official at the time and location of the scheduled hearing:

(1) Any infraction which results in a crash that causes the death of another;

(2) Any infraction which results in a crash that causes “serious bodily injury” of another as defined in s. 316.1933(1);

(3) Any infraction of s. 316.172(1)(b);

(4) Any infraction of s. 316.520(1) or (2); ~~or~~

(5) Any infraction of s. 316.183(2), s. 316.187, or s. 316.189 of exceeding the speed limit by 30 m.p.h. or more; *or*

(6) Any infraction of s. 316.083, s. 316.151, or s. 316.1925 which contributes to bodily injury of a vulnerable user of a public roadway as defined in s. 316.003. If an infraction listed in this subsection contributes to the bodily injury of a vulnerable user of a public roadway or the damage to a motor vehicle and injury of a motor vehicle occupant, the law enforcement officer issuing the citation to the responsible party for the infraction shall note such information on the citation.

Section 10. Subsection (2) of section 322.0261, Florida Statutes, is amended to read:

322.0261 Driver improvement course; requirement to maintain driving privileges; failure to complete; department approval of course.—

(2) With respect to an operator convicted of, or who pleaded nolo contendere to, a traffic offense giving rise to a crash identified in paragraph (1)(a) or paragraph (1)(b), the department shall require that the operator, in addition to other applicable penalties, attend a department-approved driver improvement course in order to maintain his or her driving privileges. The department shall include in the course

curriculum instruction specifically addressing the rights of vulnerable road users as defined in s. 316.003 ~~316.027~~ relative to vehicles on the roadway. If the operator fails to complete the course within 90 days after receiving notice from the department, the operator's driver license shall be canceled by the department until the course is successfully completed.

Section 11. Paragraph (c) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles:

1. When a motor vehicle is leased or rented for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

Section 12. Subsection (1) of section 316.1303, Florida Statutes, is amended to read:

316.1303 Traffic regulations to assist mobility-impaired persons.—

(1) Whenever a pedestrian who is mobility impaired is in the process of crossing a public street or highway with the assistance of a guide dog or service animal designated as such with a visible means of identification, a walker, a crutch, an orthopedic cane, or a wheelchair, the driver of a vehicle approaching the intersection, as defined in s. 316.003 ~~316.003(17)~~, shall bring his or her vehicle to a full stop before arriving at the intersection and, before proceeding, shall take precautions necessary to avoid injuring the pedestrian.

Section 13. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 316.545, Florida Statutes, are amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(2)

(b) The officer or inspector shall inspect the license plate or registration certificate of the commercial vehicle, as defined in s. 316.003

~~316.003(66)~~, to determine if its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the declared weight, the penalty shall be 5 cents per pound on the difference between such weights. In those cases when the commercial vehicle, as defined in s. 316.003 ~~316.003(66)~~, is being operated over the highways of the state with an expired registration or with no registration from this or any other jurisdiction or is not registered under the applicable provisions of chapter 320, the penalty herein shall apply on the basis of 5 cents per pound on that scaled weight which exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen commercial motor vehicle. If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed \$1,000. In the case of special mobile equipment as defined in s. 316.003 ~~316.003(48)~~, which qualifies for the license tax provided for in s. 320.08(5)(b), being operated on the highways of the state with an expired registration or otherwise not properly registered under the applicable provisions of chapter 320, a penalty of \$75 shall apply in addition to any other penalty which may apply in accordance with this chapter. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of chapter 320 is not subject to the delinquent fee authorized in s. 320.07 if such person obtains a valid registration certificate within 10 working days after such penalty was assessed.

(4)(a) No commercial vehicle, as defined in s. 316.003 ~~316.003(66)~~, shall be operated over the highways of this state unless it has been properly registered under the provisions of s. 207.004. Whenever any law enforcement officer identified in s. 207.023(1), upon inspecting the vehicle or combination of vehicles, determines that the vehicle is in violation of s. 207.004, a penalty in the amount of \$50 shall be assessed, and the vehicle may be detained until payment is collected by the law enforcement officer.

Section 14. Subsection (2) of section 316.605, Florida Statutes, is amended to read:

316.605 Licensing of vehicles.—

(2) Any commercial motor vehicle, as defined in s. 316.003 ~~316.003(66)~~, operating over the highways of this state with an expired registration, with no registration from this or any other jurisdiction, or with no registration under the applicable provisions of chapter 320 shall be in violation of s. 320.07(3) and shall subject the owner or operator of such vehicle to the penalty provided. In addition, a commercial motor vehicle found in violation of this section may be detained by any law enforcement officer until the owner or operator produces evidence that the vehicle has been properly registered and that any applicable delinquent penalties have been paid.

Section 15. Subsection (6) of section 316.6105, Florida Statutes, is amended to read:

316.6105 Violations involving operation of motor vehicle in unsafe condition or without required equipment; procedure for disposition.—

(6) This section does not apply to commercial motor vehicles as defined in s. 316.003 ~~316.003(66)~~ or transit buses owned or operated by a governmental entity.

Section 16. Paragraph (a) of subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term "motor vehicle" means a motor vehicle as defined in s. 316.003 that is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus as defined in s. 316.003 ~~316.003(45)~~.

Section 17. Subsection (8) of section 316.622, Florida Statutes, is amended to read:

316.622 Farm labor vehicles.—

(8) The department shall provide to the Department of Business and Professional Regulation each quarter a copy of each accident report involving a farm labor vehicle, as defined in s. 316.003 ~~316.003(62)~~, commencing with the first quarter of the 2006-2007 fiscal year.

Section 18. Paragraph (b) of subsection (1) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(1)

(b) The department shall prepare, and supply to every traffic enforcement agency in the state, an appropriate affidavit-of-compliance form that shall be issued along with the form traffic citation for any violation of s. 316.610 and that indicates the specific defect needing to be corrected. However, such affidavit of compliance shall not be issued in the case of a violation of s. 316.610 by a commercial motor vehicle as defined in s. 316.003 ~~316.003(66)~~. Such affidavit-of-compliance form shall be distributed in the same manner and to the same parties as is the form traffic citation.

Section 19. Subsection (1) of section 316.70, Florida Statutes, is amended to read:

316.70 Nonpublic sector buses; safety rules.—

(1) The Department of Transportation shall establish and revise standards to assure the safe operation of nonpublic sector buses, as defined in s. 316.003 ~~316.003(79)~~, which standards shall be those contained in 49 C.F.R. parts 382, 385, and 390-397 and which shall be directed towards assuring that:

(a) Nonpublic sector buses are safely maintained, equipped, and operated.

(b) Nonpublic sector buses are carrying the insurance required by law and carrying liability insurance on the checked baggage of passengers not to exceed the standard adopted by the United States Department of Transportation.

(c) Florida license tags are purchased for nonpublic sector buses pursuant to s. 320.38.

(d) The driving records of drivers of nonpublic sector buses are checked by their employers at least once each year to ascertain whether the driver has a suspended or revoked driver license.

Section 20. Paragraph (a) of subsection (1) of section 320.01, Florida Statutes, is amended to read:

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

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, special mobile equipment as defined in s. 316.003 ~~316.003(48)~~, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

Section 21. Section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(3) ~~316.003(2)~~, tri-vehicles as defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: \$10 flat.

(b) Any moped: \$5 flat.

(c) Upon registration of a motorcycle, motor-driven cycle, or moped, in addition to the license taxes specified in this subsection, a non-refundable motorcycle safety education fee in the amount of \$2.50 shall be paid. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.

(d) An ancient or antique motorcycle: \$7.50 flat, of which \$2.50 shall be deposited into the General Revenue Fund.

(2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

(a) An ancient or antique automobile, as defined in s. 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

(b) Net weight of less than 2,500 pounds: \$14.50 flat.

(c) Net weight of 2,500 pounds or more, but less than 3,500 pounds: \$22.50 flat.

(d) Net weight of 3,500 pounds or more: \$32.50 flat.

(3) TRUCKS.—

(a) Net weight of less than 2,000 pounds: \$14.50 flat.

(b) Net weight of 2,000 pounds or more, but not more than 3,000 pounds: \$22.50 flat.

(c) Net weight more than 3,000 pounds, but not more than 5,000 pounds: \$32.50 flat.

(d) A truck defined as a “goat,” or other vehicle if used in the field by a farmer or in the woods for the purpose of harvesting a crop, including naval stores, during such harvesting operations, and which is not principally operated upon the roads of the state: \$7.50 flat. The term “goat” means a motor vehicle designed, constructed, and used principally for the transportation of citrus fruit within citrus groves or for the transportation of crops on farms, and which can also be used for hauling associated equipment or supplies, including required sanitary equipment, and the towing of farm trailers.

(e) An ancient or antique truck, as defined in s. 320.086: \$7.50 flat.

(4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS VEHICLE WEIGHT.—

(a) Gross vehicle weight of 5,001 pounds or more, but less than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be deposited into the General Revenue Fund.

(b) Gross vehicle weight of 6,000 pounds or more, but less than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

(c) Gross vehicle weight of 8,000 pounds or more, but less than 10,000 pounds: \$103 flat, of which \$27 shall be deposited into the General Revenue Fund.

(d) Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.

(e) Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.

(f) Gross vehicle weight of 20,000 pounds or more, but less than 26,001 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.

(g) Gross vehicle weight of 26,001 pounds or more, but less than 35,000: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

(h) Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.

(i) Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$773 flat, of which \$201 shall be deposited into the General Revenue Fund.

(j) Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$916 flat, of which \$238 shall be deposited into the General Revenue Fund.

(k) Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.

(l) Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(m) Notwithstanding the declared gross vehicle weight, a truck tractor used within a 150-mile radius of its home address is eligible for a license plate for a fee of \$324 flat if:

1. The truck tractor is used exclusively for hauling forestry products; or
2. The truck tractor is used primarily for the hauling of forestry products, and is also used for the hauling of associated forestry harvesting equipment used by the owner of the truck tractor.

Of the fee imposed by this paragraph, \$84 shall be deposited into the General Revenue Fund.

(n) A truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products within a 150-mile radius of its home address, is eligible for a restricted license plate for a fee of:

1. If such vehicle's declared gross vehicle weight is less than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.
2. If such vehicle's declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports from the point of production to the point of primary manufacture; to the point of assembling the same; or to a shipping point of a rail, water, or motor transportation company, \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products may be incidentally used to haul farm implements and fertilizers delivered direct to the growers. The department may require any documentation deemed necessary to determine eligibility prior to issuance of this license plate. For the purpose of this paragraph, "not-for-hire" means the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of the farm implements and fertilizer being delivered.

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(a)1. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$13.50 flat per registration year or any part thereof, of which \$3.50 shall be deposited into the General Revenue Fund.

2. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$68 flat per permanent registration, of which \$18 shall be deposited into the General Revenue Fund.

(b) A motor vehicle equipped with machinery and designed for the exclusive purpose of well drilling, excavation, construction, spraying, or similar activity, and which is not designed or used to transport loads other than the machinery described above over public roads: \$44 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(c) A school bus used exclusively to transport pupils to and from school or school or church activities or functions within their own county: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(d) A wrecker, as defined in s. 320.01, which is used to tow a vessel as defined in s. 327.02, a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01, or a replacement motor vehicle as defined in s. 320.01: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(e) A wrecker that is used to tow any nondisabled motor vehicle, a vessel, or any other cargo unless used as defined in paragraph (d), as follows:

1. Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.
2. Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.
3. Gross vehicle weight of 20,000 pounds or more, but less than 26,000 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.
4. Gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.
5. Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.
6. Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$772 flat, of which \$200 shall be deposited into the General Revenue Fund.
7. Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$915 flat, of which \$237 shall be deposited into the General Revenue Fund.
8. Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.
9. Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(f) A hearse or ambulance: \$40.50 flat, of which \$10.50 shall be deposited into the General Revenue Fund.

(6) MOTOR VEHICLES FOR HIRE.—

(a) Under nine passengers: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Nine passengers and over: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(7) TRAILERS FOR PRIVATE USE.—

(a) Any trailer weighing 500 pounds or less: \$6.75 flat per year or any part thereof, of which \$1.75 shall be deposited into the General Revenue Fund.

(b) Net weight over 500 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1 per cwt, of which 25 cents shall be deposited into the General Revenue Fund.

(8) TRAILERS FOR HIRE.—

(a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Net weight 2,000 pounds or more: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(9) RECREATIONAL VEHICLE-TYPE UNITS.—

(a) A travel trailer or fifth-wheel trailer, as defined by s. 320.01(1)(b), that does not exceed 35 feet in length: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

(b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(c) A motor home, as defined by s. 320.01(1)(b)4.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(d) A truck camper as defined by s. 320.01(1)(b)3.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(e) A private motor coach as defined by s. 320.01(1)(b)5.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS; 35 FEET TO 40 FEET.—

(a) Park trailers.—Any park trailer, as defined in s. 320.01(1)(b)7.: \$25 flat.

(b) A travel trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

(11) MOBILE HOMES.—

(a) A mobile home not exceeding 35 feet in length: \$20 flat.

(b) A mobile home over 35 feet in length, but not exceeding 40 feet: \$25 flat.

(c) A mobile home over 40 feet in length, but not exceeding 45 feet: \$30 flat.

(d) A mobile home over 45 feet in length, but not exceeding 50 feet: \$35 flat.

(e) A mobile home over 50 feet in length, but not exceeding 55 feet: \$40 flat.

(f) A mobile home over 55 feet in length, but not exceeding 60 feet: \$45 flat.

(g) A mobile home over 60 feet in length, but not exceeding 65 feet: \$50 flat.

(h) A mobile home over 65 feet in length: \$80 flat.

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund.

(13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or official license plate: \$4 flat, of which \$1 shall be deposited into the General Revenue Fund.

(14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor vehicle for hire operated wholly within a city or within 25 miles thereof: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(15) TRANSPORTER.—Any transporter license plate issued to a transporter pursuant to s. 320.133: \$101.25 flat, of which \$26.25 shall be deposited into the General Revenue Fund.

Section 22. Subsection (1) of section 320.0801, Florida Statutes, is amended to read:

320.0801 Additional license tax on certain vehicles.—

(1) In addition to the license taxes specified in s. 320.08 and in subsection (2), there is hereby levied and imposed an annual license tax of 10 cents for the operation of a motor vehicle, as defined in s. 320.01, and moped, as defined in s. 316.003 ~~316.003(77)~~, which tax shall be paid to the department or its agent upon the registration or renewal of registration of the vehicle. Notwithstanding the provisions of s. 320.20, revenues collected from the tax imposed in this subsection shall be deposited in the Emergency Medical Services Trust Fund and used solely for the purpose of carrying out the provisions of ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter 87-399, Laws of Florida.

Section 23. Section 320.38, Florida Statutes, is amended to read:

320.38 When nonresident exemption not allowed.—The provisions of s. 320.37 authorizing the operation of motor vehicles over the roads of this state by nonresidents of this state when such vehicles are duly registered or licensed under the laws of some other state or foreign country do not apply to any nonresident who accepts employment or engages in any trade, profession, or occupation in this state, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~. In every case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in any trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 10 days after the commencement of such employment or education, register his or her motor vehicles in this state if such motor vehicles are proposed to be operated on the roads of this state. Any person who is enrolled as a student in a college or university and who is a nonresident but who is in this state for a period of up to 6 months engaged in a work-study program for which academic credits are earned from a college whose credits or degrees are accepted for credit by at least three accredited institutions of higher learning, as defined in s. 1005.02, is not required to have a Florida registration for the duration of the work-study program if the person's vehicle is properly registered in another jurisdiction. Any nonresident who is enrolled as a full-time student in such institution of higher learning is also exempt for the duration of such enrollment.

Section 24. Subsection (1) of section 322.031, Florida Statutes, is amended to read:

322.031 Nonresident; when license required.—

(1) In each case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in a trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 30 days after beginning such employment or education, be required to obtain a Florida driver license if such nonresident operates a motor vehicle on the highways of this state. The spouse or dependent child of such nonresident shall also be required to obtain a Florida driver license within that 30-day period before operating a motor vehicle on the highways of this state.

Section 25. Subsection (3) of section 450.181, Florida Statutes, is amended to read:

450.181 Definitions.—As used in part II, unless the context clearly requires a different meaning:

(3) The term "migrant laborer" has the same meaning as migrant or seasonal farm workers as defined in s. 316.003 ~~316.003(61)~~.

Section 26. Subsection (5) of section 559.903, Florida Statutes, is amended to read:

559.903 Definitions.—As used in this act:

(5) “Motor vehicle” means any automobile, truck, bus, recreational vehicle, motorcycle, motor scooter, or other motor powered vehicle, but does not include trailers, mobile homes, travel trailers, trailer coaches without independent motive power, watercraft or aircraft, or special mobile equipment as defined in s. 316.003 ~~316.003(48)~~.

Section 27. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

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

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(76)(a) or (b) ~~316.003(52)(a) or (b)~~, including any adjacent sidewalk, as defined in s. 316.003 ~~316.003(47)~~.

Section 28. Paragraph (b) of subsection (2) of section 732.402, Florida Statutes, is amended to read:

732.402 Exempt property.—

(2) Exempt property shall consist of:

(b) Two motor vehicles as defined in s. 316.003 ~~316.003(21)~~, which do not, individually as to either such motor vehicle, have a gross vehicle weight in excess of 15,000 pounds, held in the decedent’s name and regularly used by the decedent or members of the decedent’s immediate family as their personal motor vehicles.

Section 29. Subsection (1) of section 860.065, Florida Statutes, is amended to read:

860.065 Commercial transportation; penalty for use in commission of a felony.—

(1) It is unlawful for any person to attempt to obtain, solicit to obtain, or obtain any means of public or commercial transportation or conveyance, including vessels, aircraft, railroad trains, or commercial vehicles as defined in s. 316.003 ~~316.003(66)~~, with the intent to use such public or commercial transportation or conveyance to commit any felony or to facilitate the commission of any felony.

Section 30. For the purpose of incorporating the amendment made by this act to section 316.1925, Florida Statutes, in a reference thereto, paragraph (b) of subsection (4) of section 316.072, Florida Statutes, is reenacted to read:

316.072 Obedience to and effect of traffic laws.—

(4) PUBLIC OFFICERS AND EMPLOYEES TO OBEY CHAPTER; EXCEPTIONS.—

(b) Unless specifically made applicable, the provisions of this chapter, except those contained in ss. 316.192, 316.1925, and 316.193, shall not apply to persons, teams, or motor vehicles and other equipment while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Section 31. For the purpose of incorporating the amendment made by this act to sections 316.083 and 316.084, Florida Statutes, in references thereto, subsection (5) of section 316.1923, Florida Statutes, is reenacted to read:

316.1923 Aggressive careless driving.—“Aggressive careless driving” means committing two or more of the following acts simultaneously or in succession:

(5) Improperly passing as defined in s. 316.083, s. 316.084, or s. 316.085.

Section 32. For the purpose of incorporating the amendment made by this act to section 318.19, Florida Statutes, in a reference thereto, subsection (2) of section 318.14, Florida Statutes, is reenacted to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(2) Except as provided in ss. 316.1001(2) and 316.0083, any person cited for a violation requiring a mandatory hearing listed in s. 318.19 or any other criminal traffic violation listed in chapter 316 must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established in s. 318.18. For all other infractions under this section, except for infractions under s. 316.1001, the officer must certify by electronic, electronic facsimile, or written signature that the citation was delivered to the person cited. This certification is prima facie evidence that the person cited was served with the citation.

Section 33. For the purpose of incorporating the amendment made by this act to section 316.2065, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 318.18, Florida Statutes, is reenacted to read:

318.18 Amount of penalties.—The penalties required for a non-criminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(1) Fifteen dollars for:

(b) All infractions of s. 316.2065, unless otherwise specified.

And the title is amended as follows:

Delete lines 4-5 and insert: providing definitions; amending s. 316.027, F.S.; deleting the definition of the term “vulnerable road user”; conforming provisions to changes made by the act; amending s. 316.083, F.S.; revising provisions relating to the passing of a vehicle; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.084, F.S.; exempting bicycles from provisions for passing a vehicle on the right under certain circumstances; amending s. 316.0875, F.S.; revising exceptions to provisions for designated no-passing zones; amending s. 316.151, F.S.; revising provisions for turning at intersections; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.1925, F.S.; revising provisions relating to careless driving; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.2065, F.S.; revising provisions for operation of a bicycle; requiring motor vehicle operators to allow a group of bicycles to travel through an intersection under certain circumstances; amending s. 318.19, F.S.; requiring a hearing for specified offenses; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 322.0261, F.S., relating to driver improvement courses; revising the definition of “vulnerable road users”; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031, 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; reenacting ss. 316.072(4)(b), 316.1923(5), 318.14(2), and 318.18(1)(b), F.S., relating to obedience to and effect of traffic laws, aggressive careless driving, noncriminal traffic infractions, and amount of penalties, respectively, to incorporate amendments made by the act in references thereto;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Clemens moved the following amendment to **Amendment 2 (822546)**:

Amendment 2A (240216)—Delete line 600 and insert: *bicycle, scooter, or moped lawfully on the roadway*;

On motion by Senator Brandes, further consideration of **CS for CS for SB 1394**, as amended, with pending **Amendment 2 (822546)** and **Amendment 2A (240216)** was deferred.

CS for CS for CS for HB 651—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the department to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; revising applicability to remove for-profit organizations; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the department for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; providing that the local fire official, or his or her designee, rather than the State Fire Marshal, may exempt a device from such standards; providing an alternative installation method for such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; providing that a party requesting service of process shall pay a specified fee to the department or Office of Insurance Regulation for such service; amending s. 626.854, F.S.; revising applicability of the definition of the term “public adjuster”; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; revising methods by which copies of the service of process may be provided to a defendant; specifying the determination of a defendant’s last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.9892, F.S.; revising criteria for the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; amending s. 633.102, F.S.; redefining the term “fire service provider”; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term “combination fire department”; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual’s certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability of the department’s rulemaking

authority relating to the disposition of unclaimed property; providing an appropriation and authorizing a position; providing an effective date.

—as amended March 4, was read the third time by title.

RECONSIDERATION OF BILL

On motion by Senator Brandes, the Senate reconsidered the action by which—

CS for CS for CS for HB 651—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the department to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; revising applicability to remove for-profit organizations; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the department for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; providing that the local fire official, or his or her designee, rather than the State Fire Marshal, may exempt a device from such standards; providing an alternative installation method for such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; providing that a party requesting service of process shall pay a specified fee to the department or Office of Insurance Regulation for such service; amending s. 626.854, F.S.; revising applicability of the definition of the term “public adjuster”; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; revising methods by which copies of the service of process may be provided to a defendant; specifying the determination of a defendant’s last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.9892, F.S.; revising criteria for the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; amending s. 633.102, F.S.; redefining the term “fire service provider”; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term “combination fire department”; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a

requirement that the division suspend or revoke all issued certificates if an individual's certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability of the department's rulemaking authority relating to the disposition of unclaimed property; providing an appropriation and authorizing a position; providing an effective date.

—as amended March 4, was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF AMENDMENT

On motion by Senator Brandes, the Senate reconsidered the vote by which **Amendment 4 (690366)** was adopted on March 4. **Amendment 4 (690366)** was withdrawn.

On motion by Senator Brandes, by two-thirds vote, **CS for CS for CS for HB 651**, as amended, was read the third time by title, passed, and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimmsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

By direction of the President, the Senate resumed consideration of—

CS for CS for SB 1394—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; defining the terms “service patrol vehicle” and “driver-assistive truck platooning technology”; amending s. 316.126, F.S.; requiring the driver of every other vehicle to take specified actions if a utility service vehicle displaying any visual signals or a service patrol vehicle displaying amber rotating or flashing lights is performing certain tasks on the roadside; amending s. 316.193, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; deleting obsolete provisions; deleting provisions relating to a qualified sobriety and drug monitoring program; directing the department to adopt rules providing for the implementation of the use of certain qualified sobriety and drug monitoring programs; redefining the terms “qualified sobriety and drug monitoring program” and “evidence-based program”; creating a qualified sobriety and drug monitoring pilot program effective on a specified date, subject to certain requirements; requiring a specified court to provide a report to the Governor and the Legislature by a specified date; amending s. 316.1937, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; amending s. 316.235, F.S.; revising requirements relating to a deceleration lighting system for buses; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped

with television-type receiving equipment; providing exceptions to the prohibition against actively displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 319.30, F.S.; authorizing insurance companies to receive a salvage certificate of title or certificate of destruction from the department after a specified number of days after payment of a claim as of a specified date, subject to certain requirements; requiring insurance companies seeking such title or certificate of destruction to follow a specified procedure; providing requirements for the request; amending s. 320.02, F.S.; increasing the timeframe within which the owner of any motor vehicle registered in the state must notify the department of a change of address; providing exceptions to such notification; amending s. 320.03, F.S.; providing that an authorized electronic filing agent may charge a fee to the customer for use of the electronic filing system if a specified disclosure is made; amending s. 320.07, F.S.; prohibiting a law enforcement officer from issuing a citation for a specified violation until a certain date; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; revising conditions for discontinuing issuance of a specialty license plate; providing an exception to the minimum requirements for certain specialty license plates; amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; amending s. 320.0843, F.S.; providing for a license plate that combines the Purple Heart license plate with the license plate for persons with disabilities; providing for issuance of such plate to qualified persons; requiring certain wording and symbols on the plate; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term “incentive”; revising provisions for denial or chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not designated by the applicant or licensee; defining the term “goods or services”; amending s. 322.051, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the identification card of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the card; authorizing a replacement identification card with the symbol without payment of a specified fee under certain circumstances; providing the international symbol for the deaf and hard of hearing; requiring the department to issue or renew an identification card to certain juvenile offenders; requiring that the department's mobile issuing units process certain identification cards at no charge; amending s. 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the license; authorizing a replacement license without payment of a specified fee under certain circumstances; providing applicability; amending s. 322.19, F.S.; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in his or her legal name; providing exceptions to such requirement; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in the legal residence or mailing address in his or her application, license, or card; amending s. 322.21, F.S.; exempting certain juvenile offenders from a specified fee for an original, renewal, or replacement identification card; amending s. 322.221, F.S.; requiring the department to issue an identification card at no cost at the time a person's driver license is suspended or revoked due to his or her physical or mental condition; amending s. 322.251, F.S.; requiring the department to include in a certain notice a specified statement; amending s. 322.2715, F.S.; requiring the department to use a certain qualified sobriety and drug monitoring program as an alternative to the placement of an ignition interlock device as of a specified date under certain circumstances; amending s. 765.521, F.S.; requiring the department to maintain an integrated link on its website referring certain visitors to a donor registry; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing

the Department of Transportation to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; providing effective dates.

—which was previously considered and amended this day. Pending **Amendment 2A (240216)** by Senator Clemens failed to receive the required two-thirds vote.

The vote was:

Yeas—19

Bean	Hukill	Ring
Brandes	Hutson	Smith
Braynon	Latvala	Sobel
Clemens	Legg	Soto
Dean	Margolis	Stargel
Detert	Montford	
Garcia	Negron	

Nays—19

Mr. President	Evers	Richter
Abruzzo	Flores	Sachs
Altman	Galvano	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Thompson
Bullard	Hays	
Diaz de la Portilla	Joyner	

RECONSIDERATION OF AMENDMENT

On motion by Senator Richter, the Senate reconsidered the vote by which **Amendment 2A (240216)** failed. **Amendment 2A (240216)** failed to receive the required two-thirds vote.

The question recurred on pending **Amendment 2 (822546)** by Senator Richter which was adopted by two-thirds vote.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment which was adopted by two-thirds vote:

Amendment 3 (253166) (with title amendment)—Delete line 702 and insert:

collegiate license plates established under s. 320.08058(3), *license plates of institutions in the State University System, Florida Professional Sports Team license plates established under s. 320.08058(9), or*

And the title is amended as follows:

Delete line 63 and insert: license plate; providing exceptions to the minimum

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment:

Amendment 4 (413116) (with title amendment)—Between lines 1300 and 1301 insert:

Section 26. Paragraph (a) of subsection (2) of section 318.18, Florida Statutes, is amended to read

318.18 Amount of penalties.—The penalties required for a non-criminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(2) Thirty dollars for all nonmoving traffic violations and:

(a) For all violations of s. 322.19 and s. 366.94.

Section 27. Subsection (46) is added to section 320.01, Florida Statutes, to read:

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

(46)(a) “Ridesharing arrangements” means the transportation of not more than 15 passengers, including the driver, where the transportation is incidental to another purpose of the driver, who is not engaged in transportation as a business or for a profit. The term includes:

1. Carpool or vanpool arrangements not exceeding 15 passengers, including the driver, in which the driver seeks reimbursement for, or the rideshare participants may pool or otherwise share, transportation costs; and

2. Carpool or vanpool arrangements not exceeding 15 passengers, including the driver, used in the transportation of employees to or from their places of employment or educational or other institutions.

(b) For the purposes of this chapter and chapter 627, motor vehicles used in ridesharing arrangements are not included in the term “for-hire vehicle,” and money or other consideration exchanged for, or to facilitate reimbursement of, transportation costs or related expenses in a ridesharing arrangement may not be deemed to be compensation or the receipt of a fee.

Section 28. Paragraphs (c), (d), and (e) are added to subsection (8) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(8)

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

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

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

Section 29. Section 324.031, Florida Statutes, is amended to read:

324.031 Manner of proving financial responsibility.—The owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle may prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy as defined in s. 324.021(8) or s. 324.151, which policy is issued by an insurance carrier which is a member of the Florida Insurance Guaranty Association. The operator or owner of any other vehicle, including those used in a ridesharing arrangement, may prove his or her financial responsibility by:

(1) Furnishing satisfactory evidence of holding a motor vehicle liability policy as defined in ss. 324.021(8) and 324.151;

(2) Furnishing a certificate of self-insurance showing a deposit of cash in accordance with s. 324.161; or

(3) Furnishing a certificate of self-insurance issued by the department in accordance with s. 324.171.

Any person, including any firm, partnership, association, corporation, or other person, other than a natural person, electing to use the method of proof specified in subsection (2) shall furnish a certificate of deposit equal to the number of vehicles owned times \$30,000, to a maximum of \$120,000; in addition, any such person, other than a natural person, shall maintain insurance providing coverage in excess of limits of

\$10,000/20,000/10,000 or \$30,000 combined single limits, and such excess insurance shall provide minimum limits of \$125,000/250,000/50,000 or \$300,000 combined single limits. These increased limits shall not affect the requirements for proving financial responsibility under s. 324.032(1).

Section 30. Paragraph (b) of subsection (3) of section 366.94, Florida Statutes, is amended to read:

366.94 Electric vehicle charging stations.—

(3)

(b) If a law enforcement officer finds a motor vehicle in violation of this subsection, the officer or specialist shall charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in ~~s. 316.008(4)~~ or s. 318.18(2)(a).

Section 31. Paragraph (a) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

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

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

3. If the offender commits any grand theft and:

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

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

c. *In the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,*

the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

And the title is amended as follows:

Delete line 145 and insert: Legislature; amending s. 318.18, F.S.; adding a penalty for a specified violation; amending s. 320.01, F.S.; defining the term "ridesharing arrangements"; amending s. 320.08056, F.S.; revising provisions for discontinuing issuance of a specialty license plate; amending s. 324.031, F.S.; authorizing the operator or owner of certain vehicles used in a ridesharing arrangement to prove his or her financial responsibility by furnishing certain evidence or a certain certificate; amending s. 366.94, F.S.; revising penalties; amending s. 812.014, F.S.; specifying a certain criminal penalty for offenders committing any grand theft who in the course of committing the offense use any type of device to interfere with a global positioning system or similar system under certain circumstances; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment to **Amendment 4 (413116)** which was adopted by two-thirds vote:

Amendment 4A (898564) (with title amendment)—Delete lines 13-102 and insert:

Section 27. Paragraphs (c), (d), and (e) are added to subsection (8) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(8)

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

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

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

Section 28. Paragraph (b) of subsection (3) of section 366.94, Florida Statutes, is amended to read:

366.94 Electric vehicle charging stations.—

(3)

(b) If a law enforcement officer finds a motor vehicle in violation of this subsection, the officer or specialist shall charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in ~~s. 316.008(4)~~ or s. 318.18(2)(a).

Section 29. Paragraph (a) of subsection (2) of section

And the title is amended as follows:

Delete lines 135-143 and insert: penalty for a specified violation; amending s. 320.08056, F.S.; revising provisions for discontinuing issuance of a specialty license plate; amending s. 366.94, F.S.;

Amendment 4 (413116), as amended, was adopted by two-thirds vote.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment:

Amendment 5 (269694) (with title amendment)—Between lines 171 and 172 insert:

Section 2. Subsection (3) is added to section 316.068, Florida Statutes, to read:

316.068 Crash report forms.—

(3) *The crash report form may not include personal telephone numbers of persons involved in the crash.*

And the title is amended as follows:

Between lines 5 and 6 insert: amending s. 316.068, F.S.; prohibiting a crash report form from including personal telephone numbers of persons involved in the crash;

On motion by Senator Brandes, further consideration of **CS for CS for SB 1394**, as amended, with pending **Amendment 5 (269694)** was deferred.

MOTIONS

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Monday, March 7, 2016: CS for CS for SB 324, CS for SB 706, CS for SB 984, CS for CS for SB 1010, CS for CS for SB 1454, CS for SB 1496, CS for SB 1638, CS for SB 7054, CS for SB 7056.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 31, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee and Representative(s) Spano, Ahern, Artiles, Combee, Diaz, M., Grant, Hill, O'Toole, Porter, Raulerson, Santiago, Stevenson, Van Zant—

CS for HB 31—A bill to be entitled An act relating to high school athletics; amending s. 1006.20, F.S.; providing that a private school may join the Florida High School Athletic Association (FHSAA) as a full-time member or on a per-sport basis; authorizing a public school to apply for consideration to join another athletic association; prohibiting the FHSAA from taking any retributory or discriminatory action against specified schools; authorizing the Commissioner of Education to identify other associations in compliance with specified provisions; requiring the preparticipation physical evaluation form to contain certain information relating to a cardiovascular assessment that includes an electrocardiogram; requiring the FHSAA to make literature containing certain information available to parents; providing a process for resolving student eligibility disputes; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 195, as amended, by the required constitutional three-fourths vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee and Representative(s) Rodrigues, R., Berman, Costello, Diaz, J., Diaz, M., Dudley, Pafford, Rehwinkel Vasilinda, Smith—

CS for HB 195—A bill to be entitled An act relating to a special election; providing for a special election to be held August 30, 2016, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an exemption from the tangible personal property tax for solar or renewable energy source devices, a limitation on the assessed value of real property used for nonresidential purposes for the installation of such devices, and an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing a contingent effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 229, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Geller, Cortes, J., DuBose, Fitzenhagen, Hager, Murphy, Rooney—

CS for HB 229—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring each school district to review its bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing a short title for chapter 2010-217, Laws of Florida, relating to requirements for health education curricula and district school board policies on teen dating violence and abuse; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 447 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Raschein, Mayfield, Pilon—

CS for CS for HB 447—A bill to be entitled An act relating to local government environmental financing; providing a short title; amending s. 212.055, F.S.; expanding the uses of local government infrastructure surtaxes to include acquiring any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; revising definitions for purposes of using surtax proceeds; amending s. 215.619, F.S.; expanding the use of Everglades restoration bonds to include the City of Key West Area of Critical State Concern; expanding the types of water management projects eligible for funding; revising the dates for issuance and maturity of Everglades restoration bonds; reducing the annual appropriation amount dedicated to fund the Florida Keys Area of Critical State Concern protection program; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Department of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain local governments and special districts to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; amending s. 380.0552, F.S.; revising legislative intent regarding the Florida Keys Area of Critical State Concern; specifying that plan amendments in the Florida Keys must also be consistent with protecting and improving specified water quality and water supply projects; amending s. 380.0666, F.S.; expanding powers of a land authority to include acquiring lands to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern and contribute funds for certain land purchases by the department; providing limitations relating to acquiring or contributing lands to improve public transportation facilities; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 593, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Metz, Artiles, Rodriguez, J.—

CS for CS for HB 593—A bill to be entitled An act relating to government accountability; amending s. 11.045, F.S.; providing definitions; requiring each house of the Legislature to provide by rule reporting requirements regarding a lobbying firm's lobbying activities; specifying requirements regarding the content of reports and filing deadlines; requiring each house of the Legislature to establish procedures applicable to untimely filing of reports by rule; providing fines for late filing of reports; amending s. 11.0455, F.S.; conforming a cross-reference; amending s. 11.40, F.S.; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; amending s. 11.45, F.S.; defining the terms "abuse," "fraud," and "waste"; revising the definition of the term "local governmental entity"; excluding water management districts from certain audit requirements; removing a cross-reference; authorizing the Auditor General to conduct audits of tourist development councils and county tourism promotion agencies; revising reporting requirements applicable to the Auditor General; creating s. 20.602, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to officers and board members of corporate entities associated with the Department of Economic Opportunity; prohibiting such officers and board members from representing a person or an entity for compensation before certain bodies for a specified timeframe; providing for construction; amending s. 28.35, F.S.; revising reporting requirements applicable to the Florida Clerks of Court Operations Corporation; amending s. 43.16, F.S.; revising the responsibilities of the Justice Administrative Commission, each state attorney, each public defender, a criminal conflict and civil regional counsel, a capital collateral regional counsel, and the Guardian Ad Litem Program, to include the establishment and maintenance of certain internal controls; creating s. 112.3126, F.S.; defining the term "private entity"; prohibiting a member of the Legislature or a candidate for legislative office from accepting employment with a private entity that directly receives funding through state revenues under certain circumstances; authorizing employment with a private entity if certain conditions are met; amending s. 112.313, F.S.; specifying that prohibitions on conflicting employment or contractual relationships for public officers or employees of an agency apply to contractual relationships held by certain business entities; providing that specified contractual relationships are not prohibited or deemed a conflict of interest for certain purposes; amending s. 112.3144, F.S.; requiring certain elected municipal officers to file a full and public disclosure of financial interests, rather than a statement of financial interests; providing for applicability; amending s. 112.31455, F.S.; revising provisions governing collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests to include school districts; amending s. 112.3215, F.S.; requiring a lobbying firm to file a report with the Commission on Ethics disclosing whether the firm lobbied the Governor to approve or veto a bill or an appropriation, beginning on a specified date; requiring the commission to establish procedures applicable to untimely filing of reports by rule; providing fines for late filing of reports; conforming provisions to changes made by the act; amending s. 112.3261, F.S.; revising terms to conform to changes made by the act; expanding the types of governmental entities that are subject to lobbyist registration requirements; requiring a governmental entity to create a lobbyist registration form; amending ss. 129.03, 129.06, 166.241, and 189.016, F.S.; requiring counties, municipalities, and special districts to maintain certain budget documents on the entities' websites for a specified period; amending s. 162.30, F.S.; authorizing a county or municipality to provide for the recovery of attorney fees and costs by a prevailing party in certain civil actions under specified conditions; providing applicability of certain codes and ordinances; amending s. 215.425, F.S.; defining the term "public funds"; revising exceptions to the prohibition on extra compensation claims; revising minimum requirements for any policy, ordinance, rule, or resolution designed to implement a bonus scheme; requiring certain contracts into which a unit of government or state university enters to contain certain provisions regarding severance pay; requiring a unit of government to investigate and take reasonable action to recover prohibited compensation; specifying methods of recovery for unintentional and willful violations; specifying applicability of pro-

cedures regarding suspension and removal of an officer who commits a willful violation; specifying circumstances under which an employee has a cause of action under the Whistle-blower's Act; providing for applicability; amending s. 215.86, F.S.; revising the purposes for which management systems and internal controls must be established and maintained by each state agency and the judicial branch; amending s. 215.97, F.S.; revising the definition of the term "audit threshold"; amending s. 215.985, F.S.; revising the requirements for a monthly financial statement provided by a water management district; amending s. 218.32, F.S.; revising the requirements of the annual financial audit report of a local governmental entity; authorizing the Department of Financial Services to request additional information from a local governmental entity; requiring a local governmental entity to respond to such requests within a specified timeframe; requiring the department to notify the Legislative Auditing Committee of noncompliance; amending s. 218.33, F.S.; requiring local governmental entities to establish and maintain internal controls to achieve specified purposes; amending s. 218.39, F.S.; requiring an audited entity to respond to audit recommendations under specified circumstances; amending s. 218.391, F.S.; revising the composition of an audit committee; prohibiting an audit committee member from being an employee, a chief executive officer, or a chief financial officer of the respective governmental entity; requiring the chair of an audit committee to sign and execute an affidavit affirming compliance with auditor selection procedures; prescribing procedures in the event of noncompliance with auditor selection procedures; amending s. 286.0114, F.S.; prohibiting a board or commission from requiring an advance copy of testimony or comments from a member of the public as a precondition to being given the opportunity to be heard at a public meeting; amending s. 288.92, F.S.; prohibiting specified officers and board members of Enterprise Florida, Inc., from representing a person or entity for compensation before Enterprise Florida, Inc., and associated entities thereof, for a specified timeframe; revising the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to certain officers and board members; amending s. 288.9604, F.S.; prohibiting a director of the Florida Development Finance Corporation from representing a person or an entity for compensation before the corporation for a specified timeframe; amending s. 373.536, F.S.; deleting obsolete language; requiring water management districts to maintain certain budget documents on the districts' websites for a specified period; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term "bribery"; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; amending s. 1001.42, F.S.; authorizing additional internal audits as directed by the district school board; specifying duties of the district school board regarding visitation of schools; amending s. 1002.33, F.S.; revising the responsibilities of the governing board of a charter school to include the establishment and maintenance of internal controls; amending s. 1002.37, F.S.; requiring completion of an annual financial audit of the Florida Virtual School; specifying audit requirements; requiring an audit report to be submitted to the board of trustees of the Florida Virtual School and the Auditor General; removing obsolete provisions; amending s. 1010.01, F.S.; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls; amending s. 1010.30, F.S.; requiring a district school board, Florida College System institution board of trustees, or university board of trustees to respond to audit recommendations under certain circumstances; amending ss. 99.061, 218.503, and 1002.455, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, and s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath of notaries public, to incorporate the amendment made by the act to s. 838.022, F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(d) and (g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, 838.022, and 838.22, F.S., in references thereto; providing for applicability; repealing s. 110.181, F.S., which provides for the creation and administration of the Florida State Employees' Charitable Campaign; requiring the Department of Management Services to provide a report to the Governor and Legislature regarding the establishment of a new single state employee charitable

campaign; providing report requirements; declaring that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; Community Affairs; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 627 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Development & Tourism Subcommittee and Representative(s) Moraitis, Rogers—

CS for HB 627—A bill to be entitled An act relating to community contribution tax credits; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 655 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Fullwood—

HB 655—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida, as amended; establishing special zones in downtown Jacksonville; providing exceptions for space and seating requirements for liquor licenses for restaurants in the zones, subject to local zoning requirements; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 709 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Williams, A.—

HB 709—A bill to be entitled An act relating to the City of Tallahassee, Leon County; amending chapter 2008-294, Laws of Florida; revising the boundaries of the downtown area for purposes of temporary permits for a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tallahassee; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 931 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Passidomo, Rodríguez, J., Dudley, Williams, A.—

CS for CS for HB 931—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss projection models in establishing certain rates; authorizing the use of specified information by certain entities in analyzing risks or developing rating plans; prohibiting the use of such information for the direct solicitation of policyholders; requiring the corporation to revise certain programs by a specified date; requiring the corporation to publish a periodic schedule of cycles for certain purposes; specifying information required to be included in certain take-out requests; requiring the corporation to maintain and make available specified lists of insurers requesting to take out a policy; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding policy renewal options; providing an effective date.

—was referred to the Committees on Banking and Insurance; Ethics and Elections; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1017 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Development & Tourism Subcommittee and Representative(s) La Rosa, Artiles, Stevenson—

CS for HB 1017—A bill to be entitled An act relating to reemployment assistance fraud; providing a short title; amending s. 322.142, F.S.; adding the Department of Economic Opportunity as an entity that may be issued reproductions from certain files or digital records for specified reasons; amending s. 443.101, F.S.; providing for disqualification from eligibility for reemployment benefits for a specified period of time determined by the number of incidents of false or fraudulent representation; extending such disqualification period if such representation is made in furtherance of a specified felony; amending s. 895.02, F.S.; expanding the definition of the term "racketeering activity" to include knowingly making false statements or representations or knowingly failing to disclose a material fact to obtain or increase benefits or other payments under ch. 443, F.S., and other specified laws; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1033, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Government Operations Appropriations Subcommittee, Government Operations Subcommittee and Representative(s) Artiles, Broxson, Caldwell, Combee, Grant, Hill, Rehwinkel Vasilinda, Rooney, Stevenson, Sullivan, Taylor—

CS for CS for CS for HB 1033—A bill to be entitled An act relating to information technology security; amending s. 20.61, F.S.; revising the membership of the Technology Advisory Council to include a cybersecurity expert; amending s. 282.318, F.S.; revising the duties of the Agency for State Technology; providing that risk assessments and security audits may be completed by a private vendor; providing for the establishment of computer security incident response teams within state agencies; providing for the establishment of an information technology security incident reporting process; providing for information technology security and cybersecurity awareness training; revising duties of state agency heads; establishing computer security incident

response team responsibilities; establishing notification procedures and reporting timelines for an information technology security incident or breach; amending s. 282.0051, F.S.; requiring the agency to establish an information technology policy for certain state contracts; providing policy requirements; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1039 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Caldwell, Roberson, K.—

HB 1039—A bill to be entitled An act relating to the Babcock Ranch Community Independent Special District, Charlotte and Lee Counties; amending chapter 2007-306, Laws of Florida; expanding the Babcock Ranch Community Independent Special District to include areas of Lee County; amending legislative intent, definitions, legislative policy, district creation and establishment, governing board administrative duties, district budgets and financial reports, and district powers to include references to Lee County; amending the district's legal boundaries to include areas of Lee County; requiring district governing board election procedures to involve officials from both counties; requiring general obligation bond elections to occur in both counties; authorizing the levy and collection of non-ad valorem maintenance taxes in both counties; providing for required notices to be published in both counties; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1187, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee and Representative(s) Grant, La Rosa—

CS for HB 1187—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 326.004, F.S.; deleting a requirement that yacht and ship brokers maintain a separate license for each branch office and related fees; amending s. 447.02, F.S.; deleting the definition of the term "department"; repealing s. 447.04, F.S., relating to business agents, licenses, and permits; repealing s. 447.041, F.S., relating to a hearing for a denied license, permit, or registration; repealing s. 447.045, F.S., relating to certain confidential information; repealing s. 447.06, F.S., relating to the required registration of labor organizations; amending s. 447.09, F.S.; deleting prohibitions against specified actions; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to the applicability of ch. 447, F.S.; amending s. 468.401, F.S.; deleting definitions; repealing s. 468.402, F.S., relating to the duties of the Department of Business and Professional Regulation; repealing s. 468.403, F.S., relating to licensure and application requirements for owners and operators of talent agencies; repealing s. 468.404, F.S., relating to fees and renewal of talent agency licenses; repealing s. 468.405, F.S., relating to qualification for talent agency licenses; amending s. 468.406, F.S.; deleting the requirement for talent agencies to file with the department an itemized schedule of certain fees and an amended or supplemental schedule under certain circumstances; repealing s. 468.407, F.S., relating to license contents and posting; amending s. 468.408, F.S.; revising requirements for talent agency bonds; deleting a departmental requirement to approve talent agency bonds; requiring that a bonding company notify the talent agency, rather than notifying the department, of certain claims; amending s. 468.409, F.S.; deleting provisions requiring talent agencies to make specified records readily available for inspection by the department; amending s. 468.410, F.S.; deleting a reference to the department in talent agency contracts; amending s. 468.412, F.S.; revising the information that talent agencies must enter in the talent agency records; deleting requirements relating to the inspection of talent agency records and the submission of certain

records and reports to the department; revising the requirements for talent agencies to post certain laws and rules; revising the information required in talent agency publications; amending s. 468.413, F.S.; deleting provisions relating to criminal violations for failing to obtain or maintain licensure with the department; deleting provisions authorizing the court to suspend or revoke a license; deleting a provision authorizing the court to take certain actions; revising the department's authority to bring certain actions and impose certain remedies for violations of talent agency regulations; repealing s. 468.414, F.S., relating to collection and deposit of fines, fees, and penalties by the department; amending s. 468.415, F.S.; deleting a provision requiring the department to revoke a license; amending s. 469.006, F.S.; requiring that a license be in the name of a qualifying agent rather than the name of a business organization; requiring the qualifying agent, rather than the business organization, to report certain changes in information; conforming provisions to changes made by the act; amending s. 469.009, F.S.; deleting the authority of the department to reprimand, censure, or impose probation on certain business organizations; amending s. 477.0135, F.S.; providing that a license or registration is not required for a person whose occupation or practice is confined solely to applying polish to nails; amending s. 481.203, F.S.; defining the term "business organization"; deleting the definition of the term "certificate of authorization"; amending s. 481.219, F.S.; revising the process by which a business organization obtains the requisite license to perform architectural services; requiring that a licensee or an applicant apply to qualify a business organization under certain circumstances; specifying application requirements; authorizing the Board of Architecture and Interior Design to deny an application under certain circumstances; requiring that a qualifying agent be a registered architect or a registered interior designer under certain circumstances; requiring that a qualifying agent notify the department when she or he ceases to be affiliated with a business organization; prohibiting a business organization from engaging in certain practices until it is qualified by a qualifying agent; authorizing the executive director or the chair of the board to authorize a certain registered architect or interior designer to temporarily serve as the business organization's qualifying agent for a specified timeframe under certain circumstances; requiring the qualifying agent to give written notice to the department before engaging in practice under her or his own name or in affiliation with another business organization; requiring the board to allow an applicant to qualify one or more business organizations or to operate using a fictitious name under certain circumstances; conforming provisions to changes made by the act; amending s. 481.221, F.S.; requiring a business organization to include the license number of a certain registered architect or interior designer in any advertising; providing an exception; conforming provisions to changes made by the act; amending s. 481.229, F.S.; conforming provisions to changes made by the act; reordering and amending s. 481.303, F.S.; deleting the definition of the term "certificate of authorization"; amending s. 481.321, F.S.; revising provisions that require persons to display certificate numbers under certain circumstances; conforming provisions to changes made by the act; amending ss. 481.311, 481.317, and 481.319, F.S.; conforming provisions to changes made by the act; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.503, F.S.; revising an exemption from regulation for certain persons; exempting a person who installs certain low-voltage landscape lighting from specified requirements; amending s. 489.518, F.S.; exempting certain persons from initial training for burglar alarm system agents; creating s. 550.2416, F.S.; requiring injuries to racing greyhounds to be reported within a certain timeframe on a form adopted by the Division of Pari-mutuel Wagering of the department; requiring such form to be completed and signed under oath or affirmation by certain individuals; providing penalties; specifying information that must be included in the form; requiring the division to maintain the forms as public records for a specified time; specifying disciplinary action that may be taken against a licensee of the department who fails to report an injury or who makes false statements on an injury form; exempting injuries to certain animals from reporting requirements; requiring the division to adopt rules; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1195 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Government Operations Appropriations Subcommittee, Government Operations Subcommittee and Representative(s) Grant, Artiles—

CS for CS for HB 1195—A bill to be entitled An act relating to technology; amending s. 20.61, F.S.; establishing the chief data officer within the Agency for State Technology; creating s. 282.319, F.S.; requiring the chief data officer to develop an enterprise data inventory and provide recommendations for developing and maintaining an open data catalog; providing definitions; providing responsibilities of the chief data officer; requiring the agency to develop an implementation plan for issuing a digital proof of driver license; requiring the agency to submit the plan to the Governor and Legislature by a specified date; authorizing a position for the agency; authorizing the agency to submit a budget amendment; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1339 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) O'Toole—

CS for HB 1339—A bill to be entitled An act relating to the City of Webster, Sumter County; providing legislative intent; codifying, amending, repealing, and reenacting special acts relating to the city; repealing chapter 57-1944, Laws of Florida; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1341 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Young—

CS for HB 1341—A bill to be entitled An act relating to state-owned motor vehicles; requiring the Department of Management Services to prepare a plan regarding the centralized management of state-owned motor vehicles; requiring the department to submit the plan to the Governor and Legislature by a specified date; prescribing requirements for the plan; requiring the department to conduct certain evaluations while developing the plan; providing an appropriation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1417 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Young—

HB 1417—A bill to be entitled An act relating to Hillsborough County; amending chapter 70-718, Laws of Florida; revising space and seating requirements for the issuance of alcoholic beverage licenses to certain restaurants; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1439 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Raulerson, Young—

CS for HB 1439—A bill to be entitled An act relating to the Hillsborough County Public Transportation Commission; amending chapter 2001-299, Laws of Florida, as amended; providing and revising definitions; revising rulemaking authority for vehicle safety and equipment requirements; revising the application and certification requirements to engage in the business of operating handicabs in the county; revising the types of vehicles subject to restrictions on marks or identification; providing certain requirements for transportation network company services; providing applicability; prohibiting certain acts by transportation network company drivers; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 4035 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Combee—

HB 4035—A bill to be entitled An act relating to pesticide registration; amending s. 487.041, F.S.; deleting provisions relating to supplemental registration fees for certain pesticides that contain active ingredients for which the United States Environmental Protection Agency has established food tolerance limits; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7021, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Adkins, Harrell, Ahern, Albritton, Antone, Avila, Boyd, Burgess, Burton, Cortes, B., Costello, Diaz, M., Eagle, Edwards, Fresen, Fullwood, Geller, Gonzalez, Hager, Harrison, Jones, M., Jones, S., Latvala, Lee, Magar, Miller, Moskowitz, O'Toole, Perry, Plakon, Plasencia, Porter, Raulerson, Rehwinkel Vasinda, Renner, Rouson, Slosberg, Smith, Spano, Sprowls, Stone—

CS for CS for HB 7021—A bill to be entitled An act relating to education; amending s. 1001.215, F.S.; revising the duties of the Just Read, Florida! Office; amending s. 1001.42, F.S.; requiring certain schools to include specific information in the school's improvement plan; requiring certain schools to implement an early warning system for students who meet specific criteria; requiring certain school personnel to monitor data from the early warning system and perform certain duties when a student exhibits specified indicators; amending s. 1002.20, F.S.; revising requirements for notifying a parent of a student with a substantial reading deficiency; amending s. 1002.59, F.S.; revising the emergent literacy and performance standards training course requirements to include specific reading instruction; amending s. 1002.67, F.S.; requiring the Office of Early Learning to approve specific Voluntary Prekindergarten Education Program assessments and establish requirements for individuals administering the assessments; requiring certain prekindergarten students to receive specific reading instruction; requiring the office to identify certain guidelines by rule and provide examples of certain instructional strategies; amending s. 1002.69, F.S.; conforming provisions; requiring data from the statewide kindergarten screening to be used to identify certain students; creating s. 1003.432, F.S.; defining terms; establishing the program to recognize

a high school graduate who has attained a high level of competency in one or more foreign languages; providing the purpose of the program; specifying criteria to earn a Gold Seal of Biliteracy or a Silver Seal of Biliteracy; requiring the Commissioner of Education and school districts to perform specified duties to administer the program; prohibiting a school district or the Department of Education from charging a fee for the seals; requiring the State Board of Education to adopt rules; amending s. 1004.04, F.S.; revising core curricula requirements for certain teacher preparation programs to include certain reading instruction and interventions; revising certain requirements related to clinical education training and preservice field experiences; amending s. 1004.85, F.S.; requiring certain educator preparation institutes to provide evidence of specified reading and technology instruction as a condition of program approval and continued approval; amending s. 1008.25, F.S.; requiring district school boards to allocate certain instruction resources to certain students deficient in reading; revising criteria and requiring the State Board of Education to identify guidelines for determining whether certain students have a substantial deficiency in reading; providing that students with a substantial reading deficiency must be covered by certain plans; revising the parental notification requirements for students with a substantial deficiency in reading; requiring a school to provide updates to parents of students who receive certain services; requiring the Department of Education to develop or contract with another entity to develop a handbook containing specific information for parents of students with a substantial reading deficiency; defining the terms "dyslexia" and "dyscalculia"; requiring schools to provide certain instruction to students who received a good cause exemption from retention; revising grounds for such good cause exemption; revising intervention requirements for certain retained students; revising provisions relating to the Intensive Acceleration Class for retained students in certain grades; revising student progress evaluation requirements; amending s. 1008.345, F.S.; revising reporting requirements of the Commissioner of Education relating to the state system of school improvement and education accountability; amending s. 1011.67, F.S.; revising the contents of a comprehensive staff development plan required for each school district; amending s. 1012.585, F.S.; revising requirements for renewal of professional teaching certificates; amending s. 1012.586, F.S.; authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates; requiring the department to review and make recommendations regarding certain subject coverage or endorsement requirements; providing construction; amending s. 1012.98, F.S.; revising duties and requirements for implementation of the School Community Professional Development Act; providing an appropriation and authorizing positions; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7089, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee and Representative(s) Brodeur, Sprowls—

HB 7089—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; revising applicability of certain definitions; defining the term "plan year"; authorizing the program to include additional benefits; authorizing an employee to use a specified portion of the state's contribution to purchase additional program benefits and supplemental benefits under certain circumstances; providing for the program to offer health plans in specified benefit levels; requiring the Department of Management Services to develop a plan for implementation of the benefit levels; providing reporting requirements; providing for expiration of the implementation plan; creating s. 110.12303, F.S.; authorizing additional benefits to be included in the program; requiring the department to contract with at least one entity that provides comprehensive pricing and inclusive services for surgery and other medical procedures; providing contract and reporting requirements; requiring the department to contract with an entity to provide enrollees with online information on health care services and providers; providing contract and reporting requirements;

creating s. 110.12304, F.S.; directing the department to contract with an independent benefits consultant; providing qualifications and duties of the independent benefits consultant; providing reporting requirements; providing that the department shall determine and recommend premiums for enrollees for the 2017 plan year; providing requirements for the determination of premiums; requiring the department to submit premium rates to the Legislative Budget Commission by a specified date for review and approval; requiring premium rates to be consistent with the total budgeted amount for the program in the General Appropriations Act for the 2016-2017 fiscal year; providing an appropriation and authorizing positions; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 422.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 586.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 624 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 4 was corrected and approved.

CO-INTRODUCERS

Senators Abruzzo—CS for CS for SB 1310; Negron—CS for CS for SB 750; Sachs—CS for SB 460, SM 600

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:32 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 8 or upon call of the President.

SENATE PAGES

March 7-11, 2016

Brandon Beebe, Inverness; Bridget Beebe, Inverness; Kaleb Boje, Apollo Beach; Kollin Boje, Apollo Beach; Aaron Denys, Port Orange; Connor Hansen, Tallahassee; Owen Jackson, Boca Raton; Reece Poppe, Tallahassee; Elijah Ring, Parkland; Logan Roberts, Tallahassee; Bailey Smith, Tallahassee; Emily Smith, Riverview



Journal of the Senate

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Tuesday, March 8, 2016

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ADOPTION OF RESOLUTIONS

At the request of Senator Gaetz—

By Senator Gaetz—

SR 1790—A resolution recognizing July 15, 2016, as “Boeing Centennial Day” in Florida.

WHEREAS, founded by William Boeing in 1916, Boeing has become a leader in the commercial and military aerospace industries, setting standards for excellence in science and technology, and

WHEREAS, in its 100-year history, Boeing has been responsible for innovations in passenger airplanes, military aircraft, missiles, satellites, and spacecraft and has helped the United States and the world cross frontiers in aerospace technologies, and

WHEREAS, Boeing’s heritage includes the Douglas DC-3, the first passenger airplane widely used by airlines; the iconic B-52 Stratofortress, in use by the United States military for 61 years; and the 707 and 747, which launched the jetliner era, and

WHEREAS, every American spacecraft that has carried astronauts into space was designed and built by companies that are now part of Boeing, and

WHEREAS, as a key player in commercial aerospace operations, national defense support, and space exploration, Boeing employs an estimated 1,400 individuals at multiple locations in this state and directly and indirectly supports 33,000 jobs, and

WHEREAS, Boeing’s Special Operations Forces Aerospace Support Center, located in Fort Walton Beach, supports United States Air Force Special Operations Command at Hurlburt Field through the modification, testing, repair, and service of AC-130U and CV-22 platforms and other equipment, and

WHEREAS, Boeing’s presence in Jacksonville includes a structural repair facility for the United States Navy and Marine Corps F/A-18 aircraft; the manufacturing and development site for the United States Air Force’s QF-16 full-scale aerial target at Cecil Field; and flight, tactical, and maintenance training systems development and instruction for the United States Navy’s P-8A Poseidon aircraft, and

WHEREAS, Boeing is the prime contractor for the International Space Station and, as such, has program personnel at Florida’s Space Coast and NASA’s John F. Kennedy Space Center, and

WHEREAS, Boeing is building the core stage of NASA’s new heavy-lift rocket, the Space Launch System, and Boeing engineers are located at the Space Coast to oversee the design aspects of the project, and

WHEREAS, the John F. Kennedy Space Center serves as home to Boeing’s Commercial Crew Program, which is responsible for building the CST-100 Starliner crew capsule that will transport NASA astronauts to the International Space Station, returning Americans to space from Florida, and

WHEREAS, Boeing Flight Services, in Miami, is the company’s largest commercial aviation global training campus and the pro forma training facility for Boeing in the Americas, consisting of 16 full-flight simulators that offer training for all Boeing 7-Series airplanes, and

CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—32:

Mr. President	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Clemens	Hukill	Sobel
Dean	Hutson	Soto
Detert	Joyner	Stargel
Evers	Latvala	Thompson
Flores	Legg	

Excused: Senator Lee periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Will Hosford, an employee with the Office of the Secretary of the Senate:

Lord, we come before you today asking for your guidance. I pray you will guide the Senators as they seek to improve the lives of the people in the great State of Florida. Thank you for being with us these past few weeks, and I pray for your continued support today and through the remainder of session.

Lord, thank you for the Senators and the difficult task they have been given of deciding what is best for the people. I pray, that above all, in all of these things, your will be done. In Jesus’ name. Amen.

PLEDGE

Senate Pages, Owen Jackson of Boca Raton; and Elijah Ring, son of Senator Ring of Parkland, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

WHEREAS, Boeing’s success has been due in great part to the hard work and dedication of countless employees over the years, many of whom serve as leaders in their communities, and

WHEREAS, in 2014, Boeing and its employees in this state contributed more than \$5 million and many volunteer hours to worthy charitable causes, and

WHEREAS, Boeing will commemorate its centennial on July 15, 2016, and throughout the year with events that highlight the collaboration between its employees, suppliers, partners, and local communities to ensure outstanding service and equipment for the nation’s men and women in uniform, the next generation of space explorers, and the flying public, NOW, THEREFORE,

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

That July 15, 2016, is recognized as “Boeing Centennial Day” in Florida.

—was introduced, read, and adopted by publication.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100
March 8, 2016

Dear President Gardiner:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Building Commission Appointees: Boyer, Robert G. Swope, Brian	07/26/2019 05/01/2019
Florida Commission on Community Service Appointee: Hayward, Ashton J.	09/14/2017
Florida Elections Commission Appointee: Poitier, Joni A.	12/31/2019
Tampa-Hillsborough County Expressway Authority Appointee: Alvarez, Daniel A., Sr.	07/01/2017
Public Employees Relations Commission Appointee: Bax, James A.	01/01/2017
Northeast Florida Regional Planning Council, Region 4 Appointees: Conkey, Douglas P. Harvey, Lawrence “Larry” P. Register, Darryl E. Timonere, Ronald A.	10/01/2016 10/01/2018 10/01/2018 10/01/2018
Central Florida Regional Planning Council, Region 7 Appointee: Sellers, Hazel H.	10/01/2018
Treasure Coast Regional Planning Council, Region 10 Appointees: Llano, Mark Parrish, Reece J.	10/01/2018 10/01/2018
South Florida Regional Planning Council, Region 11 Appointee: Goldberg, Cary A.	10/01/2018
Jacksonville Port Authority Appointee: Fleming, Edward J., Jr.	09/30/2019

The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics

and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointees: Garey, Alan L. Hunter, Donald C. Upchurch, James R.	09/30/2019 09/30/2017 09/30/2017

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Environmental Regulation Commission Appointee: Joyce, Joseph C.	07/01/2019

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Transportation Commission Appointees: Sarnoff, Teresa Trumbull, Jay N.	09/30/2019 09/30/2019

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and

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

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:
Yeas—32

Mr. President	Flores	Latvala
Altman	Gaetz	Legg
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Clemens	Hays	Sachs
Dean	Hukill	Simmons
Detert	Hutson	Sobel
Evers	Joyner	Soto

Stargel Thompson

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Margolis, Simpson

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

March 8, 2016

Dear President Gardiner:

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Architecture and Interior Design Appointee: Dennis, Holly L.	10/31/2017
Board of Athletic Training Appointee: Schwartzberg, Randy S.	10/31/2019
Construction Industry Licensing Board Appointees: Boyette, Aaron L. Evetts, James C. Layton, Mary Lenois, Roy Strickland, Michael W., Sr. Thomason, Scott Wood, Rachelle	10/31/2019 10/31/2019 10/31/2019 10/31/2019 10/31/2016 10/31/2018 10/31/2019
Board of Employee Leasing Companies Appointees: Dockery, Celeste D. Finkelstein, Abram Landrum, Henry Britton "Britt," III	10/31/2019 10/31/2019 10/31/2018
Board of Professional Engineers Appointee: Bracken, William C.	10/31/2019
Board of Professional Geologists Appointee: Alfieri, Michael C.	10/31/2019
Board of Massage Therapy Appointees: Brooks, Christopher L. Drago, Victoria M.	10/31/2019 10/31/2016
Board of Medicine Appointees: Dolin, Gary N. Romanello, Nicholas William	10/31/2018 10/31/2016
Board of Pilot Commissioners Appointee: Cumings, Bruce	10/31/2019
Florida Real Estate Commission Appointee: Fitzgerald, Patricia	10/31/2019
Board of Respiratory Care Appointee: Frey, Joseph A.	10/31/2019

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and

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

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:

Yeas—33

Mr. President	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia, Margolis

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

March 8, 2016

Dear President Gardiner:

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

Office and Appointment

Executive Director, Department of Economic Opportunity

Appointee: Proctor, Theresa "Cissy" Pleasure of Governor

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

Office and Appointment

Secretary of the Department of the Lottery

Appointee: Delacenserie, Thomas Robert Pleasure of Governor

As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid

of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and

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

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:

Yeas—35

Mr. President	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Evers	Legg	Thompson
Flores	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

March 8, 2016

Dear President Gardiner:

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

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Trustees of Chipola College	Appointees: Fleener, Andrew S. Wall, Darrin M.	05/31/2019 05/31/2019
Board of Trustees of Lake-Sumter State College	Appointee: Hill, Jennifer S.	05/31/2019
Board of Trustees of State College of Florida, Manatee-Sarasota	Appointee: Logan, Peter R.	05/31/2019
Board of Trustees of North Florida Community College	Appointees: Benoit, Ann Sharon Wright, Lloyd Gary	05/31/2019 05/31/2019

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Trustees of St. Petersburg College	Appointees: Foster, David William "Bill" Stonecipher, Nathan M.	05/31/2019 05/31/2018
Board of Trustees for the Florida School for the Deaf and the Blind	Appointee: Zavelson, Thomas M.	11/07/2019
Education Practices Commission	Appointee: Basso, Cristina	09/30/2019
Board of Governors of the State University System	Appointee: Valverde, Fernando J.	01/06/2019
Commission for Independent Education	Appointees: Bradley, Nancy M. Mulherin, Lynn	06/30/2018 06/30/2018
Florida Prepaid College Board	Appointees: Rasmussen, James W. Starkey, Adria D.	06/30/2018 06/30/2016
Board of Trustees, Florida A & M University	Appointees: Lawrence, David, Jr. McCoy, Gary T.	01/06/2021 01/06/2020
Board of Trustees, Florida International University	Appointee: Joseph, Michael G.	01/06/2020
Board of Trustees, New College of Florida	Appointee: Lenger, Charlene "Charlie" J.	01/06/2020
Board of Trustees, University of Florida	Appointee: Powers, Marsha D.	01/06/2021
Board of Trustees, University of West Florida	Appointee: Baker, Richard R.	01/06/2021

The following executive appointment was referred to the Senate Committee on Education Pre-K - 12 and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>		<i>For Term Ending</i>
State Board of Education	Appointee: Grady, Thomas R.	12/31/2018

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2016 Regular Session; and

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

Respectfully submitted,
Garrett Richter, Chair

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

The vote was:

Yeas—36

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

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

SPECIAL ORDER CALENDAR

CS for SB 20—A bill to be entitled An act for the relief of Rafael Zaldivar and Kyoko Zaldivar, parents of Alex Zaldivar, deceased, individually and as co-personal representatives of the Estate of Alex Zaldivar, and Brienna Campos and Remington Campos by Orange County; providing for an appropriation to compensate Rafael Zaldivar and Kyoko Zaldivar for the death of Alex Zaldivar and to compensate Brienna Campos and Remington Campos for the injuries and damages they sustained as a result of the negligence of Orange County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

SENATOR NEGRON PRESIDING

Pending further consideration of **CS for SB 20**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 3517** was withdrawn from the Committee on Rules.

On motion by Senator Diaz de la Portilla—

CS for HB 3517—A bill to be entitled An act for the relief of Rafael Zaldivar and Kyoko Zaldivar, parents of Alex Zaldivar, deceased, individually and as co-personal representatives of the Estate of Alex Zaldivar, and Brienna Campos and Remington Campos by Orange County; providing for an appropriation to compensate Rafael Zaldivar and Kyoko Zaldivar for the death of Alex Zaldivar and to compensate Brienna Campos and Remington Campos for the injuries and damages they sustained as a result of the negligence of Orange County; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 20** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 3517** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 44—A bill to be entitled An act for the relief of Susana Castillo, as personal representative of the Estate of Andrea Castillo; providing for an appropriation to compensate the Estate of Andrea Castillo for her death as a result of the negligence of the City of Hialeah; providing a limitation on the payment of fees and costs; providing that the amounts awarded are intended to provide the sole

compensation for all present and future claims related to the wrongful death of Andrea Castillo; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 44**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 3509** was withdrawn from the Committee on Rules.

On motion by Senator Garcia—

CS for HB 3509—A bill to be entitled An act for the relief of Susana Castillo, as personal representative of the Estate of Andrea Castillo; providing for an appropriation to compensate the Estate of Andrea Castillo for her death as a result of the negligence of the City of Hialeah; providing a limitation on the payment of fees and costs; providing that the amounts awarded are intended to provide the sole compensation for all present and future claims related to the wrongful death of Andrea Castillo; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 44** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 3509** was placed on the calendar of Bills on Third Reading.

CS for SB 46—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, which occurred as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 46**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 3525** was withdrawn from the Committee on Rules.

On motion by Senator Flores—

CS for HB 3525—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, which occurred as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 46** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 3525** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1638** and **CS for CS for SB 372** was deferred.

CS for SB 582—A bill to be entitled An act relating to public corruption; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term “bribery”; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, and s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath of notaries public, to incorporate the amendment made by the act to s. 838.022,

F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(d) and (g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, 838.022, and 838.22, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 582**, pursuant to Rule 3.11(3), there being no objection, **HB 7071** was withdrawn from the Committees on Governmental Oversight and Accountability; Criminal Justice; and Rules.

On motion by Senator Gaetz—

HB 7071—A bill to be entitled An act relating to public corruption; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term “bribery”; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath, and s. 921.0022(3)(d), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate amendments made by the act to s. 838.022, F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, and 838.22, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 582** and read the second time by title.

Pursuant to Rule 4.19, **HB 7071** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 746** was deferred.

CS for SB 7054—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising definitions; repealing s. 393.0641, F.S., relating to a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring the agency to allow an individual to receive specified services if the individual’s parent or legal guardian is an active duty military servicemember, under certain circumstances; requiring the agency to send an annual letter requesting updated information to clients, their guardians, or their families; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.066, F.S.; providing for the use of an agency data management system; providing requirements for persons or entities under contract with the agency; amending s. 393.0662, F.S.; revising the allocations methodology that the agency is required to use to develop each client’s iBudget; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client’s allocated funds; revising duties of the Agency for Health Care Administration relating to the iBudget system; creating s. 393.0663, F.S.; providing legislative findings; establishing The Arc Dental Program in the Agency for Persons with Disabilities; authorizing the agency to enter into a memorandum of agreement with and assist The Arc of Florida; providing requirements for the memorandum of

agreement; requiring the agency to submit an annual report to the Governor and the Legislature; providing that implementation of the program is contingent upon an appropriation; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring specified intermediate care facilities to comply with certain requests and inspections by the agency; amending s. 393.11, F.S.; providing for annual reviews for persons involuntarily committed to residential services; requiring the agency to employ or contract with a qualified evaluator; providing requirements for annual reviews; requiring a hearing to be held to consider the results of an annual review; requiring the agency to provide a copy of the review to certain persons; defining a term; repealing s. 24 of chapter 2015-222, Laws of Florida, relating to the abrogation of the scheduled expiration of an amendment to s. 393.067(15), F.S., and the scheduled reversion of the text of that section; repealing s. 26 of chapter 2015-222, Laws of Florida, relating to the abrogation of the scheduled expiration of an amendment to s. 393.18, F.S., and the scheduled reversion of the text of that section; reenacting s. 393.067(15), F.S., relating to contracts between the agency and licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; requiring the supervisor of the clinical director of such programs to meet specified requirements; requiring such programs to include specified components; revising the organization and operation of the components; requiring components of a program to be located within the same agency region; providing for the integration of educational components of the program, including individual education plans, with the local school district of school-aged residents; requiring licensees that have entered into settlement agreements with the agency to comply with the agreement or face disciplinary action; authorizing the agency to approve the proposed admission or readmission of an individual to a program for a specified period of time; providing for an extended stay under certain circumstances; amending s. 393.501, F.S.; conforming provisions to changes made by the act; amending ss. 383.141 and 1002.385, F.S.; conforming cross references; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 7054**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1083** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Sobel—

CS for CS for HB 1083—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising and defining terms; repealing s. 393.0641, F.S., relating to a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring an agency to allow a certain individual to receive such services if the individual’s parent or legal guardian is an active-duty military servicemember; requiring the agency to send an annual letter to clients and their guardians or families; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.066, F.S.; providing for the use of an agency data management system; providing requirements for persons or entities under contract with the agency; amending s. 393.0662, F.S.; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client’s allocated funds; revising duties of the Agency for Health Care Administration relating to the iBudget system; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring certain intermediate care facilities to comply with certain requests and inspections by the agency; amending s. 393.11, F.S.; providing for annual reviews for persons involuntarily admitted to residential services provided by the agency; requiring the agency to contract with a qualified evaluator; providing requirements for annual reviews; requiring a hearing to be held to consider the results of an annual review; requiring the agency to provide a copy of the review to certain persons; providing a definition; repealing ss. 24 and 26 of chapter 2015-222, Laws of Florida; abrogating the scheduled expiration and reversion of amendments to ss. 393.067(15) and 393.18, F.S.; providing for contingent retroactive op-

eration; reenacting s. 393.067(15), F.S., relating to a provision specifying that the agency is not required to contract with certain licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; providing qualification requirements for the supervisor of the clinical director of a specified licensee; revising the organization and operation of components of such a program; providing for the integration of educational components with the local school district; providing that failure of certain licensees to comply with the terms of a settlement agreement is grounds for discipline; authorizing the agency to approve the admission or readmission of an individual to such a program; amending ss. 383.141 and 1002.385, F.S.; conforming cross-references to changes made by the act; providing an appropriation; providing a contingent appropriation; providing effective dates.

—a companion measure, was substituted for **CS for SB 7054** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1083** was placed on the calendar of Bills on Third Reading.

CS for SB 7056—A bill to be entitled An act relating to long-term care managed care prioritization; amending s. 409.962, F.S.; defining terms; amending s. 409.979, F.S.; requiring the Department of Elderly Affairs to maintain a statewide wait list for enrollment for home and community-based services through the Medicaid long-term care managed care program; requiring the department to prioritize individuals for potential enrollment using a frailty-based screening tool that provides a priority score; providing for determinations regarding offers of enrollment; requiring screening and certain rescreening by Aging Resource Center personnel of individuals requesting long-term care services from the program; requiring the department to adopt by rule a screening tool; requiring the department to make a specified methodology available on its website; requiring the department to notify applicants if they are placed on the wait list; requiring the department to conduct prerelease assessments upon notification by the agency of available capacity; authorizing certain individuals to enroll in the long-term care managed care program; authorizing the department to terminate an individual from the wait list under certain circumstances; providing for priority enrollment for home and community-based services; authorizing the department and the Agency for Health Care Administration to adopt rules; deleting obsolete language; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 7056**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1335** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Bean—

CS for HB 1335—A bill to be entitled An act relating to long-term care managed care prioritization; amending s. 409.962, F.S.; providing definitions; amending s. 409.979, F.S.; requiring the Department of Elderly Affairs to maintain a statewide wait list for enrollment for home and community-based services through the Medicaid long-term care managed care program; requiring the department to prioritize individuals for potential enrollment using a frailty-based screening tool that provides a priority score; providing for determinations regarding offers of enrollment; requiring screening and certain rescreening by aging resource center personnel of individuals requesting long-term care services from the program; requiring the department to adopt by rule a screening tool; requiring the department to make a specified methodology available on its website; requiring the department to notify applicants of placement on the wait list; requiring the department to document attempts to contact an individual to schedule a screening or rescreening; requiring the department to send a letter to an individual who it is unable to contact to schedule an initial screening or rescreening; requiring the department to conduct prerelease assessments upon notification by the agency of available capacity; authorizing certain individuals to enroll in the long-term care managed care program; authorizing the department to terminate an individual from the wait

list under certain circumstances; providing for priority enrollment for home and community-based services for certain individuals; authorizing the department and the Agency for Health Care Administration to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for SB 7056** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1335** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1454—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising provisions relating to careless operation of a vessel; amending s. 327.70, F.S.; requiring the issuance and use of a safety inspection decal under certain circumstances; prohibiting law enforcement officers from stopping a vessel for a specified purpose under certain circumstances; providing an exception; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1454**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 703** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Hutson—

CS for HB 703—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S., relating to the reckless or careless operation of a vessel; providing that vessel overloading or excessive speed constitutes careless operation of a vessel; amending s. 327.70, F.S.; providing for issuance and display of vessel safety inspection decals; prohibiting law enforcement officers from stopping certain vessels solely to inspect for compliance with specified safety requirements; providing an exception; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1454** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 703** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SJR 1194** was deferred.

CS for SJR 492—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to revise the homestead tax exemption that may be granted by counties or municipalities, if authorized by general law, for the assessed value of property with a just value less than \$250,000 and owned by persons age 65 or older who meet certain residence and income requirements to specify that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption and to provide retroactive applicability and an effective date.

—was read the second time by title.

Pending further consideration of **CS for SJR 492**, pursuant to Rule 3.11(3), there being no objection, **CS for HJR 275** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Flores—

CS for HJR 275—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to revise the homestead tax exemption that may be granted by counties or municipalities, if authorized by general law, for the assessed value of property with a just value less than \$250,000 and owned by persons age 65 or older who meet certain residence and income requirements to specify that just value shall be determined in

the first tax year that the owner applies and is eligible for the exemption and to provide retroactive applicability and an effective date.

—a companion measure, was substituted for **CS for SJR 492** and read the second time by title.

Pursuant to Rule 4.19, **CS for HJR 275** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 488—A bill to be entitled An act relating to a county and municipality homestead tax exemption; amending s. 196.075, F.S.; revising the homestead tax exemption that may be adopted by a county or municipality by ordinance for the assessed value of property with a just value less than \$250,000 which is owned by persons age 65 or older who meet certain residence and income requirements; specifying that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption; providing for a refund of overpaid taxes in prior years; providing retroactive applicability; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 488**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 277** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Flores—

CS for HB 277—A bill to be entitled An act relating to a county and municipality homestead tax exemption; amending s. 196.075, F.S.; revising the homestead tax exemption that may be adopted by a county or municipality by ordinance for the assessed value of property with a just value less than \$250,000 which is owned by persons age 65 or older who meet certain residence and income requirements; specifying that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption; providing for a refund of overpaid taxes in prior years; providing retroactive applicability; providing a contingent effective date.

—a companion measure, was substituted for **CS for CS for SB 488** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 277** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 766—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; revising procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; specifying deadlines for value adjustment boards to complete certain hearings and final assessment roll certifications; providing exceptions; providing applicability; amending ss. 193.155, 193.1554, and 193.1555, F.S.; requiring a property appraiser to serve a notice of intent to record a notice of tax lien under certain circumstances; requiring certain taxpayers to be given a specified timeframe to pay taxes, penalties, and interest to avoid the filing of a lien; prohibiting the assessment of penalties and interest under certain circumstances; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; providing applicability as to the confidentiality of certain taxpayer information; amending s. 194.014, F.S.; revising the entities authorized to determine under certain circumstances that a petitioner owes ad valorem taxes or is owed a refund of overpaid taxes; revising the rate at which interest accrues on unpaid and overpaid ad valorem taxes; defining the term “bank prime loan rate”; amending s. 194.032, F.S.; revising the purposes for which a value adjustment board may meet; revising requirements for the provision of property record cards to a petitioner for certain hearings; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term “good cause”; amending s. 194.034, F.S.; revising requirements for an entity that may represent a taxpayer before the value adjustment board; requiring the Department of Revenue to adopt certain forms;

prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term “timely filed”; revising provisions relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by a special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing or when scheduling a special magistrate; amending s. 197.3632, F.S.; extending the dates for certain counties to adopt or certify non-ad valorem assessment rolls; reenacting and amending s. 1011.62(4)(e), F.S.; revising the time period for requirements and calculations applicable to the levy and adjustment of the Prior Period Funding Adjustment Millage before and after certification of the district’s final taxable value; repealing certain provisions of a rule adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 766**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 499** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Flores—

CS for CS for HB 499—A bill to be entitled An act relating to ad valorem taxation; amending s. 129.03, F.S.; revising the information required to be included on summaries of adopted tentative budgets; authorizing a summary statement to be published more than once in specified locations; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; establishing procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; establishing deadlines for value adjustment boards to complete final assessment roll certifications; providing exceptions; providing applicability; amending s. 193.155, F.S.; providing timeframes in which taxpayers may appeal to the value adjustment board the application of the assessment limitation on homestead property; amending ss. 193.1554 and 193.1555, F.S.; providing timeframes in which taxpayers may appeal the application of the assessment limitation on certain property to the value adjustment board; authorizing the waiver of penalties and interest under certain circumstances; allowing certain taxpayers to pay taxes, penalties, and interest within a specified period to avoid the filing of a lien; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; revising the procedures used during a value adjustment board hearing; revising the documentation required to be on evidence lists during value adjustment board hearings; specifying the period during which certain evidence remains confidential; amending s. 194.014, F.S.; revising the interest rate upon which certain unpaid and overpaid ad valorem taxes accrue; defining the term “bank prime loan rate”; amending s. 194.015, F.S.; revising procedures for appointment to a value adjustment board; amending s. 194.032, F.S.; revising requirements for the provision of property record cards to a petitioner; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term “good cause”; requiring value adjustment boards to address issues concerning assessment rolls by a time certain; providing an exception; amending s. 194.034, F.S.; revising the authorization required for various entities that may represent a taxpayer before the value adjustment board; prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term “timely filed”; revising provisions relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by an attorney special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing a special magistrate; amending s. 1011.62, F.S.; revising dates for purposes of computing each school district’s required local effort; repealing certain rules adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 766** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment which was adopted:

Amendment 1 (534768) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (f) of subsection (2) of section 192.0105, Florida Statutes, is amended to read:

192.0105 Taxpayer rights.—There is created a Florida Taxpayer's Bill of Rights for property taxes and assessments to guarantee that the rights, privacy, and property of the taxpayers of this state are adequately safeguarded and protected during tax levy, assessment, collection, and enforcement processes administered under the revenue laws of this state. The Taxpayer's Bill of Rights compiles, in one document, brief but comprehensive statements that summarize the rights and obligations of the property appraisers, tax collectors, clerks of the court, local governing boards, the Department of Revenue, and taxpayers. Additional rights afforded to payors of taxes and assessments imposed under the revenue laws of this state are provided in s. 213.015. The rights afforded taxpayers to assure that their privacy and property are safeguarded and protected during tax levy, assessment, and collection are available only insofar as they are implemented in other parts of the Florida Statutes or rules of the Department of Revenue. The rights so guaranteed to state taxpayers in the Florida Statutes and the departmental rules include:

(2) THE RIGHT TO DUE PROCESS.—

(f) The right, in value adjustment board proceedings, to have all evidence presented and considered at a public hearing at the scheduled time, to be represented by a person specified in s. 194.034(1)(a), (b), or (c) ~~an attorney or agent~~, to have witnesses sworn and cross-examined, and to examine property appraisers or evaluators employed by the board who present testimony (see ss. 194.034(1)(d) ~~194.034(1)(a) and (c)~~ and (4), and 194.035(2)).

Section 2. Subsection (1) of section 193.073, Florida Statutes, is amended to read:

193.073 Erroneous returns; estimate of assessment when no return filed.—

(1)(a) Upon discovery that an erroneous or incomplete statement of personal property has been filed by a taxpayer or that all the property of a taxpayer has not been returned for taxation, the property appraiser shall mail a notice informing the taxpayer that an erroneous or incomplete statement of personal property has been filed. Such notice shall be mailed at any time before the mailing of the notice required in s. 200.069. The taxpayer has 30 days after the date the notice is mailed to provide the property appraiser with a complete return listing all property for taxation. ~~proceed as follows:~~

(b)(~~a~~) If the property is personal property and is discovered before April 1, the property appraiser shall make an assessment in triplicate. After attaching the affidavit and warrant required by law, the property appraiser shall dispose of the additional assessment roll in the same manner as provided by law.

(c)(~~b~~) If the property is personal property and is discovered on or after April 1, or is real property discovered at any time, the property shall be added to the assessment roll then in preparation.

Section 3. Subsection (1) of section 193.122, Florida Statutes, is amended to read:

193.122 Certificates of value adjustment board and property appraiser; extensions on the assessment rolls.—

(1) The value adjustment board shall certify each assessment roll upon order of the board of county commissioners pursuant to s. 197.323, if applicable, and again after all hearings required by s. 194.032 have been held. These certificates shall be attached to each roll as required by the Department of Revenue. *Notwithstanding an extension of the roll by the board of county commissioners pursuant to s. 197.323, the value adjustment board must complete all hearings required by s. 194.032 and certify the assessment roll to the property appraiser by June 1 following the assessment year. The June 1 requirement shall be extended until*

December 1 in each year in which the number of petitions filed increased by more than 10 percent over the previous year.

Section 4. *The amendments made by this act to s. 193.122, Florida Statutes, first apply beginning with the 2018 tax roll.*

Section 5. Subsection (10) of section 193.155, Florida Statutes, is amended to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(10) If the property appraiser determines that for any year or years within the prior 10 years a person who was not entitled to the homestead property assessment limitation granted under this section was granted the homestead property assessment limitation, the property appraiser making such determination shall *serve upon the owner a notice of intent* to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. Such property that is situated in this state is subject to the unpaid taxes, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. However, when a person entitled to exemption pursuant to s. 196.031 inadvertently receives the limitation pursuant to this section following a change of ownership, the assessment of such property must be corrected as provided in paragraph (9)(a), and the person need not pay the unpaid taxes, penalties, or interest. *Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes and any applicable penalties and interest. If the property appraiser improperly grants the property assessment limitation as a result of a clerical mistake or an omission, the person or entity improperly receiving the property assessment limitation may not be assessed a penalty or interest.*

Section 6. Subsection (10) of section 193.1554, Florida Statutes, is amended to read:

193.1554 Assessment of nonhomestead residential property.—

(10) If the property appraiser determines that for any year or years within the prior 10 years a person or entity who was not entitled to the property assessment limitation granted under this section was granted the property assessment limitation, the property appraiser making such determination shall *serve upon the owner a notice of intent* to record in the public records of the county a notice of tax lien against any property owned by that person or entity in the county, and such property must be identified in the notice of tax lien. Such property that is situated in this state is subject to the unpaid taxes, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. *Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes and any applicable penalties and interest. If the property appraiser improperly grants the property assessment limitation as a result of a clerical mistake or an omission, the person or entity improperly receiving the property assessment limitation may not be assessed a penalty or interest.*

Section 7. Subsection (10) of section 193.1555, Florida Statutes, is amended to read:

193.1555 Assessment of certain residential and nonresidential real property.—

(10) If the property appraiser determines that for any year or years within the prior 10 years a person or entity who was not entitled to the property assessment limitation granted under this section was granted the property assessment limitation, the property appraiser making such determination shall *serve upon the owner a notice of intent* to record in the public records of the county a notice of tax lien against any property owned by that person or entity in the county, and such property must be identified in the notice of tax lien. Such property that is situated in this state is subject to the unpaid taxes, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. *Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes and any applicable penalties and interest. If the property appraiser improperly grants the property assessment limitation as a*

result of a clerical mistake or an omission, the person or entity improperly receiving the property assessment limitation may not be assessed a penalty or interest.

Section 8. Subsection (3) of section 194.011, Florida Statutes, is amended to read:

194.011 Assessment notice; objections to assessments.—

(3) A petition to the value adjustment board must be in substantially the form prescribed by the department. Notwithstanding s. 195.022, a county officer may not refuse to accept a form provided by the department for this purpose if the taxpayer chooses to use it. A petition to the value adjustment board *must be signed by the taxpayer or be accompanied at the time of filing by the taxpayer's written authorization or power of attorney, unless the person filing the petition is listed in s. 194.034(1)(a). A person listed in s. 194.034(1)(a) may file a petition with a value adjustment board without the taxpayer's signature or written authorization by certifying under penalty of perjury that he or she has authorized to file the petition on behalf of the taxpayer. If a taxpayer notifies the value adjustment board that a petition has been filed for the taxpayer's property without his or her consent, the value adjustment board may require the person filing the petition to provide written authorization from the taxpayer authorizing the person to proceed with the appeal before a hearing is held. If the value adjustment board finds that a person listed in s. 194.034(1)(a) willfully and knowingly filed a petition that was not authorized by the taxpayer, the value adjustment board shall require such person to provide the taxpayer's written authorization for representation to the value adjustment board clerk before any petition filed by that person is heard, for 1 year after imposition of such requirement by the value adjustment board. A power of attorney or written authorization is valid for 1 assessment year, and a new power of attorney or written authorization by the taxpayer is required for each subsequent assessment year. A petition shall also describe the property by parcel number and shall be filed as follows:*

(a) The clerk of the value adjustment board and the property appraiser shall have available and shall distribute forms prescribed by the Department of Revenue on which the petition shall be made. Such petition shall be sworn to by the petitioner.

(b) The completed petition shall be filed with the clerk of the value adjustment board of the county, who shall acknowledge receipt thereof and promptly furnish a copy thereof to the property appraiser.

(c) The petition shall state the approximate time anticipated by the taxpayer to present and argue his or her petition before the board.

(d) The petition may be filed, as to valuation issues, at any time during the taxable year on or before the 25th day following the mailing of notice by the property appraiser as provided in subsection (1). With respect to an issue involving the denial of an exemption, an agricultural or high-water recharge classification application, an application for classification as historic property used for commercial or certain non-profit purposes, or a deferral, the petition must be filed at any time during the taxable year on or before the 30th day following the mailing of the notice by the property appraiser under s. 193.461, s. 193.503, s. 193.625, s. 196.173, or s. 196.193 or notice by the tax collector under s. 197.2425.

(e) A condominium association, cooperative association, or any homeowners' association as defined in s. 723.075, with approval of its board of administration or directors, may file with the value adjustment board a single joint petition on behalf of any association members who own parcels of property which the property appraiser determines are substantially similar with respect to location, proximity to amenities, number of rooms, living area, and condition. The condominium association, cooperative association, or homeowners' association as defined in s. 723.075 shall provide the unit owners with notice of its intent to petition the value adjustment board and shall provide at least 20 days for a unit owner to elect, in writing, that his or her unit not be included in the petition.

(f) An owner of contiguous, undeveloped parcels may file with the value adjustment board a single joint petition if the property appraiser determines such parcels are substantially similar in nature.

(g) An owner of multiple tangible personal property accounts may file with the value adjustment board a single joint petition if the property appraiser determines that the tangible personal property accounts are substantially similar in nature.

(h) The individual, agent, or legal entity that signs the petition becomes an agent of the taxpayer for the purpose of serving process to obtain personal jurisdiction over the taxpayer for the entire value adjustment board proceedings, including any appeals of a board decision by the property appraiser pursuant to s. 194.036. *This paragraph does not authorize the individual, agent, or legal entity to receive or access the taxpayer's confidential information without written authorization from the taxpayer.*

Section 9. Subsection (2) of section 194.014, Florida Statutes, is amended to read:

194.014 Partial payment of ad valorem taxes; proceedings before value adjustment board.—

(2) If the value adjustment board or the property appraiser determines that the petitioner owes ad valorem taxes in excess of the amount paid, the unpaid amount accrues interest at an annual percentage rate equal to the bank prime loan rate on July 1, or the first business day thereafter if July 1 is a Saturday, Sunday, or legal holiday, of the ~~rate of 12 percent per year, beginning on~~ *from* the date the taxes became delinquent pursuant to s. 197.333 until the unpaid amount is paid. If the value adjustment board or the property appraiser determines that a refund is due, the overpaid amount accrues interest at an annual percentage rate equal to the bank prime loan rate on July 1, or the first business day thereafter if July 1 is a Saturday, Sunday, or legal holiday, of the ~~tax the rate of 12 percent per year, beginning on~~ *from* the date the taxes became delinquent pursuant to s. 197.333 until a refund is paid. *Interest on an overpayment related to a petition shall be funded proportionately by each taxing authority that was overpaid. Interest does not accrue on amounts paid in excess of 100 percent of the current taxes due as provided on the tax notice issued pursuant to s. 197.322. For purposes of this subsection, the term "bank prime loan rate" means the average predominant prime rate quoted by commercial banks to large businesses as published by the Board of Governors of the Federal Reserve System.*

Section 10. Paragraph (a) of subsection (1) and paragraph (a) of subsection (2) of section 194.032, Florida Statutes, are amended to read:

194.032 Hearing purposes; timetable.—

(1)(a) The value adjustment board shall meet not earlier than 30 days and not later than 60 days after the mailing of the notice provided in s. 194.011(1); however, no board hearing shall be held before approval of all or any part of the assessment rolls by the Department of Revenue. The board shall meet for the following purposes:

1. Hearing petitions relating to assessments filed pursuant to s. 194.011(3).

2. Hearing complaints relating to homestead exemptions as provided for under s. 196.151.

3. Hearing appeals from exemptions denied, or disputes arising from exemptions granted, upon the filing of exemption applications under s. 196.011.

4. Hearing appeals concerning ad valorem tax deferrals and classifications.

5. *Hearing appeals from determinations that a change of ownership under s. 193.155(3), a change of ownership or control under s. 193.1554(5) or s. 193.1555(5), or a qualifying improvement under s. 193.1555(5), has occurred.*

(2)(a) The clerk of the governing body of the county shall prepare a schedule of appearances before the board based on petitions timely filed with him or her. The clerk shall notify each petitioner of the scheduled time of his or her appearance at least 25 calendar days before the day of the scheduled appearance. The notice must indicate whether the petition has been scheduled to be heard at a particular time or during a block of time. If the petition has been scheduled to be heard within a block of time, the beginning and ending of that block of time must be

indicated on the notice; however, as provided in paragraph (b), a petitioner may not be required to wait for more than a reasonable time, not to exceed 2 hours, after the beginning of the block of time. ~~If the petitioner checked the appropriate box on the petition form to request a copy of the property record card containing relevant information used in computing the current assessment,~~ The property appraiser must provide ~~a the~~ copy of the property record card containing information relevant to the computation of the current assessment, with confidential information redacted, to the petitioner upon receipt of the petition from the clerk regardless of whether the petitioner initiates evidence exchange, unless the property record card is available online from the property appraiser, in which case the property appraiser must notify the petitioner that the property record card is available online. ~~Upon receipt of the notice,~~ The petitioner and the property appraiser may each reschedule the hearing a single time for good cause ~~by submitting to the clerk a written request to reschedule, at least 5 calendar days before the day of the originally scheduled hearing.~~ As used in this paragraph, the term "good cause" means circumstances beyond the control of the person seeking to reschedule the hearing which reasonably prevent the party from having adequate representation at the hearing. If the hearing is rescheduled by the petitioner or the property appraiser, the clerk shall notify the petitioner of the rescheduled time of his or her appearance at least 15 calendar days before the day of the rescheduled appearance, unless this notice is waived by both parties.

Section 11. Subsections (1) and (2) of section 194.034, Florida Statutes, are amended to read:

194.034 Hearing procedures; rules.—

(1)(a) Petitioners before the board may be represented by an employee of the taxpayer or an affiliated entity, an attorney who is a member of The Florida Bar, a real estate appraiser licensed under chapter 475, a real estate broker licensed under chapter 475, or a certified public accountant licensed under chapter 473, retained by the taxpayer. Such person may ~~or agent and~~ present testimony and other evidence.

(b) A petitioner before the board may also be represented by a person with a power of attorney to act on the taxpayer's behalf. Such person may present testimony and other evidence. The power of attorney must conform to the requirements of part II of chapter 709, is valid only to represent a single petitioner in a single assessment year, and must identify the parcels for which the taxpayer has granted the person the authority to represent the taxpayer. The Department of Revenue shall adopt a form that meets the requirements of this paragraph. However, a petitioner is not required to use the department's form to grant the power of attorney.

(c) A petitioner before the board may also be represented by a person with written authorization to act on the taxpayer's behalf, for which such person receives no compensation. Such person may present testimony and other evidence. The written authorization is valid only to represent a single petitioner in a single assessment year and must identify the parcels for which the taxpayer authorizes the person to represent the taxpayer. The Department of Revenue shall adopt a form that meets the requirements of this paragraph. However, a petitioner is not required to use the department's form to grant the authorization.

(d) The property appraiser or his or her authorized representatives may be represented by an attorney in defending the property appraiser's assessment or opposing an exemption and may present testimony and other evidence.

(e) The property appraiser, each petitioner, and all witnesses shall be required, upon the request of either party, to testify under oath as administered by the chair ~~chairperson~~ of the board. Hearings shall be conducted in the manner prescribed by rules of the department, which rules shall include the right of cross-examination of any witness.

(f)(~~b~~) Nothing herein shall preclude an aggrieved taxpayer from contesting his or her assessment in the manner provided by s. 194.171, regardless of whether ~~or not~~ he or she has initiated an action pursuant to s. 194.011.

(g)(~~e~~) The rules shall provide that no evidence shall be considered by the board except when presented during the time scheduled for the petitioner's hearing or at a time when the petitioner has been given reasonable notice; that a verbatim record of the proceedings shall be

made, and proof of any documentary evidence presented shall be preserved and made available to the Department of Revenue, if requested; and that further judicial proceedings shall be as provided in s. 194.036.

(h)(~~d~~) Notwithstanding the provisions of this subsection, a ~~no~~ petitioner may ~~not~~ present for consideration, ~~and nor may~~ a board or special magistrate ~~may not~~ accept for consideration, testimony or other evidentiary materials that were requested of the petitioner in writing by the property appraiser of which the petitioner had knowledge ~~but and~~ denied to the property appraiser.

(i)(~~e~~) Chapter 120 does not apply to hearings of the value adjustment board.

(j)(~~f~~) An assessment may not be contested ~~unless until~~ a return as required by s. 193.052 ~~was timely has been~~ filed. For purposes of this paragraph, the term "timely filed" means filed by the deadline established in s. 193.062 or before the expiration of any extension granted under s. 193.063. If notice is mailed pursuant to s. 193.073(1)(a), a complete return must be submitted under s. 193.073(1)(a) for the assessment to be contested.

(2) In each case, except if the complaint is withdrawn by the petitioner or if the complaint is acknowledged as correct by the property appraiser, the value adjustment board shall render a written decision. All such decisions shall be issued within 20 calendar days after the last day the board is in session under s. 194.032. The decision of the board must contain findings of fact and conclusions of law and must include reasons for upholding or overturning the determination of the property appraiser. *Findings of fact must be based on admitted evidence or a lack thereof.* If a special magistrate has been appointed, the recommendations of the special magistrate shall be considered by the board. The clerk, upon issuance of a decision, shall, on a form provided by the Department of Revenue, notify each taxpayer and the property appraiser of the decision of the board. This notification shall be by first-class mail or by electronic means if selected by the taxpayer on the originally filed petition. If requested by the Department of Revenue, the clerk shall provide to the department a copy of the decision or information relating to the tax impact of the findings and results of the board as described in s. 194.037 in the manner and form requested.

Section 12. Subsection (1) of section 194.035, Florida Statutes, is amended to read:

194.035 Special magistrates; property evaluators.—

(1) In counties having a population of more than 75,000, the board shall appoint special magistrates for the purpose of taking testimony and making recommendations to the board, which recommendations the board may act upon without further hearing. These special magistrates may not be elected or appointed officials or employees of the county but shall be selected from a list of those qualified individuals who are willing to serve as special magistrates. Employees and elected or appointed officials of a taxing jurisdiction or of the state may not serve as special magistrates. The clerk of the board shall annually notify such individuals or their professional associations to make known to them that opportunities to serve as special magistrates exist. The Department of Revenue shall provide a list of qualified special magistrates to any county with a population of 75,000 or less. Subject to appropriation, the department shall reimburse counties with a population of 75,000 or less for payments made to special magistrates appointed for the purpose of taking testimony and making recommendations to the value adjustment board pursuant to this section. The department shall establish a reasonable range for payments per case to special magistrates based on such payments in other counties. Requests for reimbursement of payments outside this range shall be justified by the county. If the total of all requests for reimbursement in any year exceeds the amount available pursuant to this section, payments to all counties shall be prorated accordingly. If a county having a population less than 75,000 does not appoint a special magistrate to hear each petition, the person or persons designated to hear petitions before the value adjustment board or the attorney appointed to advise the value adjustment board shall attend the training provided pursuant to subsection (3), regardless of whether the person would otherwise be required to attend, but shall not be required to pay the tuition fee specified in subsection (3). A special magistrate appointed to hear issues of exemptions, ~~and~~ classifications, ~~and~~ determinations that a change of ownership, a change of ownership or control, or a qualifying improve-

ment has occurred shall be a member of The Florida Bar with no less than 5 years' experience in the area of ad valorem taxation. A special magistrate appointed to hear issues regarding the valuation of real estate shall be a state certified real estate appraiser with not less than 5 years' experience in real property valuation. A special magistrate appointed to hear issues regarding the valuation of tangible personal property shall be a designated member of a nationally recognized appraiser's organization with not less than 5 years' experience in tangible personal property valuation. A special magistrate need not be a resident of the county in which he or she serves. A special magistrate may not represent a person before the board in any tax year during which he or she has served that board as a special magistrate. Before appointing a special magistrate, a value adjustment board shall verify the special magistrate's qualifications. The value adjustment board shall ensure that the selection of special magistrates is based solely upon the experience and qualifications of the special magistrate and is not influenced by the property appraiser. The special magistrate shall accurately and completely preserve all testimony and, in making recommendations to the value adjustment board, shall include proposed findings of fact, conclusions of law, and reasons for upholding or overturning the determination of the property appraiser. The expense of hearings before magistrates and any compensation of special magistrates shall be borne three-fifths by the board of county commissioners and two-fifths by the school board. *When appointing special magistrates or when scheduling special magistrates for specific hearings, the board, the board attorney, and the board clerk may not consider the dollar amount or percentage of any assessment reductions recommended by any special magistrate in the current year or in any previous year.*

Section 13. Paragraph (a) of subsection (4) and paragraph (a) of subsection (5) of section 197.3632, Florida Statutes, are amended to read:

197.3632 Uniform method for the levy, collection, and enforcement of non-ad valorem assessments.—

(4)(a) A local government shall adopt a non-ad valorem assessment roll at a public hearing held between January 1 and September 15, or between January 1 and September 25 for any county as defined in s. 125.011(1), if:

1. The non-ad valorem assessment is levied for the first time;
2. The non-ad valorem assessment is increased beyond the maximum rate authorized by law or judicial decree at the time of initial imposition;
3. The local government's boundaries have changed, unless all newly affected property owners have provided written consent for such assessment to the local governing board; or
4. There is a change in the purpose for such assessment or in the use of the revenue generated by such assessment.

(5)(a) By September 15 of each year, or by September 25 for any county as defined in s. 125.011(1), the chair of the local governing board or his or her designee shall certify a non-ad valorem assessment roll on compatible electronic medium to the tax collector. The local government shall post the non-ad valorem assessment for each parcel on the roll. The tax collector shall not accept any such roll that is not certified on compatible electronic medium and that does not contain the posting of the non-ad valorem assessment for each parcel. It is the responsibility of the local governing board that such roll be free of errors and omissions. Alterations to such roll may be made by the chair or his or her designee up to 10 days before certification. If the tax collector discovers errors or omissions on such roll, he or she may request the local governing board to file a corrected roll or a correction of the amount of any assessment.

Section 14. Effective June 30, 2016, notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, and notwithstanding the amendment made by section 16 of SB 1040, 2016 Regular Session, paragraph (e) of subsection (4) of section 1011.62, Florida Statutes, as amended by section 7 of chapter 2015-222, Laws of Florida, is reenacted and amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or

the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(e) *Prior period funding adjustment millage.*—

1. ~~There shall be~~ An additional millage to be known as the Prior Period Funding Adjustment Millage shall be levied by a school district if the prior period unrealized required local effort funds are greater than zero. The Commissioner of Education shall calculate the amount of the prior period unrealized required local effort funds as specified in subparagraph 2. and the millage required to generate that amount as specified in this subparagraph. The Prior Period Funding Adjustment Millage shall be the quotient of the prior period unrealized required local effort funds divided by the current year taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a. This levy shall be in addition to the required local effort millage certified pursuant to this subsection. Such millage shall not affect the calculation of the current year's required local effort, and the funds generated by such levy shall not be included in the district's Florida Education Finance Program allocation for that fiscal year. For purposes of the millage to be included on the Notice of Proposed Taxes, the Commissioner of Education shall adjust the required local effort millage computed pursuant to paragraph (a) as adjusted by paragraph (b) for the current year for any district that levies a Prior Period Funding Adjustment Millage to include all Prior Period Funding Adjustment Millage. For the purpose of this paragraph, ~~there shall be~~ a Prior Period Funding Adjustment Millage shall be levied for each year certified by the Department of Revenue pursuant to sub-subparagraph (a)2.a. since the previous year certification and for which the calculation in sub-subparagraph 2.b. is greater than zero.

2.a. As used in this subparagraph, the term:

(I) "Prior year" means a year certified under sub-subparagraph (a) 2.a.

(II) "Preliminary taxable value" means:

(A) If the prior year is the 2009-2010 fiscal year or later, the taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a.

(B) If the prior year is the 2008-2009 fiscal year or earlier, the taxable value certified pursuant to the final calculation as specified in former paragraph (b) as that paragraph existed in the prior year.

(III) "Final taxable value" means the district's taxable value as certified by the property appraiser pursuant to s. 193.122(2) or (3), if applicable. This is the certification that reflects all final administrative actions of the value adjustment board.

b. For purposes of this subsection and with respect to each year certified pursuant to sub-subparagraph (a)2.a., if the district's prior year preliminary taxable value is greater than the district's prior year final taxable value, the prior period unrealized required local effort funds are the difference between the district's prior year preliminary taxable value and the district's prior year final taxable value, multiplied by the prior year district required local effort millage. If the district's prior year preliminary taxable value is less than the district's prior year final taxable value, the prior period unrealized required local effort funds are zero.

c. ~~For the 2015-2016 fiscal year only,~~ If a district's prior period unrealized required local effort funds and prior period district required local effort millage cannot be determined because such district's final taxable value has not yet been certified pursuant to s. 193.122(2) or (3), ~~for the 2015 tax levy,~~ the Prior Period Funding Adjustment Millage for such fiscal year shall be levied, if not previously levied, ~~in 2015~~ in an amount equal to 75 percent of such district's most recent unrealized required local effort for which a Prior Period Funding Adjustment

Millage was determined as provided in this section. Upon certification of the final taxable value in accordance with s. 193.122(2) or (3) for a ~~the 2012, 2013, or 2014 tax roll rolls for which a 75 percent Prior Period Funding Adjustment Millage was levied in accordance with s. 193.122(2) or (3), the next~~ Prior Period Funding Adjustment Millage ~~levied in 2015 and 2016~~ shall be adjusted to include any shortfall or surplus in the prior period unrealized required local effort funds that would have been levied ~~in 2014 or 2015~~, had the district's final taxable value been certified pursuant to s. 193.122(2) or (3) ~~for the 2014 or 2015 tax levy~~. If this adjustment is made for a surplus, the reduction in prior period millage may not exceed the prior period funding adjustment millage calculated pursuant to subparagraph 1. and sub-subparagraphs a. and b., *or pursuant to this sub-subparagraph, whichever is applicable*, and any additional reduction shall be carried forward to the subsequent fiscal year.

Section 15. *Subsections (4) and (5) of rule 12D-9.019, Florida Administrative Code, relating to scheduling and notice of a hearing of the Department of Revenue, are repealed, and the Department of State shall update the Florida Administrative Code to remove those subsections of the rule.*

Section 16. *The Legislature finds that this act fulfills an important state interest.*

Section 17. Except as otherwise expressly provided in this act, and except for this section, which shall take effect June 30, 2016, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to ad valorem taxation; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; revising procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; specifying deadlines for value adjustment boards to complete certain hearings and final assessment roll certifications; providing exceptions; providing applicability; amending ss. 193.155, 193.1554, and 193.1555, F.S.; requiring a property appraiser to serve a notice of intent to record a notice of tax lien under certain circumstances; requiring certain taxpayers to be given a specified timeframe to pay taxes, penalties, and interest to avoid the filing of a lien; prohibiting the assessment of penalties and interest under certain circumstances; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; providing applicability as to the confidentiality of certain taxpayer information; amending s. 194.014, F.S.; revising the entities authorized to determine under certain circumstances that a petitioner owes ad valorem taxes or is owed a refund of overpaid taxes; revising the rate at which interest accrues on unpaid and overpaid ad valorem taxes; defining the term "bank prime loan rate"; amending s. 194.032, F.S.; revising the purposes for which a value adjustment board may meet; revising requirements for the provision of property record cards to a petitioner for certain hearings; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term "good cause"; amending s. 194.034, F.S.; revising requirements for an entity that may represent a taxpayer before the value adjustment board; requiring the Department of Revenue to adopt certain forms; prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term "timely filed"; revising provisions relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by a special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing or when scheduling a special magistrate; amending s. 197.3632, F.S.; extending the dates for certain counties to adopt or certify non-ad valorem assessment rolls; reenacting and amending s. 1011.62(4)(e), F.S.; revising the time period for requirements and calculations applicable to the levy and adjustment of the Prior Period Funding Adjustment Millage before and after certification of the district's final taxable value; repealing certain provisions of a rule adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 499**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1088** was deferred.

CS for SB 1196—A bill to be entitled An act relating to emergency allergy treatment in schools; amending s. 381.88, F.S.; revising the term "authorized entity"; amending ss. 1002.20 and 1002.42, F.S.; authorizing a public school and a private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors; revising the storage requirements for epinephrine auto-injectors; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1196**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1305** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Bean—

CS for HB 1305—A bill to be entitled An act relating to emergency allergy treatment in schools; amending s. 381.88, F.S.; revising the term "authorized entity"; amending ss. 1002.20 and 1002.42, F.S.; authorizing a public school and a private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors; revising the storage requirements for epinephrine auto-injectors; providing an effective date.

—a companion measure, was substituted for **CS for SB 1196** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1305** was placed on the calendar of Bills on Third Reading.

CS for SB 1088—A bill to be entitled An act relating to education programs for individuals with disabilities; amending s. 1002.39, F.S.; exempting a foster child from specified eligibility provisions; providing that a student enrolled in a transition-to-work program is eligible for a John M. McKay Scholarship; creating a transition-to-work program for specific students enrolled in the John M. McKay Scholarships for Students with Disabilities Program; providing program requirements; providing participation requirements for schools, students, and businesses; exempting a John M. McKay Scholarship award from a specified funding calculation; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1011.61, F.S.; exempting a John M. McKay Scholarship award from a specified funding calculation for purposes of the Florida Education Finance Program; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 1088**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 837** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Stargel—

CS for HB 837—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; exempting a foster child from specified eligibility provisions; providing that a student enrolled in a transition-to-work program is eligible for a John M. McKay Scholarship; creating a transition-to-work program for specific students enrolled in the John M. McKay Scholarships for Students with Disabilities Program; providing program requirements; providing participation requirements for students, schools, and businesses; exempting a John M. McKay Scholarship award from a specified funding calculation; amending s. 1011.61, F.S.; exempting a John M. McKay Scholarship award from a specified funding calculation for purposes of the Florida Education Finance Program; providing an effective date.

—a companion measure, was substituted for **CS for SB 1088** and read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (495394) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (10) through (13) of section 1002.39, Florida Statutes, are renumbered as subsections (11) through (14), respectively, paragraph (a) of subsection (2), paragraph (h) of subsection (3), paragraph (b) of subsection (8), and paragraph (a) of present subsection (10) are amended, and a new subsection (10) is added to that section, to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a student with a disability may request and receive from the state a John M. McKay Scholarship for the child to enroll in and attend a private school in accordance with this section if:

(a) The student has:

1. Received specialized instructional services under the Voluntary Prekindergarten Education Program pursuant to s. 1002.66 during the previous school year and the student has a current individual educational plan developed by the local school board in accordance with rules of the State Board of Education for the John M. McKay Scholarships for Students with Disabilities Program or a 504 accommodation plan has been issued under s. 504 of the Rehabilitation Act of 1973; or

2. Spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and the Blind. For purposes of this subparagraph, prior school year in attendance means that the student was enrolled and reported by:

a. A school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program;

b. The Florida School for the Deaf and the Blind during the preceding October and February student membership surveys in kindergarten through grade 12; or

c. A school district for funding during the preceding October and February Florida Education Finance Program surveys, was at least 4 years of age when so enrolled and reported, and was eligible for services under s. 1003.21(1)(e).

However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent's permanent change of station orders or a foster child is exempt from this paragraph but must meet all other eligibility requirements to participate in the program.

(3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a John M. McKay Scholarship:

(h) While he or she is not having regular and direct contact with his or her private school teachers at the school's physical location *unless he or she is enrolled in the private school's transition-to-work program pursuant to subsection (10)*; or

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school may be sectarian or nonsectarian and must:

(b) Provide to the department all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student pursuant to paragraph (11)(e) ~~(10)(e)~~. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the department.

(10) *TRANSITION-TO-WORK PROGRAM.*—A student participating in the John M. McKay Scholarships for Students with Disabilities Program who is at least 17 years, but not older than 22 years, of age and who has not received a high school diploma or certificate of completion is eligible for enrollment in his or her private school's transition-to-work program. A transition-to-work program shall consist of academic instruction, work skills training, and a volunteer or paid work experience.

(a) To offer a transition-to-work program, a participating private school must:

1. Develop a transition-to-work program plan, which must include a written description of the academic instruction and work skills training students will receive and the goals for students in the program.

2. Submit the transition-to-work program plan to the Office of Independent Education and Parental Choice.

3. Develop a personalized transition-to-work program plan for each student enrolled in the program. The student's parent, the student, and the school principal must sign the personalized plan. The personalized plan must be submitted to the Office of Independent Education and Parental Choice upon request by the office.

4. Provide a release of liability form that must be signed by the student's parent, the student, and a representative of the business offering the volunteer or paid work experience.

5. Assign a case manager or job coach to visit the student's job site on a weekly basis to observe the student and, if necessary, provide support and guidance to the student.

6. Provide to the parent and student a quarterly report that documents and explains the student's progress and performance in the program.

7. Maintain accurate attendance and performance records for the student.

(b) A student enrolled in a transition-to-work program must, at a minimum:

1. Receive 15 instructional hours at the private school's physical facility, which must include academic instruction and work skills training.

2. Participate in 10 hours of work at the student's volunteer or paid work experience.

(c) To participate in a transition-to-work program, a business must:

1. Maintain an accurate record of the student's performance and hours worked and provide the information to the private school.

2. Comply with all state and federal child labor laws.

~~(11)(10)~~ JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—

(a)1. The maximum scholarship granted for an eligible student with disabilities shall be equivalent to the base student allocation in the Florida Education Finance Program multiplied by the appropriate cost factor for the educational program that would have been provided for the student in the district school to which he or she was assigned, multiplied by the district cost differential.

2. In addition, a share of the guaranteed allocation for exceptional students shall be determined and added to the amount in subparagraph 1. The calculation shall be based on the methodology and the data used to calculate the guaranteed allocation for exceptional students for each district in chapter 2000-166, Laws of Florida. Except as provided in subparagraphs 3. and 4., the calculation shall be based on the student's grade, matrix level of services, and the difference between the 2000-2001 basic program and the appropriate level of services cost factor,

multiplied by the 2000-2001 base student allocation and the 2000-2001 district cost differential for the sending district. The calculated amount shall include the per-student share of supplemental academic instruction funds, instructional materials funds, technology funds, and other categorical funds as provided in the General Appropriations Act.

3. The scholarship amount for a student who is eligible under subparagraph (2)(a)2.b. shall be calculated as provided in subparagraphs 1. and 2. However, the calculation shall be based on the school district in which the parent resides at the time of the scholarship request.

4. Until the school district completes the matrix required by paragraph (5)(b), the calculation shall be based on the matrix that assigns the student to support Level I of service as it existed prior to the 2000-2001 school year. When the school district completes the matrix, the amount of the payment shall be adjusted as needed.

5. The scholarship amount for a student eligible under s. 504 of the Rehabilitation Act of 1973 shall be based on the program cost factor the student currently generates through the Florida Education Finance Program.

6. *The scholarship amount granted for an eligible student with disabilities is not subject to the maximum value for funding a student under s. 1011.61(4).*

Section 2. Subsection (9) of section 1002.41, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

1002.41 Home education programs.—

(9) ~~Home education program students may receive~~ Testing and evaluation services at diagnostic and resource centers *shall be available to home education program students, including, but not limited to, student with disabilities,* in accordance with the provisions of s. 1006.03.

(10) *A school district may provide exceptional student education-related services, as defined in State Board of Education rule, to a home education program student with a disability who is eligible for the services and who enrolls in a public school solely for the purpose of receiving those related services. The school district providing the services shall report each student as a full-time equivalent student in the class and in a manner prescribed by the Department of Education, and funding shall be provided through the Florida Education Finance Program pursuant to s. 1011.62.*

Section 3. Effective June 29, 2016, section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education ~~Pilot~~ Program.—

(1) The Adults with Disabilities Workforce Education ~~Pilot~~ Program is established in the Department of Education ~~through June 30, 2016,~~ in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory

impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the ~~pilot~~ program may continue to participate in the program until the student graduates from high school or reaches the age of 40 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a non-profit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the ~~pilot~~ program may be sectarian or nonsectarian and must:

(a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student’s progress.

(b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(c) Meet state and local health and safety laws and codes.

(d) Provide to the provider of supported employment services all documentation required for a student’s participation, including the private school’s and student’s fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the ~~pilot~~ program.

(6)(a) If the student chooses to participate in the ~~pilot~~ program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the ~~pilot~~ program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student’s or parent’s attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district’s Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. ~~During the pilot program,~~ The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the ~~pilot~~ program, and subsequent payments shall be made upon verification of continued participation in the ~~pilot~~ program. Payment must be by individual warrant made payable to the student or

parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall restrictively endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 4. Subsections (13), (22), (23), and (24) of section 1007.271, Florida Statutes, are amended, and subsection (25) is added to the section, to read:

1007.271 Dual enrollment programs.—

(13)(a) The dual enrollment program for a home education student, including, but not limited to, students with disabilities, consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.

2. Be responsible for his or her own instructional materials and transportation unless provided for in the articulation agreement otherwise.

3. Sign a home education articulation agreement pursuant to paragraph (b).

(b) Each postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must ~~shall~~ enter into a home education articulation agreement with each home education student seeking enrollment in a dual enrollment course and the student's parent. By August 1 of each year, the eligible postsecondary institution shall complete and submit the home education articulation agreement to the Department of Education. The home education articulation agreement must ~~shall~~ include, at a minimum:

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution.

2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students.

3. The student's responsibilities for providing his or her own instructional materials and transportation.

4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).

(22) The Department of Education shall develop an electronic submission system for dual enrollment articulation agreements and shall review, for compliance, each dual enrollment articulation agreement submitted pursuant to subsections (13), ~~subsection~~ (21), and (24). The Commissioner of Education shall notify the district school superintendent and the Florida College System institution president if the dual enrollment articulation agreement does not comply with statutory requirements and shall submit any dual enrollment articulation agreement with unresolved issues of noncompliance to the State Board of Education.

(23) District school boards and Florida College System institutions may enter into additional dual enrollment articulation agreements with state universities for the purposes of this section. School districts may also enter into dual enrollment articulation agreements with eligible independent colleges and universities pursuant to s. 1011.62(1)(i). By August 1 of each year, the district school board and the Florida College System institution shall complete and submit the dual enrollment articulation agreement with the state university or an eligible independent college or university, as applicable, to the Department of Education.

(24)(a) The dual enrollment program for a private school student consists of the enrollment of an eligible private school student in a

postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. In addition, a private school in which a student, including, but not limited to, students with disabilities, is enrolled must award credit toward high school completion for the postsecondary course under the dual enrollment program. To participate in the dual enrollment program, an eligible private school student must:

1. Provide proof of enrollment in a private school pursuant to subsection (2).

2. Be responsible for his or her own instructional materials and transportation unless provided for in the articulation agreement.

3. Sign a private school articulation agreement pursuant to paragraph (b).

(b) Each postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a private school articulation agreement with each eligible private school in its geographic service area seeking to offer dual enrollment courses to its students, including, but not limited to, students with disabilities. By August 1 of each year, the eligible postsecondary institution shall complete and submit the private school articulation agreement to the Department of Education. The private school articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to the private school student. The postsecondary institution may add, revise, or delete courses and programs at any time.

2. The initial and continued eligibility requirements for private school student participation, not to exceed those required of other dual enrollment students.

3. The student's responsibilities for providing his or her own instructional materials and transportation.

4. A provision clarifying that the private school will award appropriate credit toward high school completion for the postsecondary course under the dual enrollment program.

5. A provision expressing that costs associated with tuition and fees, including registration, and laboratory fees, will not be passed along to the student.

6. A provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students. ~~Postsecondary institutions may enter into dual enrollment articulation agreements with private secondary schools pursuant to subsection (2).~~

(25) For students with disabilities, a postsecondary institution eligible to participate in dual enrollment pursuant to s. 1011.62(1)(i) shall include in its dual enrollment articulation agreement, services and resources that are available to students with disabilities who register in a dual enrollment course at the eligible institution and provide information regarding such services and resources to the Florida Center for Students with Unique Abilities. The Department of Education shall provide to the center the Internet website link to dual enrollment articulation agreements specific to students with disabilities. The center shall include in the information that it is responsible for disseminating to students with disabilities and their parents pursuant to s. 1004.6495, dual enrollment articulation agreements and opportunities for meaningful campus experience through dual enrollment.

Section 5. Subsection (4) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) shall be the sum of the calculations in paragraphs (a), (b), and (c) as calculated by the department.

(a) The sum of the student's full-time equivalent student membership value for the school year or the equivalent derived from paragraphs

(1)(a) and (b), subparagraph (1)(c)1., sub-subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and subsection (2). If the sum is greater than 1.0, the full-time equivalent student membership value for each program or course shall be reduced by an equal proportion so that the student's total full-time equivalent student membership value is equal to 1.0.

(b) If the result in paragraph (a) is less than 1.0 full-time equivalent student and the student has full-time equivalent student enrollment pursuant to sub-sub-subparagraph (1)(c)1.b.(VIII), calculate an amount that is the lesser of the value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of 1.0 less the value in paragraph (a).

(c) The full-time equivalent student enrollment value in sub-subparagraph (1)(c)2.a.

A scholarship award provided to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program pursuant to s. 1002.39 is not subject to the maximum value for funding a student under this subsection.

Section 6. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education programs for individuals with disabilities; amending s. 1002.39, F.S.; exempting a foster child from specified eligibility provisions; providing that a student enrolled in a transition-to-work program is eligible for a John M. McKay Scholarship; creating a transition-to-work program for specific students enrolled in the John M. McKay Scholarships for Students with Disabilities Program; providing program requirements; providing participation requirements for schools, students, and businesses; exempting a John M. McKay Scholarship award from a specified funding calculation; amending s. 1002.41, F.S.; authorizing a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1007.271, F.S.; requiring a home education secondary student to be responsible for his or her own instructional materials and transportation in order to participate in the dual enrollment program unless the articulation agreement provides otherwise; requiring a postsecondary institution eligible to participate in the dual enrollment program to enter into a home education articulation agreement; requiring the postsecondary institution to annually complete and submit the agreement to the Department of Education by a specified date; conforming provisions to changes made by the act; requiring a district school board and a Florida College System institution to annually complete and submit to the department by a specified date a dual enrollment articulation agreement with a state university or an eligible independent college or university, as applicable; providing requirements for a private school student to participate in a dual enrollment program; requiring a postsecondary institution to annually complete and submit the articulation agreement to the department by a specified date; requiring specified information to be included in dual enrollment articulation agreements and disseminated to students with disabilities; amending s. 1011.61, F.S.; exempting a John M. McKay Scholarship award from a specified funding calculation for purposes of the Florida Education Finance Program; providing effective dates.

Pursuant to Rule 4.19, **CS for HB 837**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1316—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the department upon request; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions to con-

form to changes made by the compact; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse's multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with practice laws of those states; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse's multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information system; providing for the development of the system, reporting procedures, and the exchange of certain information between party states; establishing the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rulemaking procedures; providing for state enforcement of the compact; providing a procedure for compact membership termination; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members, employees, or representatives of the Interstate Commission of Nurse Licensure Compact Administrators as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain claims or judgments; authorizing the commission to maintain insurance coverage to pay certain claims or judgments; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1316**, pursuant to Rule 3.11(3), there being no objection, **HB 1061** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

HB 1061—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the

department; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions, to conform; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse's multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with state practice laws; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse's multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information; providing for the development of the system, reporting procedures, and the exchange of certain information between party states; establishing the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rule-making procedures; providing for state enforcement of the compact; providing for the termination of compact membership; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members or employees of the commission as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain judgments or claims; providing an effective date.

—a companion measure, was substituted for **CS for SB 1316** and read the second time by title.

Pursuant to Rule 4.19, **HB 1061** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 172—A bill to be entitled An act relating to a special election; providing for a special election to be held August 30, 2016, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an exemption from the tangible personal property tax for solar or renewable energy source devices, a limitation on the assessed value of real property used for nonresidential purposes for the installation of such de-

vices, and an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 172**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 195** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Brandes—

CS for HB 195—A bill to be entitled An act relating to a special election; providing for a special election to be held August 30, 2016, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an exemption from the tangible personal property tax for solar or renewable energy source devices, a limitation on the assessed value of real property used for nonresidential purposes for the installation of such devices, and an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing a contingent effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 172** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 195** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

CS for SB 1722—A bill to be entitled An act relating to termination of pregnancies; amending s. 390.011, F.S.; defining the term “gestation” and revising the term “third trimester”; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of certain hospitals and physicians' offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules that require certain clinics to have written agreements with local hospitals for certain contingencies; specifying that the rules must require physicians who perform abortions at a clinic that performs abortions in the first trimester of pregnancy to have admitting privileges at a hospital within reasonable proximity of the clinic; specifying for clinics that perform or claim to perform abortions after the first trimester of pregnancy that the rules must require all physicians performing abortions at the clinic to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with such a hospital and the agreement includes certain provisions; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the

purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing effective dates.

—was read the second time by title.

On motion by Senator Stargel, further consideration of **CS for SB 1722** was deferred.

CS for CS for SB 1652—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 112.64, F.S.; authorizing a county to apply proceeds of a pension liability surtax toward reducing the unfunded liability of a defined benefit retirement plan or system; specifying the method of determining the amortization schedule if a surtax is approved; amending s. 212.055, F.S.; authorizing a county to levy a pension liability surtax by ordinance if certain conditions are met; prescribing the form of the ballot statement; requiring the Department of Revenue to distribute the surtax proceeds, less administrative fees; specifying the manner in which a local government may use the surtax proceeds; prescribing requirements for the ordinance that provides for the imposition of the surtax; specifying conditions under which the surtax terminates; limiting the combined rate of specified discretionary sales surtaxes; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1652** to **CS for HB 1297**.

Pending further consideration of **CS for CS for SB 1652**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1297** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Rules.

On motion by Senator Bradley—

CS for HB 1297—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 112.64, F.S.; authorizing a county to apply proceeds of a pension liability surtax toward reducing the unfunded liability of a defined benefit retirement plan or system; specifying the method of determining the amortization schedule if a surtax is approved; amending s. 212.055, F.S.; authorizing a county to levy a pension liability surtax by ordinance if certain conditions are met; prescribing the form of the ballot statement; requiring the Department of Revenue to distribute the surtax proceeds, less administrative fees; specifying the manner in which a local government may use the surtax proceeds; prescribing requirements for the ordinance that provides for the imposition of the surtax; specifying conditions under which the surtax terminates; limiting the combined rate of specified discretionary sales surtaxes; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1652**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1297** was placed on the calendar of Bills on Third Reading.

By direction of the President, the Senate resumed consideration of—

CS for SB 1722—A bill to be entitled An act relating to termination of pregnancies; amending s. 390.011, F.S.; defining the term “gestation” and revising the term “third trimester”; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of certain hospitals and physicians’ offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring

the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules that require certain clinics to have written agreements with local hospitals for certain contingencies; specifying that the rules must require physicians who perform abortions at a clinic that performs abortions in the first trimester of pregnancy to have admitting privileges at a hospital within reasonable proximity of the clinic; specifying for clinics that perform or claim to perform abortions after the first trimester of pregnancy that the rules must require all physicians performing abortions at the clinic to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with such a hospital and the agreement includes certain provisions; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing effective dates.

—which was previously considered this day.

Pending further consideration of **CS for SB 1722**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1411** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Fiscal Policy.

On motion by Senator Stargel—

CS for CS for HB 1411—A bill to be entitled An act relating to termination of pregnancies; creating s. 390.0001, F.S.; providing legislative findings regarding termination of pregnancies; amending s. 390.011, F.S.; defining the term “gestation” and revising the term “third trimester”; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of certain hospitals and physicians’ offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules to require all physicians performing abortions to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with the hospital; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing an appropriation; providing effective dates.

—a companion measure, was substituted for **CS for SB 1722** and read the second time by title.

Senator Stargel moved the following amendment:

Amendment 1 (829246) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsections (6) through (12) of section 390.011, Florida Statutes, are redesignated as subsections (7) through (13), respectively, a new subsection (6) is added to that section, and present subsection (11) of that section is amended, to read:

390.011 Definitions.—As used in this chapter, the term:

(6) “Gestation” means the development of a human embryo or fetus between fertilization and birth.

(12)(11) “Third Trimester” means one of the following three distinct periods of time in the duration of a pregnancy:

(a) “First trimester,” which is the period of time from fertilization through the end of the 11th week of gestation.

(b) “Second trimester,” which is the period of time from the beginning of the 12th week of gestation through the end of the 23rd week of gestation.

(c) “Third trimester,” which is the period of time from the beginning of the 24th week of gestation through birth ~~the weeks of pregnancy after the 24th week of pregnancy.~~

Section 2. Subsection (7) of section 390.0111, Florida Statutes, is amended, and subsection (15) is added to that section, to read:

390.0111 Termination of pregnancies.—

(7) FETAL REMAINS.—Fetal remains shall be disposed of in a sanitary ~~and appropriate manner pursuant to s. 381.0098 and rules adopted thereunder and in accordance with standard health practices, as provided by rule of the Department of Health.~~ Failure to dispose of fetal remains in accordance with ~~this subsection~~ ~~department rules~~ is a misdemeanor of the first ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083.

(15) **USE OF PUBLIC FUNDS RESTRICTED.**—A state agency, a local governmental entity, or a managed care plan providing services under part IV of chapter 409 may not expend funds for the benefit of, pay funds to, or initiate or renew a contract with an organization that owns, operates, or is affiliated with one or more clinics that are licensed under this chapter and perform abortions unless one or more of the following applies:

(a) All abortions performed by such clinics are:

1. On fetuses that are conceived through rape or incest; or

2. Are medically necessary to preserve the life of the pregnant woman or to avert a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman, other than a psychological condition.

(b) The funds must be expended to fulfill the terms of a contract entered into before July 1, 2016.

(c) The funds must be expended as reimbursement for Medicaid services provided on a fee-for-service basis.

Section 3. Subsection (1) of section 390.0112, Florida Statutes, is amended, present subsections (2), (3), and (4) of that section are redesignated as subsections (3), (4), and (5), respectively, and a new subsection (2) is added to that section, to read:

390.0112 Termination of pregnancies; reporting.—

(1) The director of any medical facility in which ~~abortions are performed, including a physician’s office, any pregnancy is terminated~~ shall submit a ~~monthly~~ report each month to the agency. ~~The report may~~

~~be submitted electronically, may not include personal identifying information, and must include:~~

(a) ~~Until the agency begins collecting data under paragraph (e), the number of abortions performed.~~

(b) ~~The reasons such abortions were performed.~~

(c) ~~For each abortion, the period of gestation at the time the abortion was performed.~~

(d) ~~which contains the number of procedures performed, the reason for same, the period of gestation at the time such procedures were performed, and~~ The number of infants born alive ~~or alive during or~~ immediately after an attempted abortion.

(e) ~~Beginning no later than January 1, 2017, information consistent with the United States Standard Report of Induced Termination of Pregnancy adopted by the Centers for Disease Control and Prevention.~~

(2) The agency shall ~~keep be responsible for keeping~~ such reports in a central location for the purpose of compiling and analyzing ~~place from~~ ~~which~~ statistical data and shall submit data reported pursuant to paragraph (1)(e) to the Division of Reproductive Health within the Centers for Disease Control and Prevention, as requested by the Centers for Disease Control and Prevention ~~analysis can be made.~~

Section 4. Paragraph (c) of subsection (1), subsection (2), paragraphs (c) and (f) of subsection (3), and subsection (7) of section 390.012, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

390.012 Powers of agency; rules; disposal of fetal remains.—

(1) The agency may develop and enforce rules pursuant to ss. 390.011-390.018 and part II of chapter 408 for the health, care, and treatment of persons in abortion clinics and for the safe operation of such clinics.

(c) The rules shall provide for:

1. The performance of pregnancy termination procedures only by a licensed physician.

2. The making, protection, and preservation of patient records, which shall be treated as medical records under chapter 458. *When performing a license inspection of a clinic, the agency shall inspect at least 50 percent of patient records generated since the clinic’s last license inspection.*

3. *Annual inspections by the agency of all clinics licensed under this chapter to ensure that such clinics are in compliance with this chapter and agency rules.*

4. *The prompt investigation of credible allegations of abortions being performed at a clinic that is not licensed to perform such procedures.*

(2) For clinics that perform abortions in the first trimester of pregnancy only, these rules ~~shall~~ be comparable to rules that apply to all surgical procedures requiring approximately the same degree of skill and care as the performance of first trimester abortions ~~and must require:~~

(a) *Clinics to have a written patient transfer agreement with a hospital within reasonable proximity to the clinic which includes the transfer of the patient’s medical records held by the clinic and the treating physician to the licensed hospital; or*

(b) *Physicians who perform abortions at the clinic to have admitting privileges at a hospital within reasonable proximity to the clinic.*

(3) For clinics that perform or claim to perform abortions after the first trimester of pregnancy, the agency shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter, including the following:

(c) Rules relating to abortion clinic personnel. At a minimum, these rules shall require that:

1. The abortion clinic designate a medical director who is licensed to practice medicine in this state, and *all physicians who perform abortions in the clinic have who has admitting privileges at a licensed hospital within reasonable proximity to the clinic, unless the clinic in this state or has a written patient transfer agreement with a licensed hospital within reasonable proximity to of the clinic which includes the transfer of the patient's medical records held by both the clinic and the treating physician.*

2. If a physician is not present after an abortion is performed, a registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant ~~shall~~ be present and remain at the clinic to provide postoperative monitoring and care until the patient is discharged.

3. Surgical assistants receive training in counseling, patient advocacy, and the specific responsibilities associated with the services the surgical assistants provide.

4. Volunteers receive training in the specific responsibilities associated with the services the volunteers provide, including counseling and patient advocacy as provided in the rules adopted by the director for different types of volunteers based on their responsibilities.

(f) Rules that prescribe minimum recovery room standards. At a minimum, these rules *must shall* require that:

1. Postprocedure recovery rooms ~~be are~~ supervised and staffed to meet the patients' needs.

2. Immediate postprocedure care *consist consists* of observation in a supervised recovery room for as long as the patient's condition warrants.

~~3. The clinic arranges hospitalization if any complication beyond the medical capability of the staff occurs or is suspected.~~

~~3.4.~~ A registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant who is trained in the management of the recovery area and is capable of providing basic cardiopulmonary resuscitation and related emergency procedures *remain remains* on the premises of the abortion clinic until all patients are discharged.

~~4.5.~~ A physician ~~shall~~ sign the discharge order and be readily accessible and available until the last patient is discharged to facilitate the transfer of emergency cases if hospitalization of the patient or viable fetus is necessary.

~~5.6.~~ A physician *discuss discusses* Rho(D) immune globulin with each patient for whom it is indicated and *ensure ensures* that it is offered to the patient in the immediate postoperative period or ~~that it~~ will be available to her within 72 hours after completion of the abortion procedure. If the patient refuses the Rho(D) immune globulin, *she and a witness must sign* a refusal form approved by the agency *which must be shall be signed by the patient and a witness and* included in the medical record.

~~6.7.~~ Written instructions with regard to postabortion coitus, signs of possible problems, and general aftercare *which are specific to the patient be are* given to each patient. *The instructions must include information Each patient shall have specific written instructions* regarding access to medical care for complications, including a telephone number *for use in the event of a to call for medical emergency emergencies.*

~~7.8.~~ ~~There is~~ A *specified* minimum length of time *be specified, by type of abortion procedure and duration of gestation, during which that* a patient *must remain remains* in the recovery room *by type of abortion procedure and duration of gestation.*

~~8.9.~~ The physician *ensure ensures* that, *with the patient's consent*, a registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant from the abortion clinic makes a good faith effort to contact the patient by telephone, ~~with the patient's consent~~, within 24 hours after surgery to assess the patient's recovery.

~~9.10.~~ Equipment and services ~~be are~~ readily accessible to provide appropriate emergency resuscitative and life support procedures pending the transfer of the patient or viable fetus to the hospital.

(7) If ~~an any~~ owner, operator, or employee of an abortion clinic fails to dispose of fetal remains and tissue in a *sanitary manner pursuant to s. 381.0098, rules adopted thereunder, and rules adopted by the agency pursuant to this section consistent with the disposal of other human tissue in a competent professional manner*, the license of such clinic may be suspended or revoked, and such person *commits is guilty of* a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(8) *Beginning February 1, 2017, and annually thereafter, the agency shall submit a report to the President of the Senate and the Speaker of the House of Representatives which summarizes all regulatory actions taken during the prior year by the agency under this chapter.*

Section 5. Subsection (3) of section 390.014, Florida Statutes, is amended to read:

390.014 Licenses; fees.—

(3) In accordance with s. 408.805, an applicant or licensee shall pay a fee for each license application submitted under this chapter and part II of chapter 408. The amount of the fee shall be established by rule and may not be *more than required to pay for the costs incurred by the agency in administering this chapter less than \$70 or more than \$500.*

Section 6. Effective January 1, 2017, present subsection (3) of section 390.025, Florida Statutes, is amended, and new subsections (3), (4), and (5) are added to that section, to read:

390.025 Abortion referral or counseling agencies; penalties.—

(3) *An abortion referral or counseling agency, as defined in subsection (1), shall register with the Agency for Health Care Administration. To register or renew a registration an applicant must pay an initial or renewal registration fee established by rule, which must not exceed the costs incurred by the agency in administering this section. Registrants must include in any advertising materials the registration number issued by the agency and must renew their registration biennially.*

(4) *The following are exempt from the requirement to register pursuant to subsection (3):*

(a) *Facilities licensed pursuant to this chapter, chapter 395, chapter 400, or chapter 408;*

(b) *Facilities that are exempt from licensure as a clinic under s. 400.9905(4) and that refer five or fewer patients for abortions per month; and*

(c) *Health care practitioners, as defined in s. 456.001, who, in the course of their practice outside of a facility licensed pursuant to this chapter, chapter 395, chapter 400, or chapter 408, refer five or fewer patients for abortions each month.*

(5) *The agency shall adopt rules to administer this section and part II of chapter 408.*

~~(6)(3)~~ Any person who violates the provisions of subsection (2) ~~commits this section is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. *In addition to any other penalties imposed pursuant to this chapter, the Agency for Health Care Administration may assess costs related to an investigation of violations of this section which results in a successful prosecution. Such costs may not include attorney fees.*

Section 7. Section 873.05, Florida Statutes, is amended to read:

873.05 Advertising, purchase, ~~or~~ sale, or transfer of human embryos or fetal remains prohibited.—

(1) A ~~No~~ person *may not shall* knowingly advertise or offer to purchase or sell, or purchase, sell, or otherwise transfer, a ~~any~~ human embryo for valuable consideration.

~~(2)~~ As used in this ~~subsection section~~, the term "valuable consideration" does not include the reasonable costs associated with the removal, storage, and transportation of a human embryo.

(2) A person may not advertise or offer to purchase, sell, donate, or transfer, or purchase, sell, donate, or transfer, fetal remains obtained from an abortion, as defined in s. 390.011. This subsection does not prohibit the transportation or transfer of fetal remains for disposal pursuant to s. 381.0098 or rules adopted thereunder.

(3) A person who violates the provisions of this section commits ~~is guilty~~ of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 8. For the 2016-2017 fiscal year, 0.5 full-time equivalent positions, with associated salary rate of 39,230, are authorized and the sums of \$59,951 in recurring funds and \$185,213 in nonrecurring funds from the Health Care Trust Fund are appropriated to the Agency for Health Care Administration for the purpose of implementing this act.

Section 9. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to termination of pregnancies; amending s. 390.011, F.S.; defining the term “gestation” and revising the term “third trimester”; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of certain hospitals and physicians’ offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules to require all physicians performing abortions to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with the hospital; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing an appropriation; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Clemens moved the following amendment to **Amendment 1 (829246)** which was deferred:

Amendment 1A (511756)—Delete lines 100-103 and insert:

3. *The prompt investigation of credible allegations of*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Soto moved the following amendments to **Amendment 1 (829246)** which failed:

Amendment 1B (450546)—Between lines 50 and 51 insert:

(d) *The funds must be expended for, and the contracts initiated or renewed must be to provide, services intended to reduce unintended pregnancies or sexually transmitted disease rates or for preventive health services, excluding abortion care.*

The vote was:

Yeas—14

Abruzzo	Joyner	Smith
Braynon	Margolis	Sobel
Bullard	Montford	Soto
Clemens	Ring	Thompson
Gibson	Sachs	

Nays—25

Mr. President	Flores	Lee
Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Detert	Hukill	Stargel
Diaz de la Portilla	Hutson	
Evers	Latvala	

Amendment 1C (168666)—Delete lines 117-128 and insert: *admitting privileges, clinical privileges, or staff privileges at a hospital within reasonable proximity to the clinic.*

(3) For clinics that perform or claim to perform abortions after the first trimester of pregnancy, the agency shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter, including the following:

(c) Rules relating to abortion clinic personnel. At a minimum, these rules shall require that:

1. The abortion clinic designate a medical director who is licensed to practice medicine in this state, and ~~all physicians who perform abortions in the clinic have who has~~ admitting privileges, clinical privileges, or staff privileges at a ~~licensed~~ hospital within reasonable proximity to

On motion by Senator Clemens, the Senate resumed consideration of **Amendment 1A (511756)** which failed.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Soto moved the following amendment to **Amendment 1 (829246)** which failed:

Amendment 1D (240542) (with title amendment)—Delete lines 34-35 and insert:

(15) *USE OF PUBLIC FUNDS RESTRICTED.*—*A state agency or a managed care plan providing*

And the title is amended as follows:

Delete lines 297-298 and insert: *remains; prohibiting state agencies and Medicaid managed care plans*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Smith moved the following amendment to **Amendment 1 (829246)** which failed:

Amendment 1E (412440)—Between lines 50 and 51 insert:

(d) *The funds must be expended for performing clinical exams or for testing to detect cancer.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Sachs moved the following amendments to **Amendment 1 (829246)** which failed:

Amendment 1F (310548) (with directory and title amendments)—Delete lines 11-22 and insert:

(11) “~~Third Trimester~~” means *one of the three distinct periods of time in the duration of a pregnancy as determined in accordance with medical standards and acceptable practices the weeks of pregnancy after the 24th week of pregnancy.*

And the directory clause is amended as follows:

Delete lines 5-9 and insert:

Section 1. Subsection (11) of section 390.011, Florida Statutes, is amended to read:

And the title is amended as follows:

Delete lines 292-293 and insert: amending s. 390.011, F.S.; revising the definition of the term “third trimester”;

Amendment 1G (209954)—Between lines 50 and 51 insert:

(d) *The funds are received from the Federal Government and do not include state matching funds.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Thompson moved the following amendments to **Amendment 1 (829246)** which failed:

Amendment 1H (400378)—Delete line 178 and insert: *address the patient’s needs be are given to each patient. The*

Amendment 1I (955696)—Between lines 50 and 51 insert:

(d) *The funds are used to provide prenatal care.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Gibson moved the following amendments to **Amendment 1 (829246)** which failed:

Amendment 1J (788026)—Between lines 50 and 51 insert:

(d) *The funds are used to provide contraceptive education, counseling, and services to patients.*

Amendment 1K (195728)—Between lines 50 and 51 insert:

(d) *There are no alternative providers for a Medicaid managed care plan in the network area.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Sobel moved the following amendments to **Amendment 1 (829246)** which failed:

Amendment 1L (731272) (with title amendment)—Delete lines 34-36 and insert:

(15) *USE OF PUBLIC FUNDS RESTRICTED.—A state agency or a local governmental entity may not expend funds for*

And the title is amended as follows:

Delete lines 297-298 and insert: *remains; prohibiting state agencies and local governmental entities*

The vote was:

Yeas—15

Abruzzo	Grimsley	Sachs
Braynon	Joyner	Smith
Bullard	Margolis	Sobel
Clemens	Montford	Soto
Gibson	Ring	Thompson

Nays—22

Mr. President	Flores	Legg
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Stargel
Diaz de la Portilla	Hutson	
Evers	Lee	

Amendment 1M (681192)—Between lines 50 and 51 insert:

(d) *The funds must be expended for prostate cancer screening or vasectomies.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bullard moved the following amendment to **Amendment 1 (829246)** which failed:

Amendment 1N (232318)—Between lines 50 and 51 insert:

(d) *The organization provides comprehensive sexual health education services to reduce the rate of unintended pregnancies and the rate of sexually transmitted diseases.*

The question recurred on **Amendment 1 (829246)** which was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 1411**, as amended, was placed on the calendar of Bills on Third Reading.

RECESS

The President declared the Senate in recess at 12:22 p.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:30 p.m. A quorum present—32:

Mr. President	Flores	Negron
Altman	Gaetz	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Legg	Stargel
Diaz de la Portilla	Margolis	Thompson
Evers	Montford	

SPECIAL ORDER CALENDAR, continued

CS for SB 746—A bill to be entitled An act relating to vessel registrations; amending s. 328.72, F.S.; defining terms; reducing vessel registration fees for recreational vessels equipped with certain position indicating and locating beacons; providing criteria for such reduction;

amending s. 328.66, F.S.; clarifying county optional registration fees; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 746**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 427** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

CS for CS for HB 427—A bill to be entitled An act relating to recreational vessel registration; amending s. 328.72, F.S.; providing definitions; providing a reduced recreational vessel registration fee schedule for vessels registered during a specified period which are equipped with an emergency position indicating radio beacon or for which the owner of the vessel owns a personal locator beacon; limiting application to one vessel per owner; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules relating to proof of qualification; providing for certain funds to supplement the reduced amounts collected; providing for expiration of the reduced fee schedule; amending s. 328.76, F.S., relating to the Marine Resources Conservation Trust Fund; providing for use of the supplemental funds; amending s. 328.66, F.S., relating to county and municipality optional registration fees; specifying that the reduced fees do not apply to the limitation on registration fees charged by a county; providing an effective date.

—a companion measure, was substituted for **CS for SB 746** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 427** was placed on the calendar of Bills on Third Reading.

CS for SJR 1194—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to authorize a first responder, who is age 65 or older and totally permanently disabled as a result of an injury sustained in the line of duty, to receive relief from ad valorem taxes assessed on homestead property, if authorized by general law, and to provide an effective date.

—was read the second time by title.

Pending further consideration of **CS for SJR 1194**, pursuant to Rule 3.11(3), there being no objection, **CS for HJR 1009** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Negron—

CS for HJR 1009—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to authorize a first responder, who is totally and permanently disabled as a result of an injury sustained in the line of duty, to receive relief from ad valorem taxes assessed on homestead property, if authorized by general law, and to provide an effective date.

—a companion measure, was substituted for **CS for SJR 1194** and read the second time by title.

Pursuant to Rule 4.19, **CS for HJR 1009** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1630—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss-projection

models in establishing certain rates; revising a provision to permit specified information from certain underwriting and claims files to be made available to certain entities; providing limitations for the use of such information by the entities; requiring the take-out program to be revised for specified purposes by a specified date; requiring the corporation to schedule up to a certain number of cycles annually during which insurers may identify and submit policy take-out requests; specifying information required to be included in such requests; providing conditions that must be agreed to by insurers submitting a request; requiring the corporation to maintain and make available specified lists of insurers to its agents of record; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding their policy renewal options; amending s. 627.3518, F.S.; revising criteria for when an applicant for coverage from the corporation shall be considered a renewal; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1630**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 931** was withdrawn from the Committees on Banking and Insurance; Ethics and Elections; and Appropriations.

On motion by Senator Flores—

CS for CS for HB 931—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss projection models in establishing certain rates; authorizing the use of specified information by certain entities in analyzing risks or developing rating plans; prohibiting the use of such information for the direct solicitation of policyholders; requiring the corporation to revise certain programs by a specified date; requiring the corporation to publish a periodic schedule of cycles for certain purposes; specifying information required to be included in certain take-out requests; requiring the corporation to maintain and make available specified lists of insurers requesting to take out a policy; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding policy renewal options; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1630** and read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (375628) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (c), (n), and (x) of subsection (6) of section 627.351, Florida Statutes, are amended, and paragraph (ii) is added to that subsection, to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(c) The corporation's plan of operation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which must be approved by the office before use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the

requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to non-residential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. which contain more restrictive coverage.

g. Effective January 1, 2013, the corporation shall offer a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

2. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only.

a. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the agreement, may not be altered by the inability of the other party to pay its specified percentage of losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that the authorized insurer and the corporation may not be held responsible beyond their specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized

insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under such agreements, the corporation and the authorized insurer must maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of the agreements, pricing of the agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer is voluntary and at the discretion of the authorized insurer.

3. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation may borrow funds by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (q)2. in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation may take all actions needed to facilitate tax-free status for such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation may pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of nine individuals who are residents of this state and who are from different geographical areas of the state, one of whom is appointed by the Governor and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Governor is *deemed to be within the scope of the exemption provided in s. 112.313(7)(b) and is in addition to the appointments authorized under sub-subparagraph a.*

a. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance and be deemed to be within the scope of the exemption provided in s. 112.313(7)(b). The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board are subject to removal at will by the officers who appointed them. All board members,

including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. A board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board and serve at the pleasure of the board. Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage.

(I) The members of the advisory committee consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members shall be appointed to 3-year terms and may serve for consecutive terms.

(II) The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a personal lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. However, a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

b. With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. However, a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary com-

mission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-paragraph (A).

c. For purposes of determining comparable coverage under subparagraphs a. and b., the comparison must be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the coastal account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant must be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates.

7. Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus must be available to defray deficits in that account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year.

8. Must provide objective criteria and procedures to be uniformly applied to all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following must be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

9. Must provide that the corporation make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

10. The policies issued by the corporation must provide that if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11. Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer which does not provide coverage identical to the coverage provided by the corporation. The notice must also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12. May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods continue to have access to coverage from the corporation. If coverage is sought in connection with a real property transfer, the requirements and procedures may not provide an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13. Must provide that, with respect to the coastal account, any assessable insurer with a surplus as to policyholders of \$25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the coastal account may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds, but a limited apportionment company must begin collecting the regular assessments not later than 90 days after the regular assessments are levied by the corporation, and the regular assessments must be paid in full within 15 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under subparagraph (b)3.d. The plan must provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (q)4. However, an emergency assessment to be collected from policyholders under subparagraph (b)3.d. may not be limited or deferred.

14. Must provide that the corporation appoint as its licensed agents only those agents who *throughout such appointments* also hold an appointment as defined in s. 626.015(3) ~~by with an insurer who at the time of the agent's initial appointment by the corporation~~ is authorized to write and is actually writing or *renewing* personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

15. Must provide a premium payment plan option to its policyholders which, at a minimum, allows for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16. Must limit coverage on mobile homes or manufactured homes built before 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

17. Must provide coverage for manufactured or mobile home dwellings. Such coverage must also include the following attached structures:

a. Screened enclosures that are aluminum framed or screened enclosures that are not covered by the same or substantially the same materials as those of the primary dwelling;

b. Carports that are aluminum or carports that are not covered by the same or substantially the same materials as those of the primary dwelling; and

c. Patios that have a roof covering that is constructed of materials that are not the same or substantially the same materials as those of the primary dwelling.

The corporation shall make available a policy for mobile homes or manufactured homes for a minimum insured value of at least \$3,000.

18. May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

19. May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

20. Must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy.

21. As of January 1, 2012, must require that the agent obtain from an applicant for coverage from the corporation an acknowledgment signed by the applicant, which includes, at a minimum, the following statement:

ACKNOWLEDGMENT OF POTENTIAL SURCHARGE AND ASSESSMENT LIABILITY:

1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

2. I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER SURCHARGE, WHICH COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO BE ELIGIBLE FOR COVERAGE BY CITIZENS, I MUST FIRST TRY TO OBTAIN PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES ARE REGULATED AND APPROVED BY THE STATE.

3. I UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

4. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

a. The corporation shall maintain, in electronic format or otherwise, a copy of the applicant's signed acknowledgment and provide a copy of the statement to the policyholder as part of the first renewal after the effective date of this subparagraph.

b. The signed acknowledgment form creates a conclusive presumption that the policyholder understood and accepted his or her potential surcharge and assessment liability as a policyholder of the corporation.

(n)1. Rates for coverage provided by the corporation must be actuarially sound and subject to s. 627.062, except as otherwise provided in this paragraph. The corporation shall file its recommended rates with the office at least annually. The corporation shall provide any additional information regarding the rates which the office requires. The office shall consider the recommendations of the board and issue a final order establishing the rates for the corporation within 45 days after the recommended rates are filed. The corporation may not pursue an administrative challenge or judicial review of the final order of the office.

2. In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided in s. 624.509 to augment the financial resources of the corporation.

3. After the public hurricane loss-projection model under s. 627.06281 has been found to be accurate and reliable by the Florida

Commission on Hurricane Loss Projection Methodology, the model shall be considered when establishing ~~serve as the minimum benchmark for determining~~ the windstorm portion of the corporation's rates. *The corporation may use the public model results in combination with the results of private models to calculate rates for the windstorm portion of the corporation's rates.* This subparagraph does not require or allow the corporation to adopt rates lower than the rates otherwise required or allowed by this paragraph.

4. The rate filings for the corporation which were approved by the office and took effect January 1, 2007, are rescinded, except for those rates that were lowered. As soon as possible, the corporation shall begin using the lower rates that were in effect on December 31, 2006, and provide refunds to policyholders who paid higher rates as a result of that rate filing. The rates in effect on December 31, 2006, remain in effect for the 2007 and 2008 calendar years except for any rate change that results in a lower rate. The next rate change that may increase rates shall take effect pursuant to a new rate filing recommended by the corporation and established by the office, subject to this paragraph.

5. Beginning on July 15, 2009, and annually thereafter, the corporation must make a recommended actuarially sound rate filing for each personal and commercial line of business it writes, to be effective no earlier than January 1, 2010.

6. Beginning on or after January 1, 2010, and notwithstanding the board's recommended rates and the office's final order regarding the corporation's filed rates under subparagraph 1., the corporation shall annually implement a rate increase which, except for sinkhole coverage, does not exceed 10 percent for any single policy issued by the corporation, excluding coverage changes and surcharges.

7. The corporation may also implement an increase to reflect the effect on the corporation of the cash buildup factor pursuant to s. 215.555(5)(b).

8. The corporation's implementation of rates as prescribed in subparagraph 6. shall cease for any line of business written by the corporation upon the corporation's implementation of actuarially sound rates. Thereafter, the corporation shall annually make a recommended actuarially sound rate filing for each commercial and personal line of business the corporation writes.

(x)1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files. Confidential and exempt underwriting file records may also be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this

paragraph. Information that is exempt shall include, but is not limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty that ~~which~~ affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law shall be redacted.

2. If an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. If a file is transferred to an insurer, that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan may make the following information obtained from underwriting files and confidential claims files available to an entity that has obtained a permit to become an authorized insurer, a reinsurer that may provide reinsurance under s. 624.610, a licensed reinsurance broker, a licensed rating organization, a modeling company, or a licensed general lines insurance agent ~~agents~~: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving person ~~licensed general lines insurance agent~~ must retain the confidentiality of the information received and may use the information only for the purposes of developing a take-out plan or a rating plan to be submitted to the office for approval or otherwise analyzing the underwriting of a risk or risks insured by the corporation on behalf of the private insurance market. A licensed general lines insurance agent may not use such information for the direct solicitation of policyholders.

3. A policyholder who has filed suit against the corporation has the right to discover the contents of his or her own claims file to the same extent that discovery of such contents would be available from a private insurer in litigation as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law. Pursuant to subpoena, a third party has the right to discover the contents of an insured's or applicant's underwriting or claims file to the same extent that discovery of such contents would be available from a private insurer by subpoena as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law, and subject to any confidentiality protections requested by the corporation and agreed to by the seeking party or ordered by the court. The corporation may release confidential underwriting and claims file contents and information as it deems necessary and appropriate to underwrite or service insurance policies and claims, subject to any confidentiality protections deemed necessary and appropriate by the corporation.

4. Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s.

119.07(1)(d)-(f), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

(ii) *The corporation shall revise the programs adopted pursuant to sub-subparagraph (q)3.a. for personal lines residential policies to maximize policyholder options and encourage increased participation by insurers and agents. After January 1, 2017, a policy may not be taken out of the corporation unless the provisions of this paragraph are met.*

1. *The corporation must publish a periodic schedule of cycles during which an insurer may identify, and notify the corporation of, policies that the insurer is requesting to take out. A request must include a description of the coverage offered and an estimated premium and must be submitted to the corporation in a form and manner prescribed by the corporation.*

2. *The corporation must maintain and make available to the agent of record a consolidated list of all insurers requesting to take out a policy. The list must include a description of the coverage offered and the estimated premium for each take-out request.*

3. *The corporation must provide written notice to the policyholder and the agent of record regarding all insurers requesting to take out the policy and regarding the policyholder's option to accept a take-out offer or to reject all take-out offers and to remain with the corporation. The notice must be in a format prescribed by the corporation and include, for each take-out offer:*

a. *The amount of the estimated premium;*

b. *A description of the coverage; and*

c. *A comparison of the estimated premium and coverage offered by the insurer to the estimated premium and coverage provided by the corporation.*

4. *A policyholder who accepted a take-out offer by an insurer within the previous 36 months is deemed to be a renewal policyholder under s. 627.3518 if the corporation determines that the same take-out insurer increased the rate on the policy in excess of the percent increase allowed for the corporation under subparagraph (n)6. This subparagraph does not apply if the office determines that a take-out insurer that increased its rates in excess of the percent increase allowed under subparagraph (n) 6. experienced, or is likely to experience, a 20 percent or greater increase in the cost of reinsurance when compared to the cost of reinsurance in the prior year.*

Section 2. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss-projection models in establishing certain rates; revising a provision to permit specified information from certain underwriting and claims files to be made available to certain entities; providing limitations for the use of such information by the entities; requiring the take-out program to be revised for specified purposes by a specified date; requiring the corporation to publish a periodic schedule of cycles during which an insurer may identify and submit policy take-out requests; specifying information required to be included in such requests; requiring the corporation to maintain and make available to the agent of record a specified list; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding take-out offers; providing that a policyholder is deemed to be a renewal policyholder under certain circumstances; providing applicability; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 931**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1010—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; creating s. 15.0521, F.S.; designating tupelo honey as the official state honey; amending s. 482.111, F.S.; specifying the requirements for original certification as a pest control operator; specifying the fee for the renewal of a certificate; amending s. 482.1562, F.S.; specifying the deadline for recertification of persons who wish to apply urban landscape commercial fertilizer; providing a grace period for recertification; amending s. 500.03, F.S.; revising the definition of the term “food” to include dietary supplements; defining the term “vehicle”; amending s. 500.10, F.S.; providing additional conditions under which food may be deemed adulterated; amending s. 500.11, F.S.; including failure to comply with labeling relating to major food allergens as a criterion for use in determining whether food has been misbranded; creating s. 500.90, F.S.; preempting to the department the regulation of the use or sale of polystyrene products by entities regulated under the Florida Food Safety Act; providing applicability; amending s. 570.07, F.S.; revising the department’s functions, powers, and duties; amending s. 570.30, F.S.; revising the powers and duties of the Division of Administration; amending s. 570.441, F.S.; authorizing the use of funds in the Pest Control Trust Fund for activities of the Division of Agricultural Environmental Services; providing for expiration; amending s. 570.53, F.S.; revising the powers and duties of the Division of Marketing and Development to remove the enforcement provisions relating to the dealers in agricultural products law; amending s. 570.544, F.S.; revising the duties of the director of the Division of Consumer Services to include enforcement provisions relating to the dealers in agricultural products law; creating s. 570.68, F.S.; authorizing the Commissioner of Agriculture to create an Office of Agriculture Technology Services; providing duties of the office; amending s. 570.681, F.S.; revising the legislative findings relating to the Florida Agriculture Center and Horse Park; amending s. 570.685, F.S.; authorizing, rather than requiring, the department to provide administrative and staff support services, meeting space, and record storage for the Florida Agriculture Center and Horse Park Authority; amending s. 571.24, F.S.; clarifying the intent that the Florida Agricultural Promotional Campaign serve as a marketing program; removing an obsolete provision relating to the designation of a division employee as a member of the Advertising Interagency Coordinating Council; amending s. 571.27, F.S.; removing obsolete provisions relating to the authority of the department to adopt rules for entering into contracts with advertising agencies for services that are directly related to the Florida Agricultural Promotional Campaign; amending s. 571.28, F.S.; revising the composition of the Florida Agricultural Promotional Campaign Advisory Council; amending s. 576.041, F.S.; revising the frequency with which tonnage reports of fertilizer sales must be made; revising the timeframe for submission of such reports; creating s. 580.0365, F.S.; providing for the preemption of commercial feed and feedstuff regulation; amending s. 581.181, F.S.; providing applicability of provisions requiring treatment or destruction of infested or infected plants and plant products; creating s. 581.189, F.S.; creating the Grove Removal or Vector Elimination (GROVE) Program; specifying the purpose of the program; defining terms; requiring the department to adopt rules for reviewing and ranking applications for cost-share funding to remove or destroy abandoned citrus groves; establishing per applicant award maximums; specifying that the total funds awarded in a fiscal year cannot exceed the amount specifically appropriated for the program; specifying application requirements; specifying how the department must process applications; specifying that noncompliance will result in forfeiture of cost-share funds; requiring the department to rank and review applications and to conduct a certain inspection; specifying grounds for denial of an application; requiring applicants selected for funding to timely initiate and complete the removal of identified citrus trees in accordance with their respective applications; providing the process for making payments to applicants; authorizing the department to adopt rules; specifying that funding for the program is contingent upon specific appropriation by the Legislature; amending s. 582.01, F.S.; redefining terms relating to soil and water conservation; amending s. 582.02, F.S.; providing legislative intent and findings relating to soil and water conservation districts; providing a statement of

purpose; amending s. 582.055, F.S.; revising the powers and duties of the department; authorizing the department to adopt rules; amending s. 582.06, F.S.; requiring the Soil and Water Conservation Council to accept and review requests for creating or dissolving soil and water conservation districts and to make recommendations to the commissioner; requiring the council to provide recommendations to the commissioner relating to the removal of supervisors under certain circumstances; amending s. 582.16, F.S.; revising how district boundaries may be changed; amending s. 582.20, F.S.; revising the powers and duties of districts and supervisors; amending s. 582.29, F.S.; revising the terms under which certain state agencies must cooperate; amending s. 595.402, F.S.; defining terms relating to the school food and nutrition service program; amending s. 595.404, F.S.; revising the powers and duties of the department with regard to the school food and nutrition service program; directing the department to collect and annually publish data on food purchased by sponsors through the Florida Farm to School Program and other school food and nutrition service programs; amending s. 595.405, F.S.; clarifying requirements for the school nutrition program; requiring breakfast meals to be available to all students in schools that serve any combination of grades kindergarten through 5; amending s. 595.406, F.S.; renaming the “Florida Farm Fresh Schools Program” as the “Florida Farm to School Program”; authorizing the department to establish by rule a recognition program for certain sponsors; amending s. 595.407, F.S.; revising provisions of the children’s summer nutrition program to include certain schools that serve any combination of grades kindergarten through 5; revising provisions relating to the duration of the program; authorizing school districts to exclude holidays and weekends; amending s. 595.408, F.S.; conforming provisions to changes made by the act; amending s. 595.501, F.S.; requiring certain entities to complete corrective action plans required by the department or a federal agency to be in compliance with school food and nutrition service programs; amending s. 595.601, F.S.; revising a cross-reference; amending s. 601.31, F.S.; specifying that certain citrus inspectors must be licensed by the state Department of Agriculture rather than the United States Department of Agriculture; amending s. 604.21, F.S.; deleting a requirement relating to complaints filed by electronic transmission or facsimile; amending s. 604.33, F.S.; deleting provisions requiring grain dealers to submit monthly reports; authorizing, rather than requiring, the department to make at least one spot check annually of each grain dealer; repealing s. 582.03, F.S., relating to the consequences of soil erosion; repealing s. 582.04, F.S., relating to appropriate corrective methods; repealing s. 582.05, F.S., relating to legislative policy for conservation; repealing s. 582.08, F.S., relating to additional powers of the department; repealing s. 582.09, F.S., relating to an administrative officer of soil and water conservation; repealing s. 582.17, F.S., relating to the presumption as to establishment of a district; repealing s. 582.21, F.S., relating to adoption of land use regulations; repealing s. 582.22, F.S., relating to district regulations and contents; repealing s. 582.23, F.S., relating to performance of work under the regulations by the supervisors; repealing s. 582.24, F.S., relating to the board of adjustment; repealing s. 582.25, F.S., relating to rules of procedure of the board; repealing s. 582.26, F.S., relating to petitioning the board to vary from regulations; repealing s. 582.331, F.S., relating to the authorization to establish watershed improvement districts within soil and water conservation districts; repealing s. 582.34, F.S., relating to petitions for establishment of watershed improvement districts; repealing s. 582.35, F.S., relating to notice and hearing on petitions, determinations of need for districts, and boundaries; repealing s. 582.36, F.S., relating to determination of feasibility of proposed districts and referenda; repealing s. 582.37, F.S., relating to consideration of results of referendums and declaration of organization of districts; repealing s. 582.38, F.S., relating to the organization of districts, certification to clerks of circuit courts, and limitation on tax rates; repealing s. 582.39, F.S., relating to establishment of watershed improvement districts situated in more than one soil and water conservation district; repealing s. 582.40, F.S., relating to change of district boundaries or names; repealing s. 582.41, F.S., relating to boards of directors of districts; repealing s. 582.42, F.S., relating to officers, agents, and employees, surety bonds, and annual audits; repealing s. 582.43, F.S., relating to status and general powers of districts; repealing s. 582.44, F.S., relating to the levy of taxes and taxing procedures; repealing s. 582.45, F.S., relating to fiscal powers of a governing body; repealing s. 582.46, F.S., relating to additional powers and authority of

districts; repealing s. 582.47, F.S., relating to the coordination between watershed improvement districts and flood control districts; repealing s. 582.48, F.S., relating to the discontinuance of watershed improvement districts; repealing s. 582.49, F.S., relating to the discontinuance of soil and water conservation districts; repealing s. 589.26, F.S., relating to the dedication of state park lands for public use; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1010**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7007** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Montford—

CS for CS for HB 7007—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; creating s. 15.0521, F.S.; designating tupelo honey as the official state honey; amending s. 482.111, F.S.; revising requirements for issuance of an original pest control operator's certificate; amending s. 482.1562, F.S.; revising the date by which an application for recertification of a limited certification for urban landscape commercial fertilizer application is required; removing provisions imposing late renewal charges; providing a grace period for such recertification; amending s. 500.03, F.S.; revising the definition of the term "food" and defining the term "vehicle" for purposes of the Florida Food Safety Act; amending s. 500.10, F.S.; providing that food transported under specified conditions or containing ingredients for which there is inadequate information is deemed adulterated; providing conditions under which a dietary supplement or its ingredients is deemed adulterated; amending s. 500.11, F.S.; providing that a food is deemed misbranded for noncompliance with specified allergen information; creating s. 500.90, F.S.; preempting to the department the regulatory authority for the use and sale of polystyrene products by certain entities; providing applicability; amending s. 570.07, F.S.; revising powers and duties of the department to include sponsoring events; authorizing the department to secure letters of patent, copyrights, and trademarks on work products and to engage in acts accordingly; amending s. 570.30, F.S.; removing electronic data processing and management information systems support for the department as a power and duty of the Division of Administration; amending s. 570.441, F.S.; authorizing the use of funds in the Pest Control Trust Fund for activities of the Division of Agricultural Environmental Services; amending s. 570.53, F.S.; revising duties of the Division of Marketing and Development to remove enforcement of provisions relating to dealers in agricultural products; amending s. 570.544, F.S.; revising duties of the director of the Division of Consumer Services to include enforcement of provisions relating to dealers in agricultural products and grain dealers; creating s. 570.68, F.S.; authorizing the Commissioner of Agriculture to create an Office of Agriculture Technology Services; providing duties of the office; amending s. 570.681, F.S.; revising legislative findings with regard to the Florida Agriculture Center and Horse Park; amending s. 570.685, F.S.; authorizing, rather than requiring, the department to provide administrative and staff support services, meeting space, and record storage for the Florida Agriculture Center and Horse Park Authority; amending s. 571.24, F.S.; providing legislative intent for the Florida Agricultural Promotional Campaign to serve as a marketing program for certain purposes; removing an obsolete provision relating to the designation of a Division of Marketing and Development employee as a member of the Advertising Interagency Coordinating Council; amending s. 571.27, F.S.; removing obsolete provisions relating to the authority of the department to adopt rules for entering into contracts with advertising agencies for services which are directly related to the Florida Agricultural Promotional Campaign; amending s. 571.28, F.S.; revising provisions specifying membership criteria of the Florida Agricultural Promotional Campaign Advisory Council; amending s. 576.041, F.S.; revising the frequency of fertilizer sales reports and the payment of related inspection fees; providing for such reports and fees to be made through the department's website; revising the time by which such reports must be made and fees must be paid; creating s. 580.0365, F.S.; providing legislative intent with regard to regulation of commercial feed and feedstuff; preempting to the department the regulatory authority for commercial feed and feedstuff;

amending s. 581.181, F.S.; providing applicability of provisions requiring treatment or destruction of infested or infected plants and plant products; creating s. 581.189, F.S.; creating the Grove Removal or Vector Elimination (GROVE) Program within the department to provide cost-share funding for the removal or destruction of abandoned citrus groves; providing definitions; providing program procedures and requirements; directing the department to adopt rules; specifying that funding for the program is contingent upon specific legislative appropriation; amending s. 582.01, F.S.; revising definitions; amending s. 582.02, F.S.; revising legislative findings and intent with regard to the purpose of soil and water conservation districts; repealing s. 582.03, F.S., relating to the consequences of soil erosion; repealing s. 582.04, F.S., relating to appropriate corrective methods for conservation, development, and use of soil and water resources; repealing s. 582.05, F.S., relating to legislative policy for the conservation, development, and use of such resources; amending s. 582.055, F.S.; revising provisions relating to powers and duties of the department with regard to soil and water conservation districts; amending s. 582.06, F.S.; revising provisions relating to powers and duties of the Soil and Water Conservation Council; repealing s. 582.08, F.S., relating to additional powers of the department with regard to soil and water conservation districts; repealing s. 582.09, F.S., relating to the employment of an administrative officer of soil and water conservation; amending s. 582.16, F.S.; revising provisions for modifying soil and water conservation district boundaries; repealing s. 582.17, F.S., relating to the presumption that districts are established in accordance with specified provisions; amending s. 582.20, F.S.; revising provisions relating to powers and duties of soil and water conservation districts and district supervisors; repealing s. 582.21, F.S., relating to the adoption of land use regulations by soil and water conservation district supervisors; repealing s. 582.22, F.S., relating to the content of land use regulations adopted by soil and water conservation district supervisors; repealing s. 582.23, F.S., relating to the performance of work under land use regulations adopted by soil and water conservation district supervisors; repealing s. 582.24, F.S., relating to the board of adjustment; repealing s. 582.25, F.S., relating to rules of procedure of the board of adjustment; repealing s. 582.26, F.S., relating to petitions to the board of adjustment for land use variances; amending s. 582.29, F.S.; revising provisions directing state agencies and other governmental subdivisions of the state that manage publicly owned lands to cooperate with soil and water conservation district supervisors in implementing district programs and operations; repealing s. 582.331, F.S., relating to the establishment of a watershed improvement district within a soil and water conservation district; repealing s. 582.34, F.S., relating to the petition for establishment of a watershed improvement district within a soil and water conservation district; repealing s. 582.35, F.S., relating to notice and hearing on petition for establishment of a watershed improvement district within a soil and water conservation district and determination of need for such district; repealing s. 582.36, F.S., relating to determination of feasibility and referendum for a watershed improvement district within a soil and water conservation district; repealing s. 582.37, F.S., relating to consideration of referendum results for determination of feasibility and declaration of organization of a watershed improvement district within a soil and water conservation district; repealing s. 582.38, F.S., relating to organization of a watershed improvement district within a soil and water conservation district; repealing s. 582.39, F.S., relating to establishment of a watershed improvement district situated in more than one soil and water conservation district; repealing s. 582.40, F.S., relating to change of district boundaries including additions, detachments, transfers of land from one district to another, and change of district name; repealing s. 582.41, F.S., relating to the board of directors of a soil and water conservation district; repealing s. 582.42, F.S., relating to officers, agents, and employees of a watershed improvement district within a soil and water conservation district and issuance of surety bonds by, and annual audits of, such district; repealing s. 582.43, F.S., relating to the power of a watershed improvement district within a soil and water conservation district to levy taxes and to construct, operate, improve, and maintain works of improvement in such district and to obtain necessary lands or interests therein; repealing s. 582.44, F.S., relating to procedures for a watershed improvement district within a soil and water conservation district to levy taxes; repealing s. 582.45, F.S., relating to the fiscal power of the board of directors of a watershed improvement district within a soil and water conservation district to

issue bonds; repealing s. 582.46, F.S., relating to additional powers of the board of directors of a watershed improvement district within a soil and water conservation district; repealing s. 582.47, F.S., relating to the authority of a watershed improvement district within a soil and water conservation district to coordinate work with flood control districts; repealing s. 582.48, F.S., relating to discontinuance of a watershed improvement district within a soil and water conservation district; repealing s. 582.49, F.S., relating to discontinuance of a soil and water conservation district; repealing s. 589.26, F.S., relating to the authority of the Florida Forest Service to dedicate and reserve state park lands for public use; amending s. 595.402, F.S.; defining terms relating to school food and nutrition service programs; conforming a reference to changes made by the act; amending s. 595.404, F.S.; revising powers and duties of the department with regard to school food and nutrition programs; authorizing the department to conduct, supervise, and administer a farmers' market nutrition program for certain purposes; directing the department to collect and publish data on food purchased through specified programs; authorizing the department to enter into agreements with federal and state agencies to implement nutrition programs; amending s. 595.405, F.S.; revising requirements for school nutrition programs; providing for breakfast meals to be available to all students in schools that serve specified grade levels; conforming a reference to changes made by the act; amending s. 595.406, F.S.; renaming the "Florida Farm Fresh Schools Program" as the "Florida Farm to School Program"; authorizing the department to establish by rule a recognition program for certain sponsors; amending s. 595.407, F.S.; revising provisions of the children's summer nutrition program to include certain schools that serve specified grade levels; revising provisions relating to the duration of the program; authorizing school districts to exclude holidays and weekends; amending s. 595.408, F.S.; conforming references to changes made by the act; amending s. 595.501, F.S.; requiring entities to complete corrective action plans required by the department or a federal agency to be in compliance with school food and nutrition service programs; amending s. 595.601, F.S.; correcting a cross-reference; amending s. 601.31, F.S.; requiring citrus inspectors to be licensed and certified by the department rather than by the United States Department of Agriculture; amending s. 604.21, F.S.; revising affidavit requirements for an agricultural products dealer who files a complaint against another such dealer; amending s. 604.33, F.S.; removing provisions requiring grain dealers to submit monthly reports; authorizing, rather than requiring, the department to make at least one spot check annually of each grain dealer; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1010** and read the second time by title.

Senator Soto moved the following amendments which failed:

Amendment 1 (801342) (with title amendment)—Delete lines 342-354.

And the title is amended as follows:

Delete lines 23-26 and insert: information; amending s. 570.07, F.S.;

Amendment 2 (156190)—Delete line 348 and insert: *ordinances or provisions thereof enacted before April 1, 2016,*

Senator Galvano moved the following amendment which was adopted:

Amendment 3 (949350) (with title amendment)—Delete lines 588-679.

And the title is amended as follows:

Delete lines 81-89 and insert: plants and plant products; amending s.

Senator Smith moved the following amendment which was adopted:

Amendment 4 (781556) (with title amendment)—Between lines 1425 and 1426 insert:

Section 71. (1) *The Pompano State Farmers Market is redesignated as the "Edward L. Myrick State Farmers Market." This designation*

honors Mr. Edward L. Myrick, a veteran of the United States Army and a pillar of the Pompano agricultural community. Mr. Edward L. Myrick has played a leading role in the success of the Pompano State Farmers Market since 1976 and continues to serve the market and the community through his leadership in ensuring the availability of fresh agricultural produce to the community at large.

(2) *The Department of Agriculture and Consumer Services is directed to erect suitable markers designating the Edward L. Myrick State Farmers Market as described in subsection (1).*

And the title is amended as follows:

Delete line 238 and insert: dealer; providing an honorary designation of a certain farmers market; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 7007**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1490—A bill to be entitled An act relating to the Federal Home Loan Banks; amending s. 655.057, F.S.; providing that certain records requirements do not prevent or restrict the furnishing of certain information held by the Office of Financial Regulation to the Federal Home Loan Banks pursuant to an information-sharing agreement; requiring the office to execute such agreement by a specified date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1490**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1233** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Fiscal Policy.

On motion by Senator Garcia—

CS for HB 1233—A bill to be entitled An act relating to Federal Home Loan Banks; amending s. 655.057, F.S.; authorizing the Office of Financial Regulation to furnish certain information relating to Federal Home Loan Banks pursuant to an information sharing agreement; requiring the office to execute such agreement by a specified date; providing an effective date.

—a companion measure, was substituted for **CS for SB 1490** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1233** was placed on the calendar of Bills on Third Reading.

SPECIAL RECOGNITION OF SENATOR DETERT

The President introduced Senator Detert's district staff, Charlie Anderson, Rita Faulkner, and GeeDee Kerr. A video tribute was played honoring Senator Detert. Several Senators were recognized for farewell comments. Senator Detert was recognized for farewell remarks.

Senator Galvano presented Senator Detert with a plaque honoring her years of service to the Senate.

SPECIAL RECOGNITION OF SENATOR RING

SENATOR JOYNER PRESIDING

The President introduced Senator Ring's son, Elijah, along with his district staff, John Piskadlo, Sheldon Plotnick, and Joel Ramos. A video tribute was played honoring Senator Ring. Several Senators were recognized for farewell comments. Senator Ring was recognized for farewell remarks.

Senator Galvano presented Senator Ring with a plaque honoring his years of service to the Senate.

THE PRESIDENT PRESIDING

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

LOCAL BILL CALENDAR

MOTION

On motion by Senator Simmons, the rules were waived and **HB 419**, **HB 481**, **HB 519**, **CS for HB 649**, **CS for CS for HB 785**, **HB 845**, **HB 847**, **HB 871**, **HB 891**, **CS for HB 895**, **HB 911**, **CS for HB 1071**, **HB 1081**, **HB 1221**, **HB 1265**, **CS for HB 1267**, **CS for CS for HB 1355**, and **HB 1433** on the Local Bill Calendar were withdrawn from the Committee on Rules, read a second and third time by title, and passed this day.

HB 419—A bill to be entitled An act relating to the Highlands Road and Bridge District, Pasco County; abolishing the district; repealing chapters 8803 (1921), 9568 (1923), 9570 (1923), 13248 (1927), 13249 (1927), and 26125 (1949), Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Legg, by two-thirds vote, **HB 419** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 481—A bill to be entitled An act relating to the Columbia County Law Library; repealing chapter 61-2045, Laws of Florida; abolishing the library; transferring assets and liabilities; providing an effective date.

—was read the second time by title. On motion by Senator Dean, by two-thirds vote, **HB 481** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 519—A bill to be entitled An act relating to the Gilchrist County Development Authority; repealing chapters 97-373, 81-382, and 59-1308, Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

—was read the second time by title. On motion by Senator Dean, by two-thirds vote, **HB 519** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

CS for HB 649—A bill to be entitled An act relating to the Eagle Bay Sub-Drainage District, Okeechobee County; repealing chapters 12010 (1927), 19556 (1939), and 21916 (1943), Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

—was read the second time by title. On motion by Senator Grimsley, by two-thirds vote, **CS for HB 649** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

CS for CS for HB 785—A bill to be entitled An act relating to the St. Lucie County Fire District, St. Lucie County; amending chapter 2004-407, Laws of Florida; revising requirements for the district's board of commissioners to borrow money; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote, **CS for CS for HB 785** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 845—A bill to be entitled An act relating to the Bay County Bridge Authority, Bay County; repealing chapter 84-391, Laws of Florida; abolishing the authority; transferring assets and liabilities of the authority to the Board of County Commissioners of Bay County; providing an effective date.

—was read the second time by title. On motion by Senator Gaetz, by two-thirds vote, **HB 845** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 847—A bill to be entitled An act relating to Pasco County; repealing chapter 99-166, Laws of Florida, relating to sewage treatment facility discharges into coastal waters within the county or waters tributary thereto; providing an effective date.

—was read the second time by title. On motion by Senator Legg, by two-thirds vote, **HB 847** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Bradley	Diaz de la Portilla
Abruzzo	Brandes	Evers
Altman	Braynon	Flores
Bean	Bullard	Gaetz
Benacquisto	Clemens	Galvano

Garcia	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hukill	Negron	Stargel
Hutson	Richter	Thompson
Joyner	Sachs	
Latvala	Simmons	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 871—A bill to be entitled An act relating to Broward County; amending chapter 86-364, Laws of Florida, as amended; repealing a civil penalty for an operator of a vessel exceeding the speed limit in specified waterways; providing applicability; repealing requirements for the erection of waterway speed limit signs; providing an effective date.

—was read the second time by title. On motion by Senator Smith, by two-thirds vote, **HB 871** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 891—A bill to be entitled An act relating to the Northwest Florida Community Hospital Board of Trustees, Washington County; repealing chapter 88-532, Laws of Florida; abolishing the board; transferring assets and liabilities of the board; providing an effective date.

—was read the second time by title. On motion by Senator Gaetz, by two-thirds vote, **HB 891** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

CS for HB 895—A bill to be entitled An act relating to the West Manatee Fire and Rescue District, Manatee County; amending chapter 2000-401, as amended; revising provisions related to the terms of the members of the district's board of commissioners; deleting obsolete provisions relating to the initial board of commissioners; providing for continuation of the staggered terms of commissioners; confirming certain non-ad valorem assessment rates adopted by the district on a specified date; specifying that the district may amend the non-ad valorem assessment rates as authorized by the district's enabling legislation as provided by general law; providing an effective date.

—was read the second time by title. On motion by Senator Galvano, by two-thirds vote, **CS for HB 895** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 911—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County; repealing chapters 97-324, 86-428, 83-397, 80-496, 79-447, 67-1284, and 25784 (1949), Laws of Florida; repealing the civil service act for the city; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Sachs, by two-thirds vote, **HB 911** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

CS for HB 1071—A bill to be entitled An act relating to the South Broward Hospital District, Broward County; amending chapter 2004-397, Laws of Florida; revising the authority of the district's board of commissioners to invest funds; authorizing investments listed in an investment policy adopted by the board pursuant to requirements applicable to various units of local government; deleting a list of authorized investments; revising construction and severability; providing an effective date.

—was read the second time by title. On motion by Senator Smith, by two-thirds vote, **CS for HB 1071** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 1081—A bill to be entitled An act relating to the North Sumter County Hospital District, Sumter County; repealing chapter 2004-451, Laws of Florida; abolishing the district; transferring assets and liabilities of the district to the Board of County Commissioners of Sumter County; providing an effective date.

—was read the second time by title. On motion by Senator Hays, by two-thirds vote, **HB 1081** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 1221—A bill to be entitled An act relating to Barron Water Control District, Glades and Hendry Counties; amending chapter 2001-301, Laws of Florida; abrogating the scheduled abolition of the district; providing an effective date.

—was read the second time by title. On motion by Senator Galvano, by two-thirds vote, **HB 1221** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 1265—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; expanding district boundaries; deleting obsolete provisions; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Richter, by two-thirds vote, **HB 1265** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

CS for HB 1267—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; expanding district boundaries; deleting obsolete provisions; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Richter, by two-thirds vote, **CS for HB 1267** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Brandes	Flores
Abruzzo	Braynon	Gaetz
Altman	Bullard	Galvano
Bean	Clemens	Garcia
Benacquisto	Diaz de la Portilla	Gibson
Bradley	Evers	Grimsley

Hukill	Montford	Sobel
Hutson	Negron	Soto
Joyner	Richter	Stargel
Latvala	Sachs	Thompson
Legg	Simmons	
Margolis	Smith	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

CS for CS for HB 1355—A bill to be entitled An act relating to the City of Gainesville, Alachua County; amending chapter 12760, Laws of Florida (1927), as amended by chapter 90-394, Laws of Florida, relating to the city’s charter; repealing section 3.06 of the charter, relating to the general manager for utilities of Gainesville Regional Utilities; creating the Gainesville Regional Utilities Authority and establishing it as the governing board of Gainesville Regional Utilities; providing definitions; providing a ballot statement; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 1355** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

HB 1433—A bill to be entitled An act relating to Martin County; repealing chapters 63-1619, 91-389, and 2011-246, Laws of Florida, relating to the issuance of special alcoholic beverage licenses to hotels, motels, motor courts, and certain restaurants; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote, **HB 1433** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Smith
Brandes	Hukill	Sobel
Braynon	Hutson	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Dean, Detert, Hays, Lee, Simpson

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

SPECIAL ORDER CALENDAR, continued

On motion by Senator Brandes—

CS for CS for SJR 170—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution to authorize the Legislature, by general law, to exempt the assessed value of a solar or renewable energy source device from the tangible personal property tax, to authorize the Legislature, by general law, to prohibit the consideration of the installation of such device in determining the assessed value of residential and non-residential real property for the purpose of ad valorem taxation, and to provide effective and expiration dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SJR 170** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 704—A bill to be entitled An act relating to building codes; amending s. 468.609, F.S.; revising the certification examination requirements for building code inspectors, plans examiners, and building code administrators; requiring the Florida Building Code Administrators and Inspectors Board to provide for issuance of certain provisional certificates; amending s. 489.103, F.S.; providing an exemption for certain employees who make minor repairs to existing electric water heaters and to existing electric heating, venting, and air-conditioning systems under specified circumstances; providing that the exemption does not limit the authority of a municipality or county to adopt or enforce certain ordinances, rules, or regulations; amending s. 489.105, F.S.; revising the definition of the term “plumbing contractor”; amending s. 489.1401, F.S.; revising legislative intent with respect to the purpose of the Florida Homeowners’ Construction Recovery Fund; providing legislative intent that Division II contractors set apart funds to participate in the fund; amending s. 489.1402, F.S.; revising definitions; amending s. 489.141, F.S.; authorizing certain claimants to make a claim against the recovery fund for certain contracts entered into before a specified date; amending s. 489.1425, F.S.; revising a notification provided by contractors to certain residential property owners to state that payment from the recovery fund is limited; amending s. 489.143, F.S.; revising provisions concerning payments from the recovery fund; specifying claim amounts for certain contracts entered into before or after specified dates; providing aggregate caps for payments; amending s. 489.503, F.S.; exempting certain low-voltage landscape lighting from licensed electrical contractor installation requirements; amending s. 514.011, F.S.; revising the definition of the term “private pool”; amending s. 514.0115, F.S.; prohibiting a temporary pool from being regulated as a public pool in certain circumstances; amending s. 514.031, F.S.; providing that a temporary pool may not be used as a public pool unless it is exempt under s. 514.0115, F.S.; amending s. 515.27, F.S.; adding swimming pool alarms as a safety feature that satisfies requirements for final inspection and issuance of a certificate of completion; amending s. 553.512, F.S.; revising the membership of the Accessibility Advisory Council; amending s. 553.721, F.S.; directing the Florida Building Code Compliance and Mitigation Program to fund, from existing resources, the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup; providing a limitation; requiring that a specified amount of funds from the surcharge be used to fund certain Florida Fire Prevention Code informal interpretations; requiring the State Fire Marshal to adopt specified rules; amending s. 553.73, F.S.; authorizing local boards created to address specified issues to combine the appeals boards to create a single, local board; authorizing the local board to grant alternatives or modifications through specified procedures; requiring at least one member of a board to be a

fire protection contractor, a fire protection design professional, a fire department operations professional, or a fire code enforcement professional in order to meet a specified quorum requirement; authorizing the appeal to a local administrative board of specified decisions made by a local fire official; specifying the decisions of the local building official and the local fire official which are subject to review; prohibiting an agency or local government from requiring that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the Florida Building Code under certain circumstances; requiring the Florida Building Code to require two fire service access elevators in certain buildings; providing that a 1-hour fire-rated fire service access elevator lobby is not required in certain circumstances; requiring a 1-hour fire-related fire service access elevator lobby in certain circumstances; amending s. 553.775, F.S.; revising the membership of a panel that hears requests to review decisions of local building officials; amending s. 553.79, F.S.; providing that failure of a plans reviewer or building code administrator to provide a reason for denial or revocation of a building permit must result in disciplinary action; authorizing a building official to issue a permit for the construction of the foundation or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; providing that the holder of such a permit may begin building at the holder’s own risk with the building operation and without assurance that a permit for the entire structure will be granted; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; requiring the owner, lessee, or occupant, or an authorized representative thereof, of a property to register an alarm system under certain circumstances; requiring a contractor to provide written notice to an owner, lessee, or occupant, or an authorized representative thereof, that an obligation to register the alarm system may exist; requiring alarm system monitoring companies to provide written or verbal notice, in certain circumstances, to an owner, lessee, or occupant, or an authorized representative thereof, that an obligation to register the alarm system may exist; providing that a contractor or alarm system monitoring company is not liable for specified fines and penalties; prohibiting local governmental entities from requiring notarization of an alarm system registration form; providing for preemption; amending s. 553.80, F.S.; prohibiting a local enforcement agency from charging additional fees related to the recording of a contractor’s license or workers’ compensation insurance; amending s. 553.842, F.S.; providing that Underwriters Laboratories, LLC, and Intertek Testing Services NA, Inc., are approved evaluation entities; amending s. 553.844, F.S.; excluding work associated with the prevention of degradation of a residence from certain building permit requirements; deleting an obsolete provision providing for expiration of requirements for the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures and revising the requirements; amending s. 553.883, F.S.; exempting certain devices from certain smoke alarm battery requirements; amending s. 553.908, F.S.; providing for the amendment of portions of the Florida Building Code, Energy Conservation, related to certain buildings and dwelling units after a specified date; delaying the effective date of certain portions of the Florida Building Code, Energy Conservation, related to blower door testing; providing for the amendment of portions of the Florida Building Code, Mechanical, related to air filtration rates for dwelling units after a specified date; amending s. 553.993, F.S.; revising the definition of the term “building energy-efficiency rating system” to require that oversight is performed using evaluation materials from certain identified entities; amending s. 633.202, F.S.; requiring all new and existing high-rise buildings to maintain a minimum radio signal strength for fire department communications; providing a transitory period for compliance; requiring existing buildings and existing apartment buildings that are not in compliance to initiate an application for an appropriate permit by a specified date; requiring areas of refuge as determined by the Florida Building Code, Accessibility; amending s. 633.208, F.S.; authorizing fire officials to consider certain systems acceptable for identifying low-cost alternatives; amending s. 633.336, F.S.; authorizing a licensed fire protection contractor to subcontract for advanced technical services under certain circumstances; creating the Calder Sloan Swimming Pool Electrical-Safety Task Force within the Florida Building Commission; specifying the purpose of the task force; requiring a report to the Governor and the Legislature by a specified date; providing for membership; requiring the Florida Building Com-

mission to provide staff, information, and other assistance to the task force; providing that members of the task force serve without compensation; authorizing the task force to meet as often as necessary; providing for expiration of the task force; creating the Construction Industry Workforce Task Force within the University of Florida M.E. Rinker, Sr., School of Construction Management; specifying the goals of the task force; providing for membership; requiring the University of Florida Rinker School of Construction to provide assistance to the task force; providing for meetings; requiring a report to the Governor and Legislature by a specified date; providing an appropriation from specified funds available to the Department of Business and Professional Regulation; providing for expiration of the task force; requiring the Florida Building Commission to amend the Florida Building Code to define the term “fire separation distance,” to specify openings and roof overhang projection requirements, to adopt a specific energy rating index as an option for compliance, to provide for Climate Zone indices, to provide exceptions to the shower lining requirements, and to provide minimum fire separation distances; requiring a restaurant, cafeteria, or similar dining facility to have sprinklers only under specified circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 704**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 535** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Hutson—

CS for CS for CS for HB 535—A bill to be entitled An act relating to building codes; amending s. 468.609, F.S.; revising the certification examination requirements for building code inspectors, plans examiners, and building code administrators; requiring the Florida Building Code Administrators and Inspectors Board to provide for issuance of certain provisional certificates; amending s. 489.103, F.S.; providing an exemption for certain employees who make minor repairs to existing electric water heaters and to existing electric heating, ventilating, and air-conditioning systems under specified circumstances; providing that the exemption does not limit the authority of a municipality or county to adopt or enforce certain ordinances, rules, or regulations; amending s. 489.105, F.S.; revising the definition of the term “plumbing contractor”; amending s. 489.1401, F.S.; revising legislative intent with respect to the purpose of the Florida Homeowners’ Construction Recovery Fund; providing legislative intent that Division II contractors set apart funds to participate in the fund; amending s. 489.1402, F.S.; revising definitions; amending s. 489.141, F.S.; authorizing certain claimants to make a claim against the recovery fund for certain contracts entered into before a specified date; amending s. 489.1425, F.S.; revising a notification provided by contractors to certain residential property owners to state that payment from the recovery fund is limited; amending s. 489.143, F.S.; revising provisions concerning payments from the recovery fund; specifying claim amounts for certain contracts entered into on or after specified dates; providing aggregate caps for payments; amending s. 489.503, F.S.; exempting certain low-voltage landscape lighting from licensed electrical contractor installation requirements; amending s. 514.011, F.S.; defining the term “temporary pool”; amending s. 514.0115, F.S.; prohibiting a portable pool from being regulated as a public pool in certain circumstances; prohibiting a temporary pool from being regulated as a public pool; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 514.031, F.S.; prohibiting a portable pool from being used as a public pool unless it is exempt under s. 514.0115, F.S.; amending s. 515.27, F.S.; revising minimum requirements for a residential swimming pool to pass final inspection and receive a certificate of completion to include specified swimming pool alarms; amending s. 553.512, F.S.; revising the membership of the Accessibility Advisory Council; amending s. 553.721, F.S.; directing the Florida Building Code Compliance and Mitigation Program to fund, from existing resources, the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup; providing a limitation; requiring that a specified amount of funds from the surcharge be used to fund certain Florida Fire Prevention Code informal interpretations; requiring the State Fire Marshal to adopt rules; amending s. 553.73, F.S.; authorizing local boards created

to address specified issues to combine the appeals boards to create a single, local board; authorizing the local board to grant alternatives or modifications through specified procedures; providing quorum requirements; authorizing the appeal to a local administrative board of specified decisions made by a local fire official; specifying the decisions of the local building official and the local fire official which are subject to review; providing requirements for fire service access elevators and elevator lobbies in certain buildings; specifying standards for standpipes in high-rise buildings; amending s. 553.775, F.S.; revising membership on a panel that hears requests to review decisions of local building officials; amending s. 553.79, F.S.; providing grounds for disciplinary action against a plans reviewer or building code administrator; authorizing a building official to issue a permit for the construction of the foundation or any other part of a building or structure before the construction documents for the entire building or structure have been submitted; providing that the holder of such permit begins building at the holder’s own risk and without assurance that a permit for the entire structure will be granted; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; requiring the owner, lessee, or occupant of a property to register an alarm system under certain circumstances; requiring contractors and alarm system monitoring companies to provide notice to an owner, lessee, or occupant that registration of the alarm system may be required; exempting a contractor or alarm system monitoring company from specified fines and penalties; prohibiting local governmental entities from requiring notarization of an alarm system registration form; providing for preemption; amending s. 553.80, F.S.; prohibiting a local enforcement agency from charging additional fees related to the recording of a contractor’s license or workers’ compensation insurance; amending s. 553.842, F.S.; specifying additional approved evaluation entities; amending s. 553.844, F.S.; excluding certain work associated with the prevention of degradation of a residence from certain building permit requirements; revising, readopting, and amending s. 553.844(4), F.S.; deleting an obsolete provision providing for expiration of requirements for the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; revising such requirements; amending s. 553.883, F.S.; exempting certain devices from certain smoke alarm battery requirements; amending s. 553.908, F.S.; providing for the amendment of portions of the Florida Building Code, Energy Conservation, related to certain buildings and dwelling units after a specified date; delaying the effective date of certain portions of the Florida Building Code, Energy Conservation, related to blower door testing; providing for the amendment of portions of the Florida Building Code, Mechanical, and Florida Building Code, Residential, related to air infiltration rates in a dwelling after a specified date; amending s. 553.998, F.S.; specifying the types of individuals from whom local enforcement agencies shall accept duct and air infiltration tests and may accept inspections; amending s. 633.202, F.S.; requiring all new high-rise and existing high-rise buildings to maintain a minimum radio signal strength for fire department communications; providing a transitory period for compliance; requiring existing apartment buildings that are not in compliance to initiate an application for an appropriate permit by a specified date; requiring areas of refuge to be required as determined by the Florida Building Code, Accessibility; amending s. 633.208, F.S.; authorizing fire officials to consider certain systems acceptable when identifying low-cost alternatives; amending s. 633.336, F.S.; authorizing a licensed fire protection contractor to subcontract for advanced technical services under certain circumstances; creating the Calder Sloan Swimming Pool Electrical-Safety Task Force within the commission; specifying the purpose of the task force; requiring a report to the Governor and Legislature; providing for membership; requiring the commission to provide staff, information, and other assistance to the task force; providing that members of the task force serve without compensation; providing for meetings; providing for expiration of the task force; creating the Construction Industry Workforce Task Force within the University of Florida M. E. Rinker, Sr., School of Construction Management; specifying the goals of the task force; providing for membership; requiring the school to provide assistance to the task force; providing for meetings; requiring a report to the Governor and Legislature; providing an appropriation from specified funds available to the Department of Business and Professional Regulation; providing for expiration of the task force; requiring the commission to amend the Florida Building Code to define the term “fire

separation distance,” to specify openings and roof overhang projection requirements, to adopt a specific energy rating index as an option for compliance, to provide for Climate Zone indices, to provide exceptions to shower lining requirements, and to provide minimum fire separation distances; requiring a restaurant, cafeteria, or similar dining facility to have sprinklers only under specified circumstances; amending ss. 125.56 and 553.79, F.S.; requiring counties and local enforcement agencies, respectively, to post all types of building permit applications on their websites; specifying the format in which completed applications must be submitted and the format in which payments, attachments, and drawings may be submitted; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 704** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 535** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1118** was deferred.

CS for CS for SB 868—A bill to be entitled An act relating to community redevelopment; amending s. 163.387, F.S.; specifying uses of redevelopment trust fund moneys for certain community redevelopment agencies that support youth centers; defining the terms “youth center” and “year-round”; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 868**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 627** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Smith—

CS for HB 627—A bill to be entitled An act relating to community contribution tax credits; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 868** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 627** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 212—A bill to be entitled An act relating to health care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; requiring the department to distribute state funds to accounts, subject to legislative appropriations; authorizing the department to accept contributions from a local source for deposit in a designated account; limiting the number of years that an account may remain open; providing for the immediate closing of accounts under certain circumstances; authorizing the department to

transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank dental health professional shortage areas and medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; amending s. 395.002, F.S.; revising the definition of the term “ambulatory surgical center” or “mobile surgical facility”; amending s. 395.003, F.S.; requiring, as a condition of licensure and license renewal, that ambulatory surgical centers provide services to specified patients in at least a specified amount; requiring ambulatory surgical centers to report certain data; defining a term; requiring ambulatory surgical centers to comply with certain building and lifesafety codes in certain circumstances; creating s. 624.27, F.S.; defining terms; specifying that a direct primary care agreement does not constitute insurance and is not subject to ch. 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations, or any other chapter of the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to ch. 636, F.S., or any other chapter of the code; providing that certain certificates of authority and licenses are not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing a short title; amending s. 409.967, F.S.; requiring a managed care plan to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; creating s. 627.42392, F.S.; requiring an insurer to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 641.31, F.S.; prohibiting a health maintenance organization from requiring that a health care provider use a clinical decision support system or a laboratory benefits management program in certain circumstances; defining terms; providing for construction; creating s. 641.394, F.S.; requiring a health maintenance organization to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient’s representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a health care provider as it applies to immunity from personal liability in certain actions; providing effective dates.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (108254)—Delete lines 673-674 and insert:

15. Any other health care professional, practitioner,

On motion by Senator Gaetz, further consideration of **CS for CS for SB 212**, as amended, was deferred.

CS for SB 1496—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under ch. 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; providing an exemption; requiring a licensed facility to make available on its website certain information on payments made to that facility for defined bundles of services and procedures and other information for consumers and patients; requiring that facility websites provide specified information and notify and inform patients or prospective patients of certain information; requiring a facility to provide a written, good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding financial assistance from the facility which may be available to a patient or a prospective patient; providing a penalty for failing to provide an estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized statement or bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; requiring that certain records be made available through electronic means that comply with a specified law; reducing the response time for certain patient requests for information; amending s. 395.107, F.S.; providing a definition; making technical changes; creating s. 395.3012, F.S.; authorizing the Agency for Health Care Administration to impose penalties based on certain findings of an investigation as determined by the consumer advocate; amending ss. 400.487 and 400.934, F.S.; requiring home health agencies and home medical equipment providers to provide upon request certain written estimates of charges within a certain timeframe; amending s. 408.05, F.S.; revising requirements for the collection and use of health-related data by the agency; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes; requiring potential vendors to have certain qualifications; prohibiting the agency from establishing a certain database under certain circumstances; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; requiring submitted information considered a trade secret to be clearly designated; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a patient upon his or her request a written, good faith estimate of anticipated charges within a certain timeframe; setting a maximum amount for total fines assessed in certain disciplinary actions; amending s. 456.072, F.S.; providing that the failure to comply with fair billing practices by a health care practitioner is grounds for disciplinary action; amending s. 627.0613, F.S.; providing that the consumer advocate must represent the general public before other state agencies; authorizing the consumer advocate to report findings relating to certain investigations to the agency and the Department of Health; authorizing the consumer advocate to have access to files, records, and data of the agency and the department necessary for certain investigations; authorizing the consumer advocate to maintain a process to receive and investigate complaints from patients relating to compliance with certain billing and notice requirements by licensed health care facilities and practitioners; defining a term; authorizing the consumer advocate to provide mediation between providers and consumers relating to certain matters; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain methods that a policyholder can use to make estimates of certain costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to make available on its website a hyperlink to certain health information; requiring a health insurer to include certain notice; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency; excluding from the contributed claims data certain types of coverage; amending s. 641.54, F.S.; revising a requirement that a health maintenance organization make certain information available to its subscribers; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency; excluding from the contributed claims data certain types of coverage; amending s. 409.967, F.S.; requiring managed care plans to

provide all claims data to a contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to provide certain data to the contracted vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to provide claims data to the vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 408.07, 408.18, and 465.0244, F.S.; conforming provisions to changes made by the act; providing legislative intent; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1496**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1175** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Bradley—

CS for CS for HB 1175—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under chapter 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; requiring a licensed facility to post certain payment information regarding defined bundles of services and procedures and other specified consumer information and notifications on its website; requiring a facility to provide a good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding its financial assistance policy to a patient or a prospective patient; providing a penalty for failing to provide such estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; amending s. 395.107, F.S.; defining the term "facility" to mean an urgent care center or a diagnostic-imaging center operated by a licensed hospital but not located on the hospital premises; requiring a facility to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the facility's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis; revising requirements for the collection and use of health-related data by the Agency for Health Care Administration; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes and a state-specific data set available to the public; providing vendor qualifications; requiring the agency to design a patient safety culture survey for hospitals and ambulatory surgical centers licensed under chapter 395, F.S.; requiring the survey to measure certain aspects of a facility's patient safety practices; exempting certain licensed facilities from survey requirements; prohibiting the agency from establishing a certain database without express legislative authority; revising the duties of the members of the State Consumer Health Information and Policy Advisory Council; revising provisions relating to the use of certain fees; revising the agency's rulemaking authority; deleting an obsolete provision; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; amending s. 408.810, F.S.; requiring certain licensed hospitals and ambulatory surgical centers to submit a facility patient safety culture survey to the agency; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a good faith estimate of anticipated charges to a patient upon request within a certain timeframe; providing for disciplinary action and a fine for failure to comply; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain information and a method for policyholders to estimate certain health care services costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to provide notice in insurance policies that certain information is available on its website; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected

by the agency; establishing a deadline for submission of Medicaid managed care claims data by health insurers; requiring that an insurer and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 641.54, F.S.; requiring a health maintenance organization to make certain information available to its subscribers on its website; requiring a health insurer to provide a hyperlink to certain health information on its website; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health maintenance organizations; requiring that a health maintenance organization and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 409.967, F.S.; requiring managed care plans to contribute all Florida claims data to the contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to contribute certain data to the vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to contribute Florida claims data to the contracted vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 400.991, 408.07, 408.18, 408.8065, 408.820, 465.0244, and 627.6499, F.S.; conforming cross-references and provisions to changes made by the act; providing intent of the act; declaring all persons or entities required to submit, receive, or publish data under the act to be acting pursuant to state requirements contained therein; exempting such persons or entities from state anti-trust laws; providing an appropriation and authorizing a position; providing an effective date.

—a companion measure, was substituted for **CS for SB 1496** and read the second time by title.

Senator Bradley moved the following amendment:

Amendment 1 (206420) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 395.301, Florida Statutes, is amended to read:

395.301 *Price transparency; itemized patient statement or bill; form and content prescribed by the agency; patient admission status notification.*—

(1) A facility licensed under this chapter shall provide timely and accurate financial information and quality of service measures to patients and prospective patients of the facility, or to patients' survivors or legal guardians, as appropriate. Such information shall be provided in accordance with this section and rules adopted by the agency pursuant to this chapter and s. 408.05. Licensed facilities operating exclusively as state facilities are exempt from this subsection.

(a) Each licensed facility shall make available to the public on its website information on payments made to that facility for defined bundles of services and procedures. The payment data must be presented and searchable in accordance with, and through a hyperlink to, the system established by the agency and its vendor using the descriptive service bundles developed under s. 408.05(3)(c). At a minimum, the facility shall provide the estimated average payment received from all payors, excluding Medicaid and Medicare, for the descriptive service bundles available at that facility and the estimated payment range for such bundles. Using plain language, comprehensible to an ordinary layperson, the facility must disclose that the information on average payments and the payment ranges is an estimate of costs that may be incurred by the patient or prospective patient and that actual costs will be based on the services actually provided to the patient. The facility's website must:

1. Provide information to prospective patients on the facility's financial assistance policy, including the application process, payment plans, and discounts, and the facility's charity care policy and collection procedures.

2. If applicable, notify patients and prospective patients that services may be provided in the health care facility by the facility as well as by other health care providers who may separately bill the patient and that

such health care providers may or may not participate with the same health insurers or health maintenance organizations as the facility.

3. Inform patients and prospective patients that they may request from the facility and other health care providers a more personalized estimate of charges and other information, and inform patients that they should contact each health care practitioner who will provide services in the hospital to determine the health insurers and health maintenance organizations with which the health care practitioner participates as a network provider or preferred provider.

4. Provide the names, mailing addresses, and telephone numbers of the health care practitioners and medical practice groups with which it contracts to provide services in the facility and instructions on how to contact the practitioners and groups to determine the health insurers and health maintenance organizations with which they participate as network providers or preferred providers.

(b)1. Upon request, and before providing any nonemergency medical services, each licensed facility shall provide in writing or by electronic means a good faith estimate of reasonably anticipated charges by the facility for the treatment of the patient's or prospective patient's specific condition. The facility must provide the estimate to the patient or prospective patient within 7 business days after the receipt of the request and is not required to adjust the estimate for any potential insurance coverage. The estimate may be based on the descriptive service bundles developed by the agency under s. 408.05(3)(c) unless the patient or prospective patient requests a more personalized and specific estimate that accounts for the specific condition and characteristics of the patient or prospective patient. The facility shall inform the patient or prospective patient that he or she may contact his or her health insurer or health maintenance organization for additional information concerning cost-sharing responsibilities.

2. In the estimate, the facility shall provide to the patient or prospective patient information on the facility's financial assistance policy, including the application process, payment plans, and discounts and the facility's charity care policy and collection procedures.

3. The estimate shall clearly identify any facility fees and, if applicable, include a statement notifying the patient or prospective patient that a facility fee is included in the estimate, the purpose of the fee, and that the patient may pay less for the procedure or service at another facility or in another health care setting.

4. Upon request, the facility shall notify the patient or prospective patient of any revision to the estimate.

5. In the estimate, the facility must notify the patient or prospective patient that services may be provided in the health care facility by the facility as well as by other health care providers that may separately bill the patient, if applicable.

6. The facility shall take action to educate the public that such estimates are available upon request.

7. Failure to timely provide the estimate pursuant to this paragraph shall result in a daily fine of \$1,000 until the estimate is provided to the patient or prospective patient. The total fine may not exceed \$10,000.

The provision of an estimate does not preclude the actual charges from exceeding the estimate.

(c) Each facility shall make available on its website a hyperlink to the health-related data, including quality measures and statistics that are disseminated by the agency pursuant to s. 408.05. The facility shall also take action to notify the public that such information is electronically available and provide a hyperlink to the agency's website.

(d)1. Upon request, and after the patient's discharge or release from a facility, the facility must provide ~~A licensed facility not operated by the state shall notify each patient during admission and at discharge of his or her right to receive an itemized bill upon request. Within 7 days following the patient's discharge or release from a licensed facility not operated by the state, the licensed facility providing the service shall, upon request, submit to the patient; or to the patient's survivor or legal guardian, as may be appropriate, an itemized statement or a bill detailing in plain language, comprehensible to an ordinary layperson, the specific nature of charges or expenses incurred by the patient, which in~~

The initial statement or bill ~~billing~~ shall be provided within 7 days after the patient's discharge or release or after a request for such statement or bill, whichever is later. The initial statement or bill must contain a statement of specific services received and expenses incurred by date and provider for such items of service, enumerating in detail as prescribed by the agency the constituent components of the services received within each department of the licensed facility and including unit price data on rates charged by the licensed facility, ~~as prescribed by the agency.~~ The statement or bill must also clearly identify any facility fee and explain the purpose of the fee. The statement or bill must identify each item as paid, pending payment by a third party, or pending payment by the patient, and must include the amount due, if applicable. If an amount is due from the patient, a due date must be included. The initial statement or bill must direct the patient or the patient's survivor or legal guardian, as appropriate, to contact the patient's insurer or health maintenance organization regarding the patient's cost-sharing responsibilities.

2. Any subsequent statement or bill provided to a patient or to the patient's survivor or legal guardian, as appropriate, relating to the episode of care must include all of the information required by subparagraph 1., with any revisions clearly delineated.

3.~~(2)(a)~~ Each such statement or bill provided ~~submitted~~ pursuant to this subsection ~~section~~:

a.1. ~~Must~~ May not include notice charges of hospital-based physicians and other health care providers who bill ~~if billed~~ separately.

b.2. May not include any generalized category of expenses such as "other" or "miscellaneous" or similar categories.

c.3. ~~Must~~ Shall list drugs by brand or generic name and not refer to drug code numbers when referring to drugs of any sort.

d.4. ~~Must~~ Shall specifically identify physical, occupational, or speech therapy treatment by as to the date, type, and length of treatment when such ~~therapy~~ treatment is a part of the statement or bill.

~~(b) Any person receiving a statement pursuant to this section shall be fully and accurately informed as to each charge and service provided by the institution preparing the statement.~~

~~(2)(3) On each itemized statement submitted pursuant to subsection (1) there shall appear the words "A FOR PROFIT (or NOT FOR PROFIT or PUBLIC) HOSPITAL (or AMBULATORY SURGICAL CENTER) LICENSED BY THE STATE OF FLORIDA" or substantially similar words sufficient to identify clearly and plainly the ownership status of the licensed facility. Each itemized statement or bill must prominently display the telephone phone number of the medical facility's patient liaison who is responsible for expediting the resolution of any billing dispute between the patient, or the patient's survivor or legal guardian his or her representative, and the billing department.~~

~~(4) An itemized bill shall be provided once to the patient's physician at the physician's request, at no charge.~~

~~(5) In any billing for services subsequent to the initial billing for such services, the patient, or the patient's survivor or legal guardian, may elect, at his or her option, to receive a copy of the detailed statement of specific services received and expenses incurred for each such item of service as provided in subsection (1).~~

~~(6) No physician, dentist, podiatric physician, or licensed facility may add to the price charged by any third party except for a service or handling charge representing a cost actually incurred as an item of expense; however, the physician, dentist, podiatric physician, or licensed facility is entitled to fair compensation for all professional services rendered. The amount of the service or handling charge, if any, shall be set forth clearly in the bill to the patient.~~

~~(7) Each licensed facility not operated by the state shall provide, prior to provision of any nonemergency medical services, a written good faith estimate of reasonably anticipated charges for the facility to treat the patient's condition upon written request of a prospective patient. The estimate shall be provided to the prospective patient within 7 business days after the receipt of the request. The estimate may be the average charges for that diagnosis related group or the average charges for that procedure. Upon request, the facility shall notify the patient of~~

~~any revision to the good faith estimate. Such estimate shall not preclude the actual charges from exceeding the estimate. The facility shall place a notice in the reception area that such information is available. Failure to provide the estimate within the provisions established pursuant to this section shall result in a fine of \$500 for each instance of the facility's failure to provide the requested information.~~

~~(8) Each licensed facility that is not operated by the state shall provide any uninsured person seeking planned nonemergency elective admission a written good faith estimate of reasonably anticipated charges for the facility to treat such person. The estimate must be provided to the uninsured person within 7 business days after the person notifies the facility and the facility confirms that the person is uninsured. The estimate may be the average charges for that diagnosis-related group or the average charges for that procedure. Upon request, the facility shall notify the person of any revision to the good faith estimate. Such estimate does not preclude the actual charges from exceeding the estimate. The facility shall also provide to the uninsured person a copy of any facility discount and charity care discount policies for which the uninsured person may be eligible. The facility shall place a notice in the reception area where such information is available. Failure to provide the estimate as required by this subsection shall result in a fine of \$500 for each instance of the facility's failure to provide the requested information.~~

~~(3)(9) If a licensed facility places a patient on observation status rather than inpatient status, observation services shall be documented in the patient's discharge papers. The patient or the patient's survivor or legal guardian proxy shall be notified of observation services through discharge papers, which may also include brochures, signage, or other forms of communication for this purpose.~~

~~(4)(10) A licensed facility shall make available to a patient all records necessary for verification of the accuracy of the patient's statement or bill within 10 30 business days after the request for such records. The records verification information must be made available in the facility's offices and through electronic means that comply with the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. s. 1320d, as amended. Such records must shall be available to the patient before prior to and after payment of the statement or bill or claim. The facility may not charge the patient for making such verification records available; however, the facility may charge its usual fee for providing copies of records as specified in s. 395.3025.~~

~~(5)(11) Each facility shall establish a method for reviewing and responding to questions from patients concerning the patient's itemized statement or bill. Such response shall be provided within 7 business 30 days after the date a question is received. If the patient is not satisfied with the response, the facility must provide the patient with the contact information address of the consumer advocate as provided in s. 627.0613 agency to which the issue may be sent for review. The facility shall cooperate with the consumer advocate and his or her representative to support the consumer advocate in his or her efforts as authorized under s. 627.0613(2) and (3).~~

~~(12) Each licensed facility shall make available on its Internet website a link to the performance outcome and financial data that is published by the Agency for Health Care Administration pursuant to s. 408.05(3)(k). The facility shall place a notice in the reception area that the information is available electronically and the facility's Internet website address.~~

Section 2. Section 395.107, Florida Statutes, is amended to read:

395.107 ~~Facilities Urgent care centers~~; publishing and posting schedule of charges; penalties.—

(1) For purposes of this section, the term "facility" means:

(a) An urgent care center as defined in s. 395.002; or

(b) A diagnostic-imaging center operated by a hospital licensed under this chapter which is not located on the hospital's premises.

(2) A facility ~~An urgent care center~~ must publish and post a schedule of charges for the medical services offered to patients.

(3)(2) The schedule of charges must describe the medical services in language comprehensible to a layperson. The schedule must include the

prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area and must include, but is not limited to, the 50 services most frequently provided. The schedule may group services by three price levels, listing services in each price level. The posting may be a sign, which must be at least 15 square feet in size, or may be through an electronic messaging board. If a ~~facility an urgent care center~~ is affiliated with a ~~facility~~ licensed ~~hospital~~ under this chapter, the schedule must include text that notifies the insured patients whether the charges for medical services received at the center will be the same as, or more than, charges for medical services received at the affiliated hospital. The text notifying the patient of the schedule of charges shall be in a font size equal to or greater than the font size used for prices and must be in a contrasting color. The text that notifies the insured patients whether the charges for medical services received at the center will be the same as, or more than, charges for medical services received at the affiliated hospital shall be included in all media and Internet advertisements for the center and in language comprehensible to a layperson.

(4)(3) The posted text describing the medical services must fill at least 12 square feet of the posting. A ~~facility center~~ may use an electronic device or messaging board to post the schedule of charges. Such a device must be at least 3 square feet, and patients must be able to access the schedule during all hours of operation of the ~~facility urgent care center~~ center.

(5)(4) A ~~facility An urgent care center~~ that is operated and used exclusively for employees and the dependents of employees of the business that owns or contracts for the ~~facility urgent care center~~ is exempt from this section.

(6)(5) The failure of a ~~facility an urgent care center~~ to publish and post a schedule of charges as required by this section shall result in a fine of not more than \$1,000, per day, until the schedule is published and posted.

Section 3. Section 408.05, Florida Statutes, is amended to read:

408.05 Florida Center for Health Information and Transparency Policy Analysis.—

(1) ESTABLISHMENT.—The agency shall establish and maintain a Florida Center for Health Information and Transparency to collect, compile, coordinate, analyze, index, and disseminate ~~Policy Analysis~~. The center shall establish a comprehensive health information system to provide for the collection, compilation, coordination, analysis, indexing, dissemination, and utilization of both purposefully collected and extant health-related data and statistics. The center shall be staffed as with public health experts, biostatisticians, information system analysts, health policy experts, economists, and other staff necessary to carry out its functions.

(2) HEALTH-RELATED DATA.—The comprehensive health information system operated by the Florida Center for Health Information and Transparency ~~Policy Analysis~~ shall identify the best available data sets, compile new data when specifically authorized, data sources and promote the use coordinate the compilation of extant health-related data and statistics. The center must maintain any data sets in existence before July 1, 2016, unless such data sets duplicate information that is readily available from other credible sources, and may and purposefully collect or compile data on:

(a) ~~The extent and nature of illness and disability of the state population, including life expectancy, the incidence of various acute and chronic illnesses, and infant and maternal morbidity and mortality.~~

(b) ~~The impact of illness and disability of the state population on the state economy and on other aspects of the well-being of the people in this state.~~

(c) ~~Environmental, social, and other health hazards.~~

(d) ~~Health knowledge and practices of the people in this state and determinants of health and nutritional practices and status.~~

(a)(e) Health resources, including licensed physicians, dentists, nurses, and other health care practitioners professionals, by specialty

and type of practice. Such data must include information collected by the Department of Health pursuant to ss. 458.3191 and 459.0081.

(b) ~~Health service inventories, including and acute care, long-term care, and other institutional care facilities facility supplies and specific services provided by hospitals, nursing homes, home health agencies, and other licensed health care facilities.~~

(c)(f) ~~Service utilization for licensed health care facilities of health care by type of provider.~~

(d)(g) Health care costs and financing, including trends in health care prices and costs, the sources of payment for health care services, and federal, state, and local expenditures for health care.

(h) ~~Family formation, growth, and dissolution.~~

(e)(i) The extent of public and private health insurance coverage in this state.

(f)(j) ~~Specific quality-of-care initiatives involving The quality of care provided by various health care providers when extant data is not adequate to achieve the objectives of the initiative.~~

(3) COMPREHENSIVE HEALTH INFORMATION TRANSPARENCY SYSTEM.—In order to disseminate and facilitate the availability of produce comparable and uniform health information and statistics for the development of policy recommendations, the agency shall perform the following functions:

(a) Collect and compile information on and coordinate the activities of state agencies involved in providing the design and implementation of the comprehensive health information to consumers system.

(b) Promote data sharing through dissemination of state-collected health data by making such data available, transferable, and readily usable Undertake research, development, and evaluation respecting the comprehensive health information system.

(c) Contract with a vendor to provide a consumer-friendly, Internet-based platform that allows a consumer to research the cost of health care services and procedures and allows for price comparison. The Internet-based platform must allow a consumer to search by condition or service bundles that are comprehensible to a layperson and may not require registration, a security password, or user identification. The vendor shall also establish and maintain a Florida-specific data set of health care claims information available to the public and any interested party. The agency shall actively oversee the vendor to ensure compliance with state law. The vendor must be a nonprofit research institute that is qualified under s. 1874 of the Social Security Act, 42 U.S.C. 1395kk, to receive Medicare claims data and that receives claims, payment, and patient cost-share data from multiple private insurers nationwide. The agency shall select the vendor through a competitive procurement process. By October 1, 2016, a responsive vendor shall have:

1. A national database consisting of at least 15 billion claim lines of administrative claims data from multiple payors capable of being expanded by adding claims data, directly or through arrangements with extant data sources, from other third-party payors, including employers with health plans covered by the Employee Retirement Income Security Act of 1974 when those employers choose to participate.

2. A well-developed methodology for analyzing claims data within defined service bundles that are understandable by the general public.

3. A bundling methodology that is available in the public domain to allow for consistency and comparison of state and national benchmarks with local regions and specific providers.

(e) Review the statistical activities of state agencies to ensure that they are consistent with the comprehensive health information system.

(d) Develop written agreements with local, state, and federal agencies to facilitate for the sharing of data related to health care health care-related data or using the facilities and services of such agencies. State agencies, local health councils, and other agencies under state contract shall assist the center in obtaining, compiling, and transferring health care-related data maintained by state and local agencies. Written agreements must specify the types, methods, and periodicity of data

exchanges and specify the types of data that will be transferred to the center.

(e) Establish by rule:

1. The types of data collected, compiled, processed, used, or shared.

2. Requirements for implementation of the consumer-friendly, Internet-based platform created by the contracted vendor under paragraph (c).

3. Requirements for the submission of data by insurers pursuant to s. 627.6385 and health maintenance organizations pursuant to s. 641.54 to the contracted vendor under paragraph (c).

4. Requirements governing the collection of data by the contracted vendor under paragraph (c).

5. How information is to be published on the consumer-friendly, Internet-based platform created under paragraph (c) for public use. Decisions regarding center data sets should be made based on consultation with the State Consumer Health Information and Policy Advisory Council and other public and private users regarding the types of data which should be collected and their uses. The center shall establish standardized means for collecting health information and statistics under laws and rules administered by the agency.

(f) Consult with contracted vendors, the State Consumer Health Information and Policy Advisory Council, and other public and private users regarding the types of data that should be collected and the use of such data.

(g) Monitor data collection procedures and test data quality to facilitate the dissemination of data that is accurate, valid, reliable, and complete.

(f) Establish minimum health care related data sets which are necessary on a continuing basis to fulfill the collection requirements of the center and which shall be used by state agencies in collecting and compiling health care related data. The agency shall periodically review ongoing health care data collections of the Department of Health and other state agencies to determine if the collections are being conducted in accordance with the established minimum sets of data.

(g) Establish advisory standards to ensure the quality of health statistical and epidemiological data collection, processing, and analysis by local, state, and private organizations.

(h) Prescribe standards for the publication of health care related data reported pursuant to this section which ensure the reporting of accurate, valid, reliable, complete, and comparable data. Such standards should include advisory warnings to users of the data regarding the status and quality of any data reported by or available from the center.

(h)(i) Develop Prescribe standards for the maintenance and preservation of the center's data. This should include methods for archiving data, retrieval of archived data, and data editing and verification.

(j) Ensure that strict quality control measures are maintained for the dissemination of data through publications, studies, or user requests.

(i)(k) Make Develop, in conjunction with the State Consumer Health Information and Policy Advisory Council, and implement a long range plan for making available health care quality measures and financial data that will allow consumers to compare outcomes and other performance measures for health care services. The health care quality measures and financial data the agency must make available include, but are not limited to, pharmaceuticals, physicians, health care facilities, and health plans and managed care entities. The agency shall update the plan and report on the status of its implementation annually. The agency shall also make the plan and status report available to the public on its Internet website. As part of the plan, the agency shall identify the process and timeframes for implementation, barriers to implementation, and recommendations of changes in the law that may be enacted by the Legislature to eliminate the barriers. As preliminary elements of the plan, the agency shall:

1. Make available patient safety indicators, inpatient quality indicators, and performance outcome and patient charge data collected from health care facilities pursuant to s. 408.061(1)(a) and (2). The terms "patient safety indicators" and "inpatient quality indicators" have the same meaning as that ascribed by the Centers for Medicare and Medicaid Services, an accrediting organization whose standards incorporate comparable regulations required by this state, or a national entity that establishes standards to measure the performance of health care providers, or by other states. The agency shall determine which conditions, procedures, health care quality measures, and patient charge data to disclose based upon input from the council. When determining which conditions and procedures are to be disclosed, the council and the agency shall consider variation in costs, variation in outcomes, and magnitude of variations and other relevant information. When determining which health care quality measures to disclose, the agency:

a. Shall consider such factors as volume of cases; average patient charges; average length of stay; complication rates; mortality rates; and infection rates, among others, which shall be adjusted for case mix and severity, if applicable.

b. May consider such additional measures that are adopted by the Centers for Medicare and Medicaid Studies, an accrediting organization whose standards incorporate comparable regulations required by this state, the National Quality Forum, the Joint Commission on Accreditation of Healthcare Organizations, the Agency for Healthcare Research and Quality, the Centers for Disease Control and Prevention, or a similar national entity that establishes standards to measure the performance of health care providers, or by other states.

When determining which patient charge data to disclose, the agency shall include such measures as the average of undiscounted charges on frequently performed procedures and preventive diagnostic procedures; the range of procedure charges from highest to lowest; average net revenue per adjusted patient day; average cost per adjusted patient day; and average cost per admission, among others.

2. Make available performance measures, benefit design, and premium cost data from health plans licensed pursuant to chapter 627 or chapter 641. The agency shall determine which health care quality measures and member and subscriber cost data to disclose, based upon input from the council. When determining which data to disclose, the agency shall consider information that may be required by either individual or group purchasers to assess the value of the product, which may include membership satisfaction, quality of care, current enrollment or membership, coverage areas, accreditation status, premium costs, plan costs, premium increases, range of benefits, copayments and deductibles, accuracy and speed of claims payment, credentials of physicians, number of providers, names of network providers, and hospitals in the network. Health plans shall make available to the agency such data or information that is not currently reported to the agency or the office.

3. Determine the method and format for public disclosure of data reported pursuant to this paragraph. The agency shall make its determination based upon input from the State Consumer Health Information and Policy Advisory Council. At a minimum, the data shall be made available on the agency's Internet website in a manner that allows consumers to conduct an interactive search that allows them to view and compare the information for specific providers. The website must include such additional information as is determined necessary to ensure that the website enhances informed decisionmaking among consumers and health care purchasers, which shall include, at a minimum, appropriate guidance on how to use the data and an explanation of why the data may vary from provider to provider.

4. Publish on its website undiscounted charges for no fewer than 150 of the most commonly performed adult and pediatric procedures, including outpatient, inpatient, diagnostic, and preventative procedures.

(4) TECHNICAL ASSISTANCE.—

(a) The center shall provide technical assistance to persons or organizations engaged in health planning activities in the effective use of statistics collected and compiled by the center. The center shall also provide the following additional technical assistance services:

1. Establish procedures identifying the circumstances under which, the places at which, the persons from whom, and the methods by which a person may secure data from the center, including procedures governing requests, the ordering of requests, timeframes for handling requests, and other procedures necessary to facilitate the use of the center's data. To the extent possible, the center should provide current data timely in response to requests from public or private agencies.

2. Provide assistance to data sources and users in the areas of database design, survey design, sampling procedures, statistical interpretation, and data access to promote improved health care related data sets.

3. Identify health care data gaps and provide technical assistance to other public or private organizations for meeting documented health care data needs.

4. Assist other organizations in developing statistical abstracts of their data sets that could be used by the center.

5. Provide statistical support to state agencies with regard to the use of databases maintained by the center.

6. To the extent possible, respond to multiple requests for information not currently collected by the center or available from other sources by initiating data collection.

7. Maintain detailed information on data maintained by other local, state, federal, and private agencies in order to advise those who use the center of potential sources of data which are requested but which are not available from the center.

8. Respond to requests for data which are not available in published form by initiating special computer runs on data sets available to the center.

9. Monitor innovations in health information technology, informatics, and the exchange of health information and maintain a repository of technical resources to support the development of a health information network.

(b) The agency shall administer, manage, and monitor grants to not-for-profit organizations, regional health information organizations, public health departments, or state agencies that submit proposals for planning, implementation, or training projects to advance the development of a health information network. Any grant contract shall be evaluated to ensure the effective outcome of the health information project.

(c) The agency shall initiate, oversee, manage, and evaluate the integration of health care data from each state agency that collects, stores, and reports on health care issues and make that data available to any health care practitioner through a state health information network.

(5) PUBLICATIONS; REPORTS; SPECIAL STUDIES.—The center shall provide for the widespread dissemination of data which it collects and analyzes. The center shall have the following publication, reporting, and special study functions:

(a) The center shall publish and make available periodically to agencies and individuals health statistics publications of general interest, including health plan consumer reports and health maintenance organization member satisfaction surveys; publications providing health statistics on topical health policy issues; publications that provide health status profiles of the people in this state; and other topical health statistics publications.

(j)(b) Conduct and The center shall publish, make available, and disseminate, promptly and as widely as practicable, the results of special health surveys, health care research, and health care evaluations conducted or supported under this section. Each year the center shall select and analyze one or more research topics that can be investigated using the data available pursuant to paragraph (c). The selected topics must focus on producing actionable information for improving quality of care and reducing costs. The first topic selected by the center must address preventable hospitalizations. Any publication by the center must include a statement of the limitations on the quality, accuracy, and completeness of the data.

(c) The center shall provide indexing, abstracting, translation, publication, and other services leading to a more effective and timely dissemination of health care statistics.

(d) The center shall be responsible for publishing and disseminating an annual report on the center's activities.

(e) The center shall be responsible, to the extent resources are available, for conducting a variety of special studies and surveys to expand the health care information and statistics available for health policy analyses, particularly for the review of public policy issues. The center shall develop a process by which users of the center's data are periodically surveyed regarding critical data needs and the results of the survey considered in determining which special surveys or studies will be conducted. The center shall select problems in health care for research, policy analyses, or special data collections on the basis of their local, regional, or state importance; the unique potential for definitive research on the problem; and opportunities for application of the study findings.

(4)(6) PROVIDER DATA REPORTING.—This section does not confer on the agency the power to demand or require that a health care provider or professional furnish information, records of interviews, written reports, statements, notes, memoranda, or data other than as expressly required by law. The agency may not establish an all-payor claims database or a comparable database without express legislative authority.

(5)(7) BUDGET; FEES.—

(a) The Legislature intends that funding for the Florida Center for Health Information and Policy Analysis be appropriated from the General Revenue Fund.

(b) The Florida Center for Health Information and Transparency Policy Analysis may apply for and receive and accept grants, gifts, and other payments, including property and services, from any governmental or other public or private entity or person and make arrangements as to the use of same, including the undertaking of special studies and other projects relating to health-care-related topics. Funds obtained pursuant to this paragraph may not be used to offset annual appropriations from the General Revenue Fund.

(b)(c) The center may charge such reasonable fees for services as the agency prescribes by rule. The established fees may not exceed the reasonable cost for such services. Fees collected may not be used to offset annual appropriations from the General Revenue Fund.

(6)(8) STATE CONSUMER HEALTH INFORMATION AND POLICY ADVISORY COUNCIL.—

(a) There is established in the agency the State Consumer Health Information and Policy Advisory Council to assist the center in reviewing the comprehensive health information system, including the identification, collection, standardization, sharing, and coordination of health related data, fraud and abuse data, and professional and facility licensing data among federal, state, local, and private entities and to recommend improvements for purposes of public health, policy analysis, and transparency of consumer health care information. The council consists shall consist of the following members:

1. An employee of the Executive Office of the Governor, to be appointed by the Governor.

2. An employee of the Office of Insurance Regulation, to be appointed by the director of the office.

3. An employee of the Department of Education, to be appointed by the Commissioner of Education.

4. Ten persons, to be appointed by the Secretary of Health Care Administration, representing other state and local agencies, state universities, business and health coalitions, local health councils, professional health-care-related associations, consumers, and purchasers.

(b) Each member of the council shall be appointed to serve for a term of 2 years following the date of appointment, except the term of appointment shall end 3 years following the date of appointment for members appointed in 2003, 2004, and 2005. A vacancy shall be filled by

appointment for the remainder of the term, and each appointing authority retains the right to reappoint members whose terms of appointment have expired.

(c) The council may meet at the call of its chair, at the request of the agency, or at the request of a majority of its membership, but the council must meet at least quarterly.

(d) Members shall elect a chair and vice chair annually.

(e) A majority of the members constitutes a quorum, and the affirmative vote of a majority of a quorum is necessary to take action.

(f) The council shall maintain minutes of each meeting and shall make such minutes available to any person.

(g) Members of the council shall serve without compensation but shall be entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061.

(h) The council's duties and responsibilities include, but are not limited to, the following:

1. To develop a mission statement, goals, and a plan of action for the identification, collection, standardization, sharing, and coordination of health-related data across federal, state, and local government and private sector entities.

2. To develop a review process to ensure cooperative planning among agencies that collect or maintain health-related data.

3. To create ad hoc issue-oriented technical workgroups on an as-needed basis to make recommendations to the council.

~~(7)(9)~~ APPLICATION TO OTHER AGENCIES.— ~~Nothing in~~ This section ~~does not shall~~ limit, restrict, affect, or control the collection, analysis, release, or publication of data by any state agency pursuant to its statutory authority, duties, or responsibilities.

Section 4. Subsection (1) of section 408.061, Florida Statutes, is amended to read:

408.061 Data collection; uniform systems of financial reporting; information relating to physician charges; confidential information; immunity.—

(1) The agency shall require the submission by health care facilities, health care providers, and health insurers of data necessary to carry out the agency's duties *and to facilitate transparency in health care pricing data and quality measures*. Specifications for data to be collected under this section shall be developed by the agency *and applicable contract vendors*, with the assistance of technical advisory panels including representatives of affected entities, consumers, purchasers, and such other interested parties as may be determined by the agency.

(a) Data submitted by health care facilities, including the facilities as defined in chapter 395, shall include, but are not limited to: case-mix data, patient admission and discharge data, hospital emergency department data which shall include the number of patients treated in the emergency department of a licensed hospital reported by patient acuity level, data on hospital-acquired infections as specified by rule, data on complications as specified by rule, data on readmissions as specified by rule, with patient and provider-specific identifiers included, actual charge data by diagnostic groups *or other bundled groupings as specified by rule*, financial data, accounting data, operating expenses, expenses incurred for rendering services to patients who cannot or do not pay, interest charges, depreciation expenses based on the expected useful life of the property and equipment involved, and demographic data. The agency shall adopt nationally recognized risk adjustment methodologies or software consistent with the standards of the Agency for Healthcare Research and Quality and as selected by the agency for all data submitted as required by this section. Data may be obtained from documents such as, but not limited to: leases, contracts, debt instruments, itemized patient *statements or bills*, medical record abstracts, and related diagnostic information. Reported data elements shall be reported electronically in accordance with rule 59E-7.012, Florida Administrative Code. Data submitted shall be certified by the chief executive officer or an appropriate and duly authorized repre-

sentative or employee of the licensed facility that the information submitted is true and accurate.

(b) Data to be submitted by health care providers may include, but are not limited to: professional organization and specialty board affiliations, Medicare and Medicaid participation, types of services offered to patients, *actual charges to patients as specified by rule*, amount of revenue and expenses of the health care provider, and such other data which are reasonably necessary to study utilization patterns. Data submitted shall be certified by the appropriate duly authorized representative or employee of the health care provider that the information submitted is true and accurate.

(c) Data to be submitted by health insurers may include, but are not limited to: claims, *payments to health care facilities and health care providers as specified by rule*, premium, administration, and financial information. Data submitted shall be certified by the chief financial officer, an appropriate and duly authorized representative, or an employee of the insurer that the information submitted is true and accurate. *Information that is considered a trade secret under s. 812.081 shall be clearly designated.*

(d) Data required to be submitted by health care facilities, health care providers, or health insurers ~~may shall~~ not include specific provider contract reimbursement information. However, such specific provider reimbursement data shall be reasonably available for onsite inspection by the agency as is necessary to carry out the agency's regulatory duties. Any such data obtained by the agency as a result of onsite inspections may not be used by the state for purposes of direct provider contracting and are confidential and exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(e) A requirement to submit data shall be adopted by rule if the submission of data is being required of all members of any type of health care facility, health care provider, or health insurer. Rules are not required, however, for the submission of data for a special study mandated by the Legislature or when information is being requested for a single health care facility, health care provider, or health insurer.

Section 5. Section 456.0575, Florida Statutes, is amended to read:

456.0575 Duty to notify patients.—

(1) Every licensed health care practitioner shall inform each patient, or an individual identified pursuant to s. 765.401(1), in person about adverse incidents that result in serious harm to the patient. Notification of outcomes of care that result in harm to the patient under this section ~~does shall~~ not constitute an acknowledgment of admission of liability, nor can such notifications be introduced as evidence.

(2) *Upon request by a patient, before providing nonemergency medical services in a facility licensed under chapter 395, a health care practitioner shall provide, in writing or by electronic means, a good faith estimate of reasonably anticipated charges to treat the patient's condition at the facility. The health care practitioner shall provide the estimate to the patient within 7 business days after receiving the request and is not required to adjust the estimate for any potential insurance coverage. The health care practitioner shall inform the patient that the patient may contact his or her health insurer or health maintenance organization for additional information concerning cost-sharing responsibilities. The health care practitioner shall provide information to uninsured patients and insured patients for whom the practitioner is not a network provider or preferred provider which discloses the practitioner's financial assistance policy, including the application process, payment plans, discounts, or other available assistance, and the practitioner's charity care policy and collection procedures. Such estimate does not preclude the actual charges from exceeding the estimate. Failure to provide the estimate in accordance with this subsection, without good cause, shall result in disciplinary action against the health care practitioner and a daily fine of \$500 until the estimate is provided to the patient. The total fine may not exceed \$5,000. The practitioner shall cooperate with the consumer advocate and his or her representative to support the consumer advocate in his or her efforts as authorized under s. 627.0613(2) and (3).*

Section 6. Section 627.0613, Florida Statutes, is amended to read:

627.0613 Consumer advocate.—The Chief Financial Officer ~~shall~~ ~~must~~ appoint a consumer advocate who ~~shall~~ ~~must~~ represent the general public of the state before the department, ~~and~~ the office, health care facilities licensed under chapter 395, and health care practitioners subject to s. 456.0575(2), as required by this section. The consumer advocate must report directly to the Chief Financial Officer, but is not otherwise under the authority of the department or of any employee of the department. The consumer advocate has such powers as are necessary to carry out the duties of the office of consumer advocate, including, but not limited to, the powers to:

(1) Recommend to the department or office, by petition, the commencement of any proceeding or action; appear in any proceeding or action before the department or office; or appear in any proceeding before the Division of Administrative Hearings relating to subject matter under the jurisdiction of the department or office.

(2) Assist uninsured patients in understanding statements or bills received from facilities licensed under chapter 395 or health care practitioners subject to s. 456.0575(2), relating to nonemergency health care services provided in a facility licensed under chapter 395.

(3) Advocate on behalf of uninsured patients when negotiation between the patient or the patient's representative and the health care provider does not result in:

(a) Charges for the nonemergency health care services in a range that is common and frequent for patients who are similarly situated requiring the same or similar medical services; and

(b) Access to available financial assistance, including reasonable payment plans, discounts, and the facility's charity care, if applicable, for these health care services.

(4)~~(2)~~ Have access to and use of all files, records, and data of the department or office.

(5) Have access to any files, records, and data of the Agency for Health Care Administration and the Department of Health which are necessary to perform the activities authorized under subsections (2) and (3).

(6)~~(3)~~ Examine rate and form filings submitted to the office, hire consultants as necessary to aid in the review process, and recommend to the department or office any position deemed by the consumer advocate to be in the public interest.

(7) Maintain a process for receiving and investigating complaints from uninsured patients of health care facilities licensed under chapter 395 and health care practitioners subject to chapter 456 concerning billings for nonemergency health care services as described in s. 395.301 or s. 456.0575(2). The consumer advocate is encouraged to use the infrastructure of the Division of Consumer Services within the Department of Financial Services to the fullest extent possible to fulfill the responsibilities imposed by this subsection and subsections (2), (3), and (5).

(8)~~(4)~~ Prepare an annual budget for presentation to the Legislature by the department, which budget must be adequate to carry out the duties of the office of consumer advocate.

Section 7. Section 627.6385, Florida Statutes, is created to read:

627.6385 Disclosures to policyholders; calculations of cost sharing.—

(1) Each health insurer shall make available on its website:

(a) A method for policyholders to estimate their copayments, deductibles, and other cost-sharing responsibilities for health care services and procedures. Such method of making an estimate shall be based on service bundles established pursuant to s. 408.05(3)(c). Estimates do not preclude the actual copayment, coinsurance percentage, or deductible, whichever is applicable, from exceeding the estimate.

1. Estimates shall be calculated according to the policy and known plan usage during the coverage period.

2. Estimates shall be made available based on providers that are in-network and out-of-network.

3. A policyholder must be able to create estimates by any combination of the service bundles established pursuant to s. 408.05(3)(c), a specified provider, or a comparison of providers.

(b) A method for policyholders to estimate their copayments, deductibles, and other cost-sharing responsibilities based on a personalized estimate of charges received from a facility pursuant to s. 395.301 or a practitioner pursuant to s. 456.0575.

(c) A hyperlink to the health information, including, but not limited to, service bundles and quality of care information, which is disseminated by the Agency for Health Care Administration pursuant to s. 408.05(3).

(2) Each health insurer shall include in every policy delivered or issued for delivery to any person in the state or in materials provided as required by s. 627.64725 notice that the information required by this section is available electronically and the address of the website where the information can be accessed.

(3) Each health insurer that participates in the state group health insurance plan created under s. 110.123 or Medicaid managed care pursuant to part IV of chapter 409 shall contribute all claims data from Florida policyholders held by the insurer and its affiliates to the contracted vendor selected by the Agency for Health Care Administration under s. 408.05(3)(c). Health insurers shall submit Medicaid managed care claims data to the vendor beginning July 1, 2017, and may submit data before that date. However, each insurer and its affiliates may not contribute claims data to the contracted vendor which reflect the following types of coverage:

(a) Coverage only for accident, or disability income insurance, or any combination thereof.

(b) Coverage issued as a supplement to liability insurance.

(c) Liability insurance, including general liability insurance and automobile liability insurance.

(d) Workers' compensation or similar insurance.

(e) Automobile medical payment insurance.

(f) Credit-only insurance.

(g) Coverage for onsite medical clinics, including prepaid health clinics under part II of chapter 641.

(h) Limited scope dental or vision benefits.

(i) Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof.

(j) Coverage only for a specified disease or illness.

(k) Hospital indemnity or other fixed indemnity insurance.

(l) Medicare supplemental health insurance as defined under s. 1882(g)(1) of the Social Security Act, coverage supplemental to the coverage provided under chapter 55 of Title 10, U.S.C., and similar supplemental coverage provided to supplement coverage under a group health plan.

Section 8. Subsection (6) of section 641.54, Florida Statutes, is amended, present subsection (7) of that section is redesignated as subsection (8) and amended, and a new subsection (7) is added to that section, to read:

641.54 Information disclosure.—

(6) Each health maintenance organization shall make available to its subscribers on its website or by request the estimated copayment ~~copay~~, coinsurance percentage, or deductible, whichever is applicable, for any covered services as described by the searchable bundles established on a consumer-friendly, Internet-based platform pursuant to s. 408.05(3)(c) or as described by a personalized estimate received from a facility pursuant to s. 395.301 or a practitioner pursuant to s. 456.0575, the status of the subscriber's maximum annual out-of-pocket payments for a covered individual or family, and the status of the subscriber's

maximum lifetime benefit. Such estimate ~~does shall~~ not preclude the actual ~~copayment copay~~, coinsurance percentage, or deductible, whichever is applicable, from exceeding the estimate.

(7) Each health maintenance organization that participates in the state group health insurance plan created under s. 110.123 or Medicaid managed care pursuant to part IV of chapter 409 shall contribute all claims data from Florida subscribers held by the organization and its affiliates to the contracted vendor selected by the Agency for Health Care Administration under s. 408.05(3)(c). Health maintenance organizations shall submit Medicaid managed care claims data to the vendor beginning July 1, 2017, and may submit data before that date. However, each health maintenance organization and its affiliates may not contribute claims data to the contracted vendor which reflect the following types of coverage:

- (a) Coverage only for accident, or disability income insurance, or any combination thereof.
- (b) Coverage issued as a supplement to liability insurance.
- (c) Liability insurance, including general liability insurance and automobile liability insurance.
- (d) Workers' compensation or similar insurance.
- (e) Automobile medical payment insurance.
- (f) Credit-only insurance.
- (g) Coverage for onsite medical clinics, including prepaid health clinics under part II of chapter 641.
- (h) Limited scope dental or vision benefits.
- (i) Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof.
- (j) Coverage only for a specified disease or illness.
- (k) Hospital indemnity or other fixed indemnity insurance.
- (l) Medicare supplemental health insurance as defined under s. 1882(g)(1) of the Social Security Act, coverage supplemental to the coverage provided under chapter 55 of Title 10, U.S.C., and similar supplemental coverage provided to supplement coverage under a group health plan.

~~(8)(7)~~ Each health maintenance organization shall make available on its Internet website a hyperlink link to the health information performance outcome and financial data that is disseminated published by the Agency for Health Care Administration pursuant to s. 408.05(3) ~~s. 408.05(3)(k)~~ and shall include in every policy delivered or issued for delivery to any person in the state or in any materials provided as required by s. 627.64725 notice that such information is available electronically and the address of its Internet website.

Section 9. Paragraph (n) is added to subsection (2) of section 409.967, Florida Statutes, to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(n) Transparency.—Managed care plans shall comply with ss. 627.6385(3) and 641.54(7).

Section 10. Paragraph (d) of subsection (3) of section 110.123, Florida Statutes, is amended to read:

110.123 State group insurance program.—

(3) STATE GROUP INSURANCE PROGRAM.—

(d)1. Notwithstanding the provisions of chapter 287 and the authority of the department, for the purpose of protecting the health of, and providing medical services to, state employees participating in the

state group insurance program, the department may contract to retain the services of professional administrators for the state group insurance program. The agency shall follow good purchasing practices of state procurement to the extent practicable under the circumstances.

2. Each vendor in a major procurement, and any other vendor if the department deems it necessary to protect the state's financial interests, shall, at the time of executing any contract with the department, post an appropriate bond with the department in an amount determined by the department to be adequate to protect the state's interests but not higher than the full amount estimated to be paid annually to the vendor under the contract.

3. Each major contract entered into by the department pursuant to this section shall contain a provision for payment of liquidated damages to the department for material noncompliance by a vendor with a contract provision. The department may require a liquidated damages provision in any contract if the department deems it necessary to protect the state's financial interests.

4. Section ~~The provisions of s. 120.57(3) applies apply~~ to the department's contracting process, except:

a. A formal written protest of any decision, intended decision, or other action subject to protest shall be filed within 72 hours after receipt of notice of the decision, intended decision, or other action.

b. As an alternative to any provision of s. 120.57(3), the department may proceed with the bid selection or contract award process if the director of the department sets forth, in writing, particular facts and circumstances that which demonstrate the necessity of continuing the procurement process or the contract award process in order to avoid a substantial disruption to the provision of any scheduled insurance services.

5. The department shall make arrangements as necessary to contribute claims data of the state group health insurance plan to the contracted vendor selected by the Agency for Health Care Administration pursuant to s. 408.05(3)(c).

6. Each contracted vendor for the state group health insurance plan shall contribute Florida claims data to the contracted vendor selected by the Agency for Health Care Administration pursuant to s. 408.05(3)(c).

Section 11. Subsection (3) of section 20.42, Florida Statutes, is amended to read:

20.42 Agency for Health Care Administration.—

(3) The department shall be the chief health policy and planning entity for the state. The department is responsible for health facility licensure, inspection, and regulatory enforcement; investigation of consumer complaints related to health care facilities and managed care plans; the implementation of the certificate of need program; the operation of the Florida Center for Health Information and Transparency Policy Analysis; the administration of the Medicaid program; the administration of the contracts with the Florida Healthy Kids Corporation; the certification of health maintenance organizations and prepaid health clinics as set forth in part III of chapter 641; and any other duties prescribed by statute or agreement.

Section 12. Paragraph (c) of subsection (4) of section 381.026, Florida Statutes, is amended to read:

381.026 Florida Patient's Bill of Rights and Responsibilities.—

(4) RIGHTS OF PATIENTS.—Each health care facility or provider shall observe the following standards:

(c) Financial information and disclosure.—

1. A patient has the right to be given, upon request, by the responsible provider, his or her designee, or a representative of the health care facility full information and necessary counseling on the availability of known financial resources for the patient's health care.

2. A health care provider or a health care facility shall, upon request, disclose to each patient who is eligible for Medicare, before treatment, whether the health care provider or the health care facility

in which the patient is receiving medical services accepts assignment under Medicare reimbursement as payment in full for medical services and treatment rendered in the health care provider's office or health care facility.

3. A primary care provider may publish a schedule of charges for the medical services that the provider offers to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the provider's office and must include, but is not limited to, the 50 services most frequently provided by the primary care provider. The schedule may group services by three price levels, listing services in each price level. The posting must be at least 15 square feet in size. A primary care provider who publishes and maintains a schedule of charges for medical services is exempt from the license fee requirements for a single period of renewal of a professional license under chapter 456 for that licensure term and is exempt from the continuing education requirements of chapter 456 and the rules implementing those requirements for a single 2-year period.

4. If a primary care provider publishes a schedule of charges pursuant to subparagraph 3., he or she must continually post it at all times for the duration of active licensure in this state when primary care services are provided to patients. If a primary care provider fails to post the schedule of charges in accordance with this subparagraph, the provider shall be required to pay any license fee and comply with any continuing education requirements for which an exemption was received.

5. A health care provider or a health care facility shall, upon request, furnish a person, before the provision of medical services, a reasonable estimate of charges for such services. The health care provider or the health care facility shall provide an uninsured person, before the provision of a planned nonemergency medical service, a reasonable estimate of charges for such service and information regarding the provider's or facility's discount or charity policies for which the uninsured person may be eligible. Such estimates by a primary care provider must be consistent with the schedule posted under subparagraph 3. Estimates shall, to the extent possible, be written in language comprehensible to an ordinary layperson. Such reasonable estimate does not preclude the health care provider or health care facility from exceeding the estimate or making additional charges based on changes in the patient's condition or treatment needs.

6. Each licensed facility, ~~except a facility operating exclusively as a state facility, not operated by the state~~ shall make available to the public on its ~~Internet website or by other electronic means~~ a description of and a ~~hyperlink link to the health information performance outcome and financial data that is disseminated published~~ by the agency pursuant to s. 408.05(3) ~~s. 408.05(3)(c)~~. The facility shall place a notice in the reception area that such information is available electronically and the website address. The licensed facility may indicate that the pricing information is based on a compilation of charges for the average patient and that each patient's *statement or bill* may vary from the average depending upon the severity of illness and individual resources consumed. The licensed facility may also indicate that the price of service is negotiable for eligible patients based upon the patient's ability to pay.

7. A patient has the right to receive a copy of an itemized *statement or bill* upon request. A patient has a right to be given an explanation of charges upon request.

Section 13. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part, the term:

(e) "Rural hospital" means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of up to 100 persons per square mile;

2. An acute care hospital, in a county with a population density of up to 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of up to 100 persons per square mile;

4. A hospital with a service area that has a population of up to 100 persons per square mile. As used in this subparagraph, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and ~~Transparency Policy Analysis~~ at the agency; or

5. A hospital designated as a critical access hospital, as defined in s. 408.07.

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency. A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room.

Section 14. Section 395.6025, Florida Statutes, is amended to read:

395.6025 Rural hospital replacement facilities.—Notwithstanding ~~the provisions of~~ s. 408.036, a hospital defined as a statutory rural hospital in accordance with s. 395.602, or a not-for-profit operator of rural hospitals, is not required to obtain a certificate of need for the construction of a new hospital located in a county with a population of at least 15,000 but no more than 18,000 and a density of ~~fewer~~ less than 30 persons per square mile, or a replacement facility, provided that the replacement, or new, facility is located within 10 miles of the site of the currently licensed rural hospital and within the current primary service area. As used in this section, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and ~~Transparency Policy Analysis~~ at the Agency for Health Care Administration.

Section 15. Subsection (43) of section 408.07, Florida Statutes, is amended to read:

408.07 Definitions.—As used in this chapter, with the exception of ss. 408.031-408.045, the term:

(43) "Rural hospital" means an acute care hospital licensed under chapter 395, having 100 or fewer licensed beds and an emergency room, and which is:

(a) The sole provider within a county with a population density of no greater than 100 persons per square mile;

(b) An acute care hospital, in a county with a population density of no greater than 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from another acute care hospital within the same county;

(c) A hospital supported by a tax district or subdistrict whose boundaries encompass a population of 100 persons or fewer per square mile;

(d) A hospital with a service area that has a population of 100 persons or fewer per square mile. As used in this paragraph, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge

database in the Florida Center for Health Information and *Transparency Policy Analysis* at the Agency for Health Care Administration; or

(e) A critical access hospital.

Population densities used in this subsection must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2015, if the hospital continues to have 100 or fewer licensed beds and an emergency room. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this subsection shall be granted such designation upon application, including supporting documentation, to the Agency for Health Care Administration.

Section 16. Paragraph (a) of subsection (4) of section 408.18, Florida Statutes, is amended to read:

408.18 Health Care Community Antitrust Guidance Act; antitrust no-action letter; market-information collection and education.—

(4)(a) Members of the health care community who seek antitrust guidance may request a review of their proposed business activity by the Attorney General's office. In conducting its review, the Attorney General's office may seek whatever documentation, data, or other material it deems necessary from the Agency for Health Care Administration, the Florida Center for Health Information and *Transparency Policy Analysis*, and the Office of Insurance Regulation of the Financial Services Commission.

Section 17. Section 465.0244, Florida Statutes, is amended to read:

465.0244 Information disclosure.—Every pharmacy shall make available on its Internet website a ~~hyperlink link~~ *hyperlink link* to the ~~health information performance outcome and financial data~~ *health information performance outcome and financial data* that is disseminated published by the Agency for Health Care Administration pursuant to s. 408.05(3) ~~s. 408.05(3)(d)~~ and shall place in the area where customers receive filled prescriptions notice that such information is available electronically and the address of its Internet website.

Section 18. *This act is intended to promote health care price and quality transparency to enable consumers to make informed choices regarding health care treatment and improve competition in the health care market. Persons or entities required to submit, receive, or publish data under this act are acting pursuant to state requirements contained therein and are exempt from state antitrust laws.*

Section 19. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under ch. 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; providing an exemption; requiring a licensed facility to make available on its website certain information on payments made to that facility for defined bundles of services and procedures and other information for consumers and patients; requiring that facility websites provide specified information and notify and inform patients or prospective patients of certain information; requiring a facility to provide a written or electronic good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding financial assistance from the facility which may be available to a patient or a prospective patient; providing a penalty for failing to provide an estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized statement or bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; requiring that certain records be made available through electronic means that comply with a specified law; reducing the amount of time afforded to facilities to respond to certain patient requests for information; requiring the facility to cooperate with the consumer advocate under certain circumstances; amending s. 395.107, F.S.; providing a definition; making technical changes; amending s. 408.05, F.S.; revising requirements for the collection and use of health-related data by the agency; requiring

the agency to contract with a vendor to provide an Internet-based platform with certain attributes; requiring potential vendors to have certain qualifications; prohibiting the agency from establishing a certain database under certain circumstances; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; requiring submitted information considered a trade secret to be clearly designated; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a patient upon his or her request a written or electronic good faith estimate of anticipated charges within a certain timeframe; setting a maximum amount for total fines assessed in certain disciplinary actions; requiring the practitioner to cooperate with the consumer advocate under certain circumstances; amending s. 627.0613, F.S.; providing that the consumer advocate has the power to assist certain uninsured patients in understanding certain bills for nonemergency medical services and advocate for favorable terms for payment; authorizing the consumer advocate to have access to files, records, and data of the agency and the department necessary for certain investigations; authorizing the consumer advocate to maintain a process to receive and investigate complaints from uninsured patients relating to certain billings and notice requirements by licensed health care facilities and practitioners; defining a term; authorizing the consumer advocate to negotiate between providers and consumers relating to certain matters; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain methods that a policyholder can use to make estimates of certain costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to make available on its website a hyperlink to certain health information; requiring a health insurer to include certain notice; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency by a specified date; excluding from the contributed claims data certain types of coverage; amending s. 641.54, F.S.; revising a requirement that a health maintenance organization make certain information available to its subscribers; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency by a specified date; excluding from the contributed claims data certain types of coverage; amending s. 409.967, F.S.; requiring managed care plans to provide all claims data to a contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to provide certain data to the contracted vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to provide claims data to the vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 408.07, 408.18, and 465.0244, F.S.; conforming provisions to changes made by the act; providing legislative intent; providing an effective date.

Senator Sobel moved the following amendment to **Amendment 1 (206420)** which failed:

Amendment 1A (456594) (with title amendment)—Delete lines 396-400 and insert:

to ensure compliance with state law, and

And the title is amended as follows:

Delete lines 1375-1376 and insert: prohibiting the agency from

The question recurred on **Amendment 1 (206420)** which was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 1175**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1638—A bill to be entitled An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; specifying individuals who are eligible for college credit for college-level military training and education; amending s. 1007.27, F.S.; expanding the list of examinations for which the department is required to establish college credit equivalencies; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1638**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1157** was withdrawn from the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Lee—

CS for HB 1157—A bill to be entitled An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; directing the Department of Education to award certain postsecondary course credit to veterans; amending s. 1007.27, F.S.; directing the Department of Education to award postsecondary course credit for specified examinations and tests; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 1638** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1157** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 372—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; providing procedures for agencies to follow when initiating rulemaking after certain public hearings; limiting reliance upon an unadopted rule in certain circumstances; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing for additional notice of rule development, proposals, and adoptions in the Florida Administrative Register; requiring certain agencies to provide additional e-mail notifications concerning specified rulemaking and rule development activities; providing that failure to follow certain provisions does not constitute grounds to challenge validity of a rule; amending s. 120.56, F.S.; clarifying language regarding challenges to rules; specifying the petitioner's burden of proof in proposed rule challenges; amending s. 120.57, F.S.; conforming proceedings that oppose agency action based on an invalid or unadopted rule to proceedings used for challenging rules; authorizing the administrative law judge to make certain findings on the validity of certain alleged unadopted rules; authorizing a petitioner to file certain collateral challenges regarding the validity of a rule; authorizing the administrative law judge to consolidate proceedings in such rule challenges; providing that agency action may not be based on an invalid or unadopted rule; amending s. 120.68, F.S.; specifying legal authority to file a petition challenging an agency rule as an invalid exercise of delegated legislative authority; amending s. 120.695, F.S.; removing obsolete provisions with respect to required agency review and designation of minor violations; requiring agency review and certification of minor violation rules by a specified date; requiring minor violation certification for all rules adopted after a specified date; requiring public notice; providing applicability; amending s. 403.8141, F.S.; providing that administrative challenges to proposed regulatory permits related to special events are subject to certain summary hearing provisions; amending s. 120.595, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 372**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 183** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Lee—

CS for CS for CS for HB 183—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; providing procedures for agencies to follow when initiating rulemaking after certain public hearings; limiting reliance upon an unadopted rule in certain circumstances; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing for

additional notice of rule development, proposals, and adoptions in the Florida Administrative Register; requiring certain agencies to provide additional e-mail notifications concerning specified rulemaking and rule development activities; providing that failure to follow certain provisions does not constitute grounds to challenge validity of a rule; amending s. 120.56, F.S.; clarifying language; amending s. 120.57, F.S.; conforming proceedings that oppose agency action based on an invalid or unadopted rule to proceedings used for challenging rules; authorizing the administrative law judge to make certain findings on the validity of certain alleged unadopted rules; authorizing a petitioner to file certain collateral challenges regarding the validity of a rule; authorizing the administrative law judge to consolidate proceedings in such rule challenges; providing that agency action may not be based on an invalid or unadopted rule; amending s. 120.68, F.S.; specifying legal authority to file a petition challenging an agency rule as an invalid exercise of delegated legislative authority; amending s. 120.695, F.S.; removing obsolete provisions with respect to required agency review and designation of minor violations; requiring agency review and certification of minor violation rules by a specified date; requiring minor violation certification for all rules adopted after a specified date; requiring public notice; providing applicability; amending s. 403.8141, F.S.; requiring administrative challenges to proposed regulatory permits related to special events to follow certain summary hearing provisions; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 372** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 183** was placed on the calendar of Bills on Third Reading.

By direction of the President, the Senate resumed consideration of—

CS for CS for SB 212—A bill to be entitled An act relating to health care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; requiring the department to distribute state funds to accounts, subject to legislative appropriations; authorizing the department to accept contributions from a local source for deposit in a designated account; limiting the number of years that an account may remain open; providing for the immediate closing of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank dental health professional shortage areas and medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; amending s. 395.002, F.S.; revising the definition of the term “ambulatory surgical center” or “mobile surgical facility”; amending s. 395.003, F.S.; requiring, as a condition of licensure and license renewal, that ambulatory surgical centers provide services to specified patients in at least a specified amount; requiring ambulatory surgical centers to report certain data; defining a term; requiring ambulatory surgical centers to comply with certain building and lifesafety codes in certain circumstances; creating s. 624.27, F.S.; defining terms; specifying that a direct primary care agreement does not constitute insurance and is not subject to ch. 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations, or any other

chapter of the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to ch. 636, F.S., or any other chapter of the code; providing that certain certificates of authority and licenses are not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing a short title; amending s. 409.967, F.S.; requiring a managed care plan to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; creating s. 627.42392, F.S.; requiring an insurer to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 641.31, F.S.; prohibiting a health maintenance organization from requiring that a health care provider use a clinical decision support system or a laboratory benefits management program in certain circumstances; defining terms; providing for construction; creating s. 641.394, F.S.; requiring a health maintenance organization to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient’s representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a health care provider as it applies to immunity from personal liability in certain actions; providing effective dates.

—which was previously considered and amended this day.

Pending further consideration of **CS for CS for SB 212**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 85** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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

HB 85—A bill to be entitled An act relating to recovery care services; amending s. 395.001, F.S.; providing legislative intent regarding recovery care centers; amending s. 395.002, F.S.; revising and providing definitions; amending s. 395.003, F.S.; including recovery care centers as facilities licensed under chapter 395, F.S.; creating s. 395.0171, F.S.; providing admission criteria for a recovery care center; requiring emergency care, transfer, and discharge protocols; authorizing the Agency for Health Care Administration to adopt rules; amending s. 395.1055, F.S.; authorizing the agency to establish separate standards for the care and treatment of patients in recovery care centers; amending s. 395.10973, F.S.; directing the agency to enforce special-occupancy provisions of the Florida Building Code applicable to recovery care centers; amending s. 395.301, F.S.; providing for format and content of a patient bill from a recovery care center; amending s. 408.802, F.S.; providing applicability of the Health Care Licensing Procedures Act to recovery care centers; amending s. 408.820, F.S.; exempting recovery care centers from specified minimum licensure requirements; amending ss. 394.4787 and 409.975, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 212**, as amended, and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gaetz moved the following amendment:

Amendment 1 (725590) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 381.4019, Florida Statutes, is created to read:

381.4019 Dental care access accounts.—Subject to the availability of funds, the Legislature establishes a joint local and state dental care access account initiative and authorizes the creation of dental care access accounts to promote economic development by supporting qualified dentists who practice in dental health professional shortage areas or medically underserved areas or who treat a medically underserved population. The Legislature recognizes that maintaining good oral health is integral to overall health status and that the good health of residents of this state is an important contributing factor in economic development. Better health, including better oral health, enables workers to be more productive, reduces the burden of health care costs, and enables children to improve in cognitive development.

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

(a) *“Dental health professional shortage area” means a geographic area so designated by the Health Resources and Services Administration of the United States Department of Health and Human Services.*

(b) *“Department” means the Department of Health.*

(c) *“Medically underserved area” means a geographic area so designated by the Health Resources and Services Administration of the United States Department of Health and Human Services.*

(d) *“Public health program” means a county health department, the Children’s Medical Services Network, a federally qualified community health center, a federally funded migrant health center, or other publicly funded or nonprofit health care program as designated by the department.*

(2) *The department shall develop and implement a dental care access account initiative to benefit dentists licensed to practice in this state who demonstrate, as required by the department by rule:*

(a) *Active employment by a public health program located in a dental health professional shortage area or a medically underserved area; or*

(b) *A commitment to opening a private practice in a dental health professional shortage area or a medically underserved area, as demonstrated by the dentist residing in the designated area, maintaining an active Medicaid provider agreement, enrolling in one or more Medicaid managed care plans, expending sufficient capital to make substantial progress in opening a dental practice that is capable of serving at least 1,200 patients, and obtaining financial support from the local community in which the dentist is practicing or intending to open a practice.*

(3) *The department shall establish dental care access accounts as individual benefit accounts for each dentist who satisfies the requirements of subsection (2) and is selected by the department for participation. The department shall implement an electronic benefit transfer system that enables each dentist to spend funds from his or her account for the purposes described in subsection (4).*

(4) *Funds contributed from state and local sources to a dental care access account may be used for one or more of the following purposes:*

(a) *Repayment of dental school student loans.*

(b) *Investment in property, facilities, or equipment necessary to establish and operate a dental office consisting of no fewer than two operatories.*

(c) *Payment of transitional expenses related to the relocation or opening of a dental practice which are specifically approved by the department.*

(5) *Subject to legislative appropriation, the department shall distribute state funds as an award to each dental care access account. An individual award must be in an amount not more than \$100,000 and not less than \$10,000, except that a state award may not exceed 3 times the amount contributed to an account in the same year from local sources. If a dentist qualifies for a dental care access account under paragraph (2)(a), the dentist’s salary and associated employer expenditures constitute a local match and qualify the account for a state award if the salary and associated expenditures do not come from state funds. State*

funds may not be included in a determination of the amount contributed to an account from local sources.

(6) The department may accept contributions of funds from a local source for deposit in the account of a dentist designated by the donor.

(7) The department shall close an account no later than 5 years after the first deposit of state or local funds into that account or immediately upon the occurrence of any of the following:

(a) Termination of the dentist's employment with a public health program, unless, within 30 days after such termination, the dentist opens a private practice in a dental health professional shortage area or medically underserved area.

(b) Termination of the dentist's practice in a designated dental health professional shortage area or medically underserved area.

(c) Termination of the dentist's participation in the Florida Medicaid program.

(d) Participation by the dentist in any fraudulent activity.

(8) Any state funds remaining in a closed account may be awarded and transferred to another account concurrent with the distribution of funds under the next legislative appropriation for the initiative. The department shall return to the donor on a pro rata basis unspent funds from local sources which remain in a closed account.

(9) If the department determines that a dentist has withdrawn account funds after the occurrence of an event specified in subsection (7), has used funds for purposes not authorized in subsection (4), or has not remained eligible for a dental care access account for a minimum of 2 years, the dentist shall repay the funds to his or her account. The department may recover the withdrawn funds through disciplinary enforcement actions and other methods authorized by law.

(10) The department shall establish by rule:

(a) Application procedures for dentists who wish to apply for a dental care access account. An applicant may demonstrate that he or she has expended sufficient capital to make substantial progress in opening a dental practice that is capable of serving at least 1,200 patients by documenting contracts for the purchase or lease of a practice location and providing executed obligations for the purchase or other acquisition of at least 30 percent of the value of equipment or supplies necessary to operate a dental practice. The department may limit the number of applicants selected and shall give priority to those applicants practicing in the areas receiving higher rankings pursuant to subsection (11). The department may establish additional criteria for selection which recognize an applicant's active engagement with and commitment to the community providing a local match.

(b) A process to verify that funds withdrawn from a dental care access account have been used solely for the purposes described in subsection (4).

(11) The Department of Economic Opportunity shall rank the dental health professional shortage areas and medically underserved areas of the state based on the extent to which limited access to dental care is impeding the areas' economic development, with a higher ranking indicating a greater impediment to development.

(12) The department shall develop a marketing plan for the dental care access account initiative in cooperation with the University of Florida College of Dentistry, the Nova Southeastern University College of Dental Medicine, the Lake Erie College of Osteopathic Medicine School of Dental Medicine, and the Florida Dental Association.

(13)(a) By January 1 of each year, beginning in 2018, the department shall issue a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which must include:

1. The number of patients served by dentists receiving funding under this section.

2. The number of Medicaid recipients served by dentists receiving funding under this section.

3. The average number of hours worked and patients served in a week by dentists receiving funding under this section.

4. The number of dentists in each dental health professional shortage area or medically underserved area receiving funding under this section.

5. The amount and source of local matching funds received by the department.

6. The amount of state funds awarded to dentists under this section.

7. A complete accounting of the use of funds by categories identified by the department, including, but not limited to, loans, supplies, equipment, rental property payments, real property purchases, and salary and wages.

(b) The department shall adopt rules to require dentists to report information to the department which is necessary for the department to fulfill its reporting requirement under this subsection.

Section 2. Subsection (3) of section 395.002, Florida Statutes, is amended to read:

395.002 Definitions.—As used in this chapter:

(3) "Ambulatory surgical center" or "mobile surgical facility" means a facility the primary purpose of which is to provide elective surgical care, in which the patient is admitted to and discharged from such facility within 24 hours ~~the same working day and is not permitted to stay overnight~~, and which is not part of a hospital. However, a facility existing for the primary purpose of performing terminations of pregnancy, an office maintained by a physician for the practice of medicine, or an office maintained for the practice of dentistry shall not be construed to be an ambulatory surgical center, provided that any facility or office which is certified or seeks certification as a Medicare ambulatory surgical center shall be licensed as an ambulatory surgical center pursuant to s. 395.003. Any structure or vehicle in which a physician maintains an office and practices surgery, and which can appear to the public to be a mobile office because the structure or vehicle operates at more than one address, shall be construed to be a mobile surgical facility.

Section 3. Present subsections (6) through (10) of section 395.003, Florida Statutes, are redesignated as subsections (7) through (11), respectively, a new subsection (6) is added to that section, and present subsections (9) and (10) of that section are amended, to read:

395.003 Licensure; denial, suspension, and revocation.—

(6) An ambulatory surgical center, as a condition of initial licensure and license renewal, must provide services to Medicare patients, Medicaid patients, and patients who qualify for charity care in an amount equal to or greater than the applicable district average among licensed providers of similar services. Ambulatory surgical centers shall report the same financial, patient, postoperative surgical infection, and other data pursuant to s. 408.061 as reported by hospitals to the Agency for Health Care Administration or otherwise published by the agency. For the purposes of this subsection, "charity care" means uncompensated care delivered to uninsured patients with incomes at or below 200 percent of the federal poverty level when such services are preauthorized by the licensee and not subject to collection procedures. An ambulatory surgical center that keeps patients later than midnight on the day of the procedure must comply with the same building codes and lifesafety codes as a hospital.

~~(10)(9)~~ A hospital licensed as of June 1, 2004, shall be exempt from ~~subsection (9) subsection (8)~~ as long as the hospital maintains the same ownership, facility street address, and range of services that were in existence on June 1, 2004. Any transfer of beds, or other agreements that result in the establishment of a hospital or hospital services within the intent of this section, shall be subject to ~~subsection (9) subsection (8)~~. Unless the hospital is otherwise exempt under ~~subsection (9) subsection (8)~~, the agency shall deny or revoke the license of a hospital that violates any of the criteria set forth in that subsection.

(11)(10) The agency may adopt rules implementing the licensure requirements set forth in *subsection (9) subsection (9)*. Within 14 days after rendering its decision on a license application or revocation, the agency shall publish its proposed decision in the Florida Administrative Register. Within 21 days after publication of the agency’s decision, any authorized person may file a request for an administrative hearing. In administrative proceedings challenging the approval, denial, or revocation of a license pursuant to *subsection (9) subsection (9)*, the hearing must be based on the facts and law existing at the time of the agency’s proposed agency action. Existing hospitals may initiate or intervene in an administrative hearing to approve, deny, or revoke licensure under *subsection (9) subsection (9)* based upon a showing that an established program will be substantially affected by the issuance or renewal of a license to a hospital within the same district or service area.

Section 4. Section 624.27, Florida Statutes, is created to read:

624.27 *Application of code as to direct primary care agreements.—*

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

(a) *“Direct primary care agreement” means a contract between a primary care provider and a patient, the patient’s legal representative, or an employer which meets the requirements specified under subsection (4) and does not indemnify for services provided by a third party.*

(b) *“Primary care provider” means a health care practitioner licensed under chapter 458, chapter 459, chapter 460, or chapter 464, or a primary care group practice that provides medical services to patients which are commonly provided without referral from another health care provider.*

(c) *“Primary care service” means the screening, assessment, diagnosis, and treatment of a patient for the purpose of promoting health or detecting and managing disease or injury within the competency and training of the primary care provider.*

(2) *A direct primary care agreement does not constitute insurance and is not subject to chapter 636 or any other chapter of the Florida Insurance Code. The act of entering into a direct primary care agreement does not constitute the business of insurance and is not subject to chapter 636 or any other chapter of the Florida Insurance Code.*

(3) *A primary care provider or an agent of a primary care provider is not required to obtain a certificate of authority or license under chapter 636 or any other chapter of the Florida Insurance Code to market, sell, or offer to sell a direct primary care agreement.*

(4) *For purposes of this section, a direct primary care agreement must:*

(a) *Be in writing.*

(b) *Be signed by the primary care provider or an agent of the primary care provider and the patient, the patient’s legal representative, or an employer.*

(c) *Allow a party to terminate the agreement by giving the other party at least 30 days’ advance written notice. The agreement may provide for immediate termination due to a violation of the physician-patient relationship or a breach of the terms of the agreement.*

(d) *Describe the scope of primary care services that are covered by the monthly fee.*

(e) *Specify the monthly fee and any fees for primary care services not covered by the monthly fee.*

(f) *Specify the duration of the agreement and any automatic renewal provisions.*

(g) *Offer a refund to the patient of monthly fees paid in advance if the primary care provider ceases to offer primary care services for any reason.*

(h) *Contain in contrasting color and in not less than 12-point type the following statements on the same page as the applicant’s signature:*

1. *The agreement is not health insurance and the primary care provider will not file any claims against the patient’s health insurance policy or plan for reimbursement of any primary care services covered by the agreement.*

2. *The agreement does not qualify as minimum essential coverage to satisfy the individual shared responsibility provision of the Patient Protection and Affordable Care Act, 26 U.S.C. s. 5000A.*

Section 5. *The sections created and amendments made by this act to ss. 409.967, 627.42392, 641.31, and 641.394, Florida Statutes, may be known as the “Right Medicine Right Time Act.”*

Section 6. Effective January 1, 2017, paragraph (c) of subsection (2) of section 409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(c) Access.—

1. The agency shall establish specific standards for the number, type, and regional distribution of providers in managed care plan networks to ensure access to care for both adults and children. Each plan must maintain a regionwide network of providers in sufficient numbers to meet the access standards for specific medical services for all recipients enrolled in the plan. The exclusive use of mail-order pharmacies may not be sufficient to meet network access standards. Consistent with the standards established by the agency, provider networks may include providers located outside the region. A plan may contract with a new hospital facility before the date the hospital becomes operational if the hospital has commenced construction, will be licensed and operational by January 1, 2013, and a final order has issued in any civil or administrative challenge. Each plan shall establish and maintain an accurate and complete electronic database of contracted providers, including information about licensure or registration, locations and hours of operation, specialty credentials and other certifications, specific performance indicators, and such other information as the agency deems necessary. The database must be available online to both the agency and the public and have the capability to compare the availability of providers to network adequacy standards and to accept and display feedback from each provider’s patients. Each plan shall submit quarterly reports to the agency identifying the number of enrollees assigned to each primary care provider.

2.a. Each managed care plan must publish any prescribed drug formulary or preferred drug list on the plan’s website in a manner that is accessible to and searchable by enrollees and providers. The plan must update the list within 24 hours after making a change. Each plan must ensure that the prior authorization process for prescribed drugs is readily accessible to health care providers, including posting appropriate contact information on its website and providing timely responses to providers. For Medicaid recipients diagnosed with hemophilia who have been prescribed anti-hemophilic-factor replacement products, the agency shall provide for those products and hemophilia overlay services through the agency’s hemophilia disease management program.

b. *If a managed care plan restricts the use of prescribed drugs through a fail-first protocol, it must establish a clear and convenient process that a prescribing physician may use to request an override of the restriction from the managed care plan. The managed care plan shall grant an override of the protocol within 24 hours if:*

(I) *Based on sound clinical evidence, the prescribing provider concludes that the preferred treatment required under the fail-first protocol has been ineffective in the treatment of the enrollee’s disease or medical condition; or*

(II) *Based on sound clinical evidence or medical and scientific evidence, the prescribing provider believes that the preferred treatment required under the fail-first protocol:*

(A) *Is likely to be ineffective given the known relevant physical or mental characteristics and medical history of the enrollee and the known characteristics of the drug regimen; or*

(B) *Will cause or is likely to cause an adverse reaction or other physical harm to the enrollee.*

If the prescribing provider follows the fail-first protocol recommended by the managed care plan for an enrollee, the duration of treatment under the fail-first protocol may not exceed a period deemed appropriate by the prescribing provider. Following such period, if the prescribing provider deems the treatment provided under the protocol clinically ineffective, the enrollee is entitled to receive the course of therapy that the prescribing provider recommends, and the provider is not required to seek approval of an override of the fail-first protocol. As used in this subparagraph, the term "fail-first protocol" means a prescription practice that begins medication for a medical condition with the most cost-effective drug therapy and progresses to other more costly or risky therapies only if necessary.

3. Managed care plans, and their fiscal agents or intermediaries, must accept prior authorization requests for any service electronically.

4. Managed care plans serving children in the care and custody of the Department of Children and Families ~~shall~~ **must** maintain complete medical, dental, and behavioral health encounter information and participate in making such information available to the department or the applicable contracted community-based care lead agency for use in providing comprehensive and coordinated case management. The agency and the department shall establish an interagency agreement to provide guidance for the format, confidentiality, recipient, scope, and method of information to be made available and the deadlines for submission of the data. The scope of information available to the department ~~are~~ ~~shall be~~ the data that managed care plans are required to submit to the agency. The agency shall determine the plan's compliance with standards for access to medical, dental, and behavioral health services; the use of medications; and followup on all medically necessary services recommended as a result of early and periodic screening, diagnosis, and treatment.

Section 7. Effective January 1, 2017, section 627.42392, Florida Statutes, is created to read:

627.42392 Fail-first protocols.—If an insurer restricts the use of prescribed drugs through a fail-first protocol, it must establish a clear and convenient process that a prescribing physician may use to request an override of the restriction from the insurer. The insurer shall grant an override of the protocol within 24 hours if:

(1) *Based on sound clinical evidence, the prescribing provider concludes that the preferred treatment required under the fail-first protocol has been ineffective in the treatment of the insured's disease or medical condition; or*

(2) *Based on sound clinical evidence or medical and scientific evidence, the prescribing provider believes that the preferred treatment required under the fail-first protocol:*

(a) *Is likely to be ineffective given the known relevant physical or mental characteristics and medical history of the insured and the known characteristics of the drug regimen; or*

(b) *Will cause or is likely to cause an adverse reaction or other physical harm to the insured.*

If the prescribing provider follows the fail-first protocol recommended by the insurer for an insured, the duration of treatment under the fail-first protocol may not exceed a period deemed appropriate by the prescribing provider. Following such period, if the prescribing provider deems the treatment provided under the protocol clinically ineffective, the insured is entitled to receive the course of therapy that the prescribing provider recommends, and the provider is not required to seek approval of an override of the fail-first protocol. As used in this section, the term "fail-first protocol" means a prescription practice that begins medication for a

medical condition with the most cost-effective drug therapy and progresses to other more costly or risky therapies only if necessary.

Section 8. Effective January 1, 2017, subsection (44) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(44) *A health maintenance organization may not require a health care provider, by contract with another health care provider, a patient, or another individual or entity, to use a clinical decision support system or a laboratory benefits management program before the provider may order clinical laboratory services or in an attempt to direct or limit the provider's medical decisionmaking relating to the use of such services. This subsection may not be construed to prohibit any prior authorization requirements that the health maintenance organization may have regarding the provision of clinical laboratory services. As used in this subsection, the term:*

(a) *"Clinical decision support system" means software designed to direct or assist clinical decisionmaking by matching the characteristics of an individual patient to a computerized clinical knowledge base and providing patient-specific assessments or recommendations based on the match.*

(b) *"Clinical laboratory services" means the examination of fluids or other materials taken from the human body, which examination is ordered by a health care provider for use in the diagnosis, prevention, or treatment of a disease or in the identification or assessment of a medical or physical condition.*

(c) *"Laboratory benefits management program" means a health maintenance organization protocol that dictates or limits health care provider decisionmaking relating to the use of clinical laboratory services.*

Section 9. Effective January 1, 2017, section 641.394, Florida Statutes, is created to read:

641.394 Fail-first protocols.—If a health maintenance organization restricts the use of prescribed drugs through a fail-first protocol, it must establish a clear and convenient process that a prescribing physician may use to request an override of the restriction from the health maintenance organization. The health maintenance organization shall grant an override of the protocol within 24 hours if:

(1) *Based on sound clinical evidence, the prescribing provider concludes that the preferred treatment required under the fail-first protocol has been ineffective in the treatment of the subscriber's disease or medical condition; or*

(2) *Based on sound clinical evidence or medical and scientific evidence, the prescribing provider believes that the preferred treatment required under the fail-first protocol:*

(a) *Is likely to be ineffective given the known relevant physical or mental characteristics and medical history of the subscriber and the known characteristics of the drug regimen; or*

(b) *Will cause or is likely to cause an adverse reaction or other physical harm to the subscriber.*

If the prescribing provider follows the fail-first protocol recommended by the health maintenance organization for a subscriber, the duration of treatment under the fail-first protocol may not exceed a period deemed appropriate by the prescribing provider. Following such period, if the prescribing provider deems the treatment provided under the protocol clinically ineffective, the subscriber is entitled to receive the course of therapy that the prescribing provider recommends, and the provider is not required to seek approval of an override of the fail-first protocol. As used in this section, the term "fail-first protocol" means a prescription practice that begins medication for a medical condition with the most cost-effective drug therapy and progresses to other more costly or risky therapies only if necessary.

Section 10. Paragraphs (a) and (d) of subsection (3) and subsections (4) and (5) of section 766.1115, Florida Statutes, are amended to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

(3) DEFINITIONS.—As used in this section, the term:

(a) “Contract” means an agreement executed in compliance with this section between a health care provider and a governmental contractor *for volunteer, uncompensated services* which allows the health care provider to deliver health care services to low-income recipients as an agent of the governmental contractor. ~~The contract must be for volunteer, uncompensated services, except as provided in paragraph (4)(g).~~ For services to qualify as volunteer, uncompensated services under this section, the health care provider, *or any employee or agent of the health care provider*, must receive no compensation from the governmental contractor for any services provided under the contract and must not bill or accept compensation from the recipient, or a public or private third-party payor, for the specific services provided to the low-income recipients covered by the contract, *except as provided in paragraph (4)(g). A free clinic as described in subparagraph (d)14. may receive a legislative appropriation, a grant through a legislative appropriation, or a grant from a governmental entity or nonprofit corporation to support the delivery of contracted services by volunteer health care providers, including the employment of health care providers to supplement, coordinate, or support the delivery of such services. The appropriation or grant for the free clinic does not constitute compensation under this paragraph from the governmental contractor for services provided under the contract, nor does receipt or use of the appropriation or grant constitute the acceptance of compensation under this paragraph for the specific services provided to the low-income recipients covered by the contract.*

(d) “Health care provider” or “provider” means:

1. A birth center licensed under chapter 383.
2. An ambulatory surgical center licensed under chapter 395.
3. A hospital licensed under chapter 395.
4. A physician or physician assistant licensed under chapter 458.
5. An osteopathic physician or osteopathic physician assistant licensed under chapter 459.
6. A chiropractic physician licensed under chapter 460.
7. A podiatric physician licensed under chapter 461.
8. A registered nurse, nurse midwife, licensed practical nurse, or advanced registered nurse practitioner licensed or registered under part I of chapter 464 or any facility which employs nurses licensed or registered under part I of chapter 464 to supply all or part of the care delivered under this section.
9. A midwife licensed under chapter 467.
10. A health maintenance organization certificated under part I of chapter 641.
11. A health care professional association ~~and its employees~~ or a corporate medical group ~~and its employees~~.
12. Any other medical facility the primary purpose of which is to deliver human medical diagnostic services or which delivers non-surgical human medical treatment, and which includes an office maintained by a provider.
13. A dentist or dental hygienist licensed under chapter 466.
14. A free clinic that delivers only medical diagnostic services or nonsurgical medical treatment free of charge to all low-income recipients.

15. *A pharmacy or pharmacist licensed under chapter 465.*

~~16.15.~~ Any other health care professional, practitioner, provider, or facility under contract with a governmental contractor, including a student enrolled in an accredited program that prepares the student for licensure as any one of the professionals listed in subparagraphs 4.-9.

The term includes any nonprofit corporation qualified as exempt from federal income taxation under s. 501(a) of the Internal Revenue Code, and described in s. 501(c) of the Internal Revenue Code, which delivers health care services provided by licensed professionals listed in this paragraph, any federally funded community health center, and any volunteer corporation or volunteer health care provider that delivers health care services.

(4) CONTRACT REQUIREMENTS.—A health care provider that executes a contract with a governmental contractor to deliver health care services ~~on or after April 17, 1992~~, as an agent of the governmental contractor, *or any employee or agent of such health care provider*, is an agent for purposes of s. 768.28(9), while acting within the scope of duties under the contract, if the contract complies with the requirements of this section and regardless of whether the individual treated is later found to be ineligible. A health care provider, *or any employee or agent of such health care provider*, shall continue to be an agent for purposes of s. 768.28(9) for 30 days after a determination of ineligibility to allow for treatment until the individual transitions to treatment by another health care provider. A health care provider, *or any employee or agent of such health care provider*, under contract with the state may not be named as a defendant in any action arising out of medical care or treatment ~~provided on or after April 17, 1992~~, under contracts entered into under this section. The contract must provide that:

(a) The right of dismissal or termination of any health care provider delivering services under the contract is retained by the governmental contractor.

(b) The governmental contractor has access to the patient records of any health care provider delivering services under the contract.

(c) Adverse incidents and information on treatment outcomes must be reported by any health care provider to the governmental contractor if the incidents and information pertain to a patient treated under the contract. The health care provider shall submit the reports required by s. 395.0197. If an incident involves a professional licensed by the Department of Health or a facility licensed by the Agency for Health Care Administration, the governmental contractor shall submit such incident reports to the appropriate department or agency, which shall review each incident and determine whether it involves conduct by the licensee that is subject to disciplinary action. All patient medical records and any identifying information contained in adverse incident reports and treatment outcomes which are obtained by governmental entities under this paragraph are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(d) Patient selection and initial referral must be made by the governmental contractor or the provider. Patients may not be transferred to the provider based on a violation of the antidumping provisions of the Omnibus Budget Reconciliation Act of 1989, the Omnibus Budget Reconciliation Act of 1990, or chapter 395.

(e) If emergency care is required, the patient need not be referred before receiving treatment, but must be referred within 48 hours after treatment is commenced or within 48 hours after the patient has the mental capacity to consent to treatment, whichever occurs later.

(f) The provider is subject to supervision and regular inspection by the governmental contractor.

~~(g) As an agent of the governmental contractor for purposes of s. 768.28(9), while acting within the scope of duties under the contract,~~ A health care provider licensed under chapter 466, *as an agent of the governmental contractor for purposes of s. 768.28(9)*, may allow a patient, or a parent or guardian of the patient, to voluntarily contribute a monetary amount to cover costs of dental laboratory work related to the services provided to the patient *within the scope of duties under the*

contract. This contribution may not exceed the actual cost of the dental laboratory charges.

A governmental contractor that is also a health care provider is not required to enter into a contract under this section with respect to the health care services delivered by its employees.

(5) NOTICE OF AGENCY RELATIONSHIP.—The governmental contractor must provide written notice to each patient, or the patient’s legal representative, receipt of which must be acknowledged in writing *at the initial visit*, that the provider is an agent of the governmental contractor and that the exclusive remedy for injury or damage suffered as the result of any act or omission of the provider or of any employee or agent thereof acting within the scope of duties pursuant to the contract is by commencement of an action pursuant to ~~the provisions of~~ s. 768.28. *Thereafter*, or with respect to any federally funded community health center, the notice requirements may be met by posting in a place conspicuous to all persons a notice that the *health care provider*, or federally funded community health center, is an agent of the governmental contractor and that the exclusive remedy for injury or damage suffered as the result of any act or omission of the provider or of any employee or agent thereof acting within the scope of duties pursuant to the contract is by commencement of an action pursuant to ~~the provisions of~~ s. 768.28.

Section 11. Paragraphs (a) and (b) of subsection (9) of section 768.28, Florida Statutes, are amended to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(9)(a) ~~An~~ ~~no~~ officer, employee, or agent of the state or of any of its subdivisions ~~may not shall~~ be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. However, such officer, employee, or agent shall be considered an adverse witness in a tort action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function. The exclusive remedy for injury or damage suffered as a result of an act, event, or omission of an officer, employee, or agent of the state or any of its subdivisions or constitutional officers ~~is shall be~~ by action against the governmental entity, or the head of such entity in her or his official capacity, or the constitutional officer of which the officer, employee, or agent is an employee, unless such act or omission was committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. The state or its subdivisions ~~are shall~~ not be liable in tort for the acts or omissions of an officer, employee, or agent committed while acting outside the course and scope of her or his employment or committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

(b) As used in this subsection, the term:

1. “Employee” includes any volunteer firefighter.
2. “Officer, employee, or agent” includes, but is not limited to, any health care provider, *and its employees or agents*, when providing services pursuant to s. 766.1115; any nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, and its employees or agents, when providing patient services pursuant to paragraph (10)(f); and any public defender or her or his employee or agent, including, ~~among others~~, an assistant public defender ~~or and~~ an investigator.

Section 12. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care; creating s. 381.4019, F.S.; es-

tablishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; requiring the department to distribute state funds to accounts, subject to legislative appropriations; authorizing the department to accept contributions from a local source for deposit in a designated account; limiting the number of years that an account may remain open; providing for the immediate closing of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank dental health professional shortage areas and medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; amending s. 395.002, F.S.; revising the definition of the term “ambulatory surgical center” or “mobile surgical facility”; amending s. 395.003, F.S.; requiring, as a condition of licensure and license renewal, that ambulatory surgical centers provide services to specified patients in at least a specified amount; requiring ambulatory surgical centers to report certain data; defining a term; requiring ambulatory surgical centers to comply with certain building and lifesafety codes in certain circumstances; creating s. 624.27, F.S.; defining terms; specifying that a direct primary care agreement does not constitute insurance and is not subject to ch. 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations, or any other chapter of the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to ch. 636, F.S., or any other chapter of the code; providing that certain certificates of authority and licenses are not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing a short title; amending s. 409.967, F.S.; requiring a managed care plan to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; creating s. 627.42392, F.S.; requiring an insurer to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 641.31, F.S.; prohibiting a health maintenance organization from requiring that a health care provider use a clinical decision support system or a laboratory benefits management program in certain circumstances; defining terms; providing for construction; creating s. 641.394, F.S.; requiring a health maintenance organization to establish a process by which a prescribing physician may request an override of certain restrictions in certain circumstances; providing the circumstances under which an override must be granted; defining the term “fail-first protocol”; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient’s representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a health care provider as it applies to immunity from personal liability in certain actions; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1 (725590)** which was adopted:

Amendment 1A (230430) (with title amendment)—Between lines 240 and 241 insert:

Section 4. Present subsections (1) through (10) of section 395.0191, Florida Statutes, are redesignated as subsections (2) through (11), respectively, a new subsection (1) and subsection (12) are added to that section, and present subsection (6) of that section is amended, to read:

395.0191 Staff membership and clinical privileges.—

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

(a) *“Certified surgical assistant” means a surgical assistant who maintains a valid and active certification under one of the following designations: certified surgical first assistant, from the National Board of Surgical Technology and Surgical Assisting; certified surgical assistant, from the National Surgical Assistant Association; or surgical assistant-certified, from the American Board of Surgical Assistants.*

(b) *“Certified surgical technologist” means a surgical technologist who maintains a valid and active certification as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting.*

(c) *“Surgeon” means a health care practitioner as defined in s. 456.001 whose scope of practice includes performing surgery and who is listed as the primary surgeon in the operative record.*

(d) *“Surgical assistant” means a person who provides aid in exposure, hemostasis, closures, and other intraoperative technical functions and who assists the surgeon in performing a safe operation with optimal results for the patient.*

(e) *“Surgical technologist” means a person whose duties include, but are not limited to, maintaining sterility during a surgical procedure, handling and ensuring the availability of necessary equipment and supplies, and maintaining visibility of the operative site to ensure that the operating room environment is safe, that proper equipment is available, and that the operative procedure is conducted efficiently.*

(7)(6) Upon the written request of the applicant, any licensed facility that has denied staff membership or clinical privileges to any applicant specified in ~~subsection (1) or~~ subsection (2) or subsection (3) shall, within 30 days of such request, provide the applicant with the reasons for such denial in writing. A denial of staff membership or clinical privileges to any applicant shall be submitted, in writing, to the applicant’s respective licensing board.

(12) *At least 50 percent of the surgical assistants and 50 percent of the surgical technologists that a licensed facility employs or with whom it contracts must be certified surgical assistants and certified surgical technologists, respectively. The requirements of this subsection do not apply to the following:*

(a) *A person who has completed an appropriate training program for surgical technology in any branch of the Armed Forces or reserve component of the Armed Forces.*

(b) *A person who was employed or contracted to perform the duties of a surgical technologist or surgical assistant at any time before July 1, 2016.*

(c) *A health care practitioner as defined in s. 456.001 or a student if the duties performed by the practitioner or the student are within the scope of the practitioner’s or the student’s training and practice.*

(d) *A person enrolled in a surgical technology or surgical assisting training program accredited by the Commission on Accreditation of Allied Health Education Programs, the Accrediting Bureau of Health Education Schools, or another accrediting body recognized by the United*

States Department of Education on July 1, 2016. A person may practice as a surgical technologist or a surgical assistant for 2 years after completion of such a training program before he or she is required to obtain a certification under this subsection.

And the title is amended as follows:

Delete line 773 and insert: *circumstances; amending s. 395.0191, F.S.; defining terms; conforming cross-references; requiring a certain percentage of surgical assistants and surgical technologists employed or contracting with a hospital to be certified; providing exceptions to the certification requirement; creating s. 624.27, F.S.; defining*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 1 (725590)** which was adopted:

Amendment 1B (275292)—Delete lines 571-572 and insert:

15. Any other health care professional, practitioner,

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hays moved the following amendment to **Amendment 1 (725590)**:

Amendment 1C (861542) (with title amendment)—Delete lines 442-469 and insert:

Section 8. Effective January 1, 2018, section 627.42393, Florida Statutes, is created to read:

627.42393 *Continuity of care for medically stable patients.—*

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

(a) *“Complex or chronic medical condition” means a physical, behavioral, or developmental condition that does not have a known cure or that can be severely debilitating or fatal if left untreated or undertreated.*

(b) *“Rare disease” has the same meaning as in 42 U.S.C. s. 287a-1(c).*

(2) *A pharmacy benefits manager or an individual or a group insurance policy that is delivered, issued for delivery, renewed, amended, or continued in this state and that provides medical, major medical, or similar comprehensive coverage must continue to cover a drug for an insured with a complex or chronic medical condition or a rare disease if:*

(a) *The drug was previously covered by the insurer for a medical condition or disease of the insured; and*

(b) *The prescribing provider continues to prescribe the drug for the medical condition or disease, the drug is appropriately prescribed, and neither of the following has occurred:*

1. *The United States Food and Drug Administration has issued a notice, a guidance, a warning, an announcement, or any other statement about the drug which calls into question the clinical safety of the drug; or*

2. *The manufacturer of the drug has notified the United States Food and Drug Administration of any manufacturing discontinuance or potential discontinuance as required by s. 506C of the Federal Food Drug and Cosmetic Act, 21 U.S.C. s. 356c.*

(3) *With respect to a drug for an insured with a complex or chronic medical condition or a rare disease which meets the conditions of paragraphs (2)(a) and (b), except during open enrollment periods, a pharmacy benefits manager or an individual or a group insurance policy may not:*

(a) *Set forth, by contract, limitations on maximum coverage of prescription drug benefits;*

(b) *Subject the insured to increased out-of-pocket costs; or*

(c) *Move a drug for an insured to a more restrictive tier, if an individual or a group insurance policy or a pharmacy benefits manager uses a formulary with tiers.*

(4) *This section does not apply to a grandfathered health plan as defined in s. 627.402, or to benefits set forth in s. 627.6561(5)(b)-(e).*

Section 9. Effective January 1, 2018, paragraph (e) of subsection (5) of section 627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.—

(5) AVAILABILITY OF COVERAGE.—

(e) All health benefit plans issued under this section must comply with the following conditions:

1. For employers who have fewer than two employees, a late enrollee may be excluded from coverage for no longer than 24 months if he or she was not covered by creditable coverage continually to a date not more than 63 days before the effective date of his or her new coverage.

2. Any requirement used by a small employer carrier in determining whether to provide coverage to a small employer group, including requirements for minimum participation of eligible employees and minimum employer contributions, must be applied uniformly among all small employer groups having the same number of eligible employees applying for coverage or receiving coverage from the small employer carrier, except that a small employer carrier that participates in, administers, or issues health benefits pursuant to s. 381.0406 which do not include a preexisting condition exclusion may require as a condition of offering such benefits that the employer has had no health insurance coverage for its employees for a period of at least 6 months. A small employer carrier may vary application of minimum participation requirements and minimum employer contribution requirements only by the size of the small employer group.

3. In applying minimum participation requirements with respect to a small employer, a small employer carrier shall not consider as an eligible employee employees or dependents who have qualifying existing coverage in an employer-based group insurance plan or an ERISA qualified self-insurance plan in determining whether the applicable percentage of participation is met. However, a small employer carrier may count eligible employees and dependents who have coverage under another health plan that is sponsored by that employer.

4. A small employer carrier shall not increase any requirement for minimum employee participation or any requirement for minimum employer contribution applicable to a small employer at any time after the small employer has been accepted for coverage, unless the employer size has changed, in which case the small employer carrier may apply the requirements that are applicable to the new group size.

5. If a small employer carrier offers coverage to a small employer, it must offer coverage to all the small employer's eligible employees and their dependents. A small employer carrier may not offer coverage limited to certain persons in a group or to part of a group, except with respect to late enrollees.

6. A small employer carrier may not modify any health benefit plan issued to a small employer with respect to a small employer or any eligible employee or dependent through riders, endorsements, or otherwise to restrict or exclude coverage for certain diseases or medical conditions otherwise covered by the health benefit plan.

7. An initial enrollment period of at least 30 days must be provided. An annual 30-day open enrollment period must be offered to each small employer's eligible employees and their dependents. A small employer carrier must provide special enrollment periods as required by s. 627.65615.

8. *A small employer carrier must provide continuity of care for medically stable patients as required by s. 627.42393.*

Section 10. Effective January 1, 2018, subsections (44) and (45) are added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(44) *A health maintenance organization may not require a health care provider, by contract with another health care provider, a patient, or another individual or entity, to use a clinical decision support system or a laboratory benefits management program before the provider may order clinical laboratory services or in an attempt to direct or limit the provider's medical decisionmaking relating to the use of such services. This subsection may not be construed to prohibit any prior authorization requirements that the health maintenance organization may have regarding the provision of clinical laboratory services. As used in this subsection, the term:*

(a) *“Clinical decision support system” means software designed to direct or assist clinical decisionmaking by matching the characteristics of an individual patient to a computerized clinical knowledge base and providing patient-specific assessments or recommendations based on the match.*

(b) *“Clinical laboratory services” means the examination of fluids or other materials taken from the human body, which examination is ordered by a health care provider for use in the diagnosis, prevention, or treatment of a disease or in the identification or assessment of a medical or physical condition.*

(c) *“Laboratory benefits management program” means a health maintenance organization protocol that dictates or limits health care provider decisionmaking relating to the use of clinical laboratory services.*

(45)(a) *A pharmacy benefits manager or a health maintenance contract that is delivered, issued for delivery, renewed, amended, or continued in this state and that provides medical, major medical, or similar comprehensive coverage must continue to cover a drug for a subscriber with a complex or chronic medical condition or a rare disease if:*

1. *The drug was previously covered by the health maintenance organization for a medical condition or disease of the subscriber; and*

2. *The prescribing provider continues to prescribe the drug for the medical condition or disease, the drug is appropriately prescribed, and neither of the following has occurred:*

a. *The United States Food and Drug Administration has issued a notice, a guidance, a warning, an announcement, or any other statement about the drug which calls into question the clinical safety of the drug; or*

b. *The manufacturer of the drug has notified the United States Food and Drug Administration of any manufacturing discontinuance or potential discontinuance as required by s. 506C of the Federal Food Drug and Cosmetic Act, 21 U.S.C. s. 356c.*

(b) *With respect to a drug for a subscriber with a complex or chronic medical condition or a rare disease that meets the conditions of subparagraph (c)1. or subparagraph (c)2., except during open enrollment periods, a pharmacy benefits manager or a health maintenance contract may not:*

1. *Set forth, by contract, limitations on maximum coverage of prescription drug benefits;*

2. *Subject the subscriber to increased out-of-pocket costs; or*

3. *Move a drug for a subscriber to a more restrictive tier, if a health maintenance contract or a pharmacy benefits manager uses a formulary with tiers.*

(c) *As used in this subsection, the term:*

1. *“Complex or chronic medical condition” means a physical, behavioral, or developmental condition that does not have a known cure or that can be severely debilitating or fatal if left untreated or undertreated.*

2. "Rare disease" has the same meaning as in 42 U.S.C. s. 287a-1(c).

(d) This section does not apply to a grandfathered health plan as defined in s. 627.402.

And the title is amended as follows:

Delete lines 798-804 and insert: defining the term "fail-first protocol"; creating s. 627.42393, F.S.; defining terms; requiring a pharmacy benefits manager or a specified individual or group insurance policy to continue to cover a drug for specified insureds under certain circumstances; prohibiting certain actions by a pharmacy benefits manager or an individual or a group policy with respect to a drug for a certain insured except under certain circumstances; providing applicability; amending s. 627.6699, F.S.; expanding a list of conditions that certain health benefit plans must comply with; amending s. 641.31, F.S.; prohibiting a health maintenance organization from requiring that a health care provider use a clinical decision support system or a laboratory benefits management program in certain circumstances; providing for construction; defining terms; requiring a pharmacy benefits manager or a specified health maintenance contract to continue to cover a drug for specified subscribers under certain circumstances; prohibiting certain actions by a pharmacy benefits manager or a health maintenance contract with respect to a drug for a certain subscriber except under certain circumstances; defining terms; providing applicability; creating s. 641.394, F.S.; requiring a

POINT OF ORDER

Senator Gaetz raised a point of order that pursuant to Rule 7.1(4)(c), Senator Hays' amendment, **Amendment 1C (861542)**, contained language of a bill not reported favorably by all committees of reference and was therefore out of order.

The President referred the point of order and the amendment to Senator Simmons, Chair of the Committee on Rules.

RULING ON POINT OF ORDER

On recommendation of Senator Simmons, Chair of the Committee on Rules, **Amendment 1C (861542)** was determined to be the subject of a bill residing in the Committee on Appropriations. The President ruled the point well taken and the amendment to the amendment out of order.

Amendment 1 (725590), as amended, was adopted.

Pursuant to Rule 4.19, **HB 85**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 748—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; deleting provisions related to examination by the Department of Health; amending s. 459.022, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 748**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 375** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Flores—

CS for HB 375—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising circumstances under

which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; deleting provisions related to examination by the Department of Health; amending s. 459.022, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 748** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 375** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1052—A bill to be entitled An act relating to environmental control; amending s. 373.323, F.S.; revising eligibility requirements for taking the water well contractor licensure examination; repealing s. 373.245, F.S., relating to violations of consumptive use permit conditions; amending s. 378.209, F.S.; exempting certain constructed clay settling areas from reclamation rate and financial responsibility requirements; amending s. 403.067, F.S.; authorizing the use of land set-asides and land use modifications in water quality credit trading; amending s. 403.201, F.S.; providing applicability of prohibited variances concerning discharges of waste into waters of the state and hazardous waste management; amending s. 403.709, F.S.; establishing a solid waste landfill closure account within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste facilities; authorizing the department to contract with a third party for such closing and long-term care under certain conditions; requiring the department to deposit certain funds in the solid waste landfill closure account; authorizing the department to use funds from the solid waste landfill closure account to pay for facility closing and long-term care under certain circumstances; deleting an expiration date; amending s. 403.814, F.S.; requiring that a Florida registered professional certify that certain projects meet additional requirements; requiring such certification to be submitted to the department before, rather than after, construction of a stormwater management system begins; reenacting s. 373.414(17), F.S., relating to variances for activities in surface waters and wetlands, to incorporate the amendment made by the act to s. 403.201, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1052**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 589** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Hays—

CS for CS for CS for HB 589—A bill to be entitled An act relating to environmental control; repealing s. 373.245, F.S., relating to violations of consumptive use permit conditions; amending s. 373.323, F.S.; revising eligibility requirements for taking the water well contractor licensure examination; amending s. 378.209, F.S.; providing conditions under which certain constructed clay settling areas are exempt from reclamation rate and financial responsibility requirements; amending s. 403.067, F.S.; authorizing the use of land set-asides and land use modifications, including constructed wetlands or other water quality improvement projects, in water quality credit trading; amending s. 403.201, F.S.; providing applicability of prohibited variances concerning discharges of waste into waters of the state and hazardous waste management; amending s. 403.709, F.S.; revising conditions under which the Department of Environmental Protection may use specified funds to contract with a third party for the closing and long-term care of solid waste management facilities; abrogating the scheduled expiration of such authorization; amending s. 403.814, F.S.; requiring Florida re-

gistered professionals to certify that certain stormwater management systems will meet additional requirements for a general permit; requiring that such certification be submitted to the department or water management district before construction of such stormwater management systems begins; reenacting s. 373.414(17), F.S., relating to variances for activities in surface waters and wetlands, to incorporate the amendment made by the act to s. 403.201, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1052** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 589** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 604—A bill to be entitled An act relating to mental health services in the criminal justice system; amending ss. 39.001, 39.507, and 39.521, F.S.; conforming provisions to changes made by the act; amending s. 394.4655, F.S.; defining the terms “court” and “criminal county court” for purposes of involuntary outpatient placement; conforming provisions to changes made by act; amending ss. 394.4599 and 394.463, F.S.; conforming provisions to changes made by act; conforming cross-references; amending s. 394.455 and 394.4615, F.S.; conforming cross-references; amending s. 394.47891, F.S.; expanding eligibility for military veterans and servicemembers court programs; creating s. 394.47892, F.S.; authorizing the creation of treatment-based mental health court programs; providing for eligibility; providing program requirements; providing for an advisory committee; amending s. 790.065, F.S.; conforming a provision to changes made by this act; amending s. 910.035, F.S.; revising the definition of the term “problem-solving court”; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; authorizing the department to request specified budget amendments; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending s. 948.001, F.S.; defining the term “mental health probation”; amending ss. 948.01 and 948.06, F.S.; authorizing courts to order certain offenders on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into a pretrial mental health court program; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; requiring the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending ss. 948.01 and 948.06, F.S.; providing for courts to order certain defendants on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into pretrial mental health court program; amending s. 948.16, F.S.; expanding eligibility of veterans for a misdemeanor pretrial veterans’ treatment intervention program; providing eligibility of misdemeanor defendants for a misdemeanor pretrial mental health court program; amending s. 948.21, F.S.; expanding veterans’ eligibility for participating in treatment programs while on court-ordered probation or community control; amending s. 985.345, F.S.; authorizing delinquency pretrial mental health court intervention programs for certain juvenile offenders; providing for disposition of pending charges after completion of the program; authorizing expunction of specified criminal history records after successful completion of the program; reenacting s. 397.334(3)(a) and (5), F.S., relating to treatment-based drug court programs, to incorporate the amendments made by the act to ss. 948.01 and 948.06, F.S., in references thereto; reenacting s. 948.012(2)(b), F.S., relating to split sentence probation or community control and imprisonment, to incorporate the amendment made by the act to s. 948.06, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 604**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 439** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Diaz de la Portilla—

CS for CS for CS for HB 439—A bill to be entitled An act relating to mental health services in the criminal justice system; amending ss. 39.001, 39.507, and 39.521, F.S.; conforming provisions to changes made by the act; amending s. 394.4655, F.S.; defining the terms “court” and “criminal county court” for purposes of involuntary outpatient placement; conforming provisions to changes made by act; amending ss. 394.4599 and 394.463, F.S.; conforming provisions to changes made by act; conforming cross-references; amending s. 394.455 and 394.4615, F.S.; conforming cross-references; amending s. 394.47891, F.S.; expanding eligibility for military veterans and servicemembers court programs; creating s. 394.47892, F.S.; authorizing the creation of treatment-based mental health court programs; providing for eligibility; providing program requirements; providing for an advisory committee; amending s. 790.065, F.S.; conforming a provision to changes made by this act; amending s. 910.035, F.S.; revising the definition of the term “problem-solving court”; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; authorizing the department to request specified budget amendments; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending s. 948.001, F.S.; defining the term “mental health probation”; amending ss. 948.01 and 948.06, F.S.; authorizing courts to order certain offenders on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into a pretrial mental health court program; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; requiring the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending ss. 948.01 and 948.06, F.S.; providing for courts to order certain defendants on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into pretrial mental health court program; amending s. 948.16, F.S.; expanding eligibility of veterans for a misdemeanor pretrial veterans’ treatment intervention program; providing eligibility of misdemeanor defendants for a misdemeanor pretrial mental health court program; amending s. 948.21, F.S.; expanding veterans’ eligibility for participating in treatment programs while on court-ordered probation or community control; amending s. 985.345, F.S.; authorizing delinquency pretrial mental health court intervention programs for certain juvenile offenders; providing for disposition of pending charges after completion of the program; authorizing expunction of specified criminal history records after successful completion of the program; reenacting s. 397.334(3)(a) and (5), F.S., relating to treatment-based drug court programs, to incorporate the amendments made by the act to ss. 948.01 and 948.06, F.S., in references thereto; reenacting s. 948.012(2)(b), F.S., relating to split sentence probation or community control and imprisonment, to incorporate the amendment made by the act to s. 948.06, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 604** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 439** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 862—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotropic medications for

clients receiving such medication in the jail before admission to those facilities under certain circumstances; requiring a jail physician to provide a current psychotropic medication order under certain circumstances; amending s. 916.13, F.S.; requiring that a competency hearing be held within a specified time; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; requiring that a commitment hearing be held within a specified time; reenacting s. 916.106(9), F.S., relating to the definition of the terms “forensic client” or “client,” to incorporate the amendments made to ss. 916.13 and 916.15, F.S., in references thereto; reenacting s. 394.467(7)(a), F.S., relating to involuntary inpatient placement, to incorporate the amendments made to s. 916.15, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 862**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 769** was withdrawn from the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Fiscal Policy.

On motion by Senator Legg—

CS for CS for HB 769—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; provides for continuation of psychotropic medication by forensic and civil facilities for individuals receiving such medication before admission; amending s. 916.13, F.S.; providing a timeframe within which competency hearings must be held; requiring that a defendant be transported for the hearing; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants who remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; requiring that a defendant be transported for the hearing; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 862** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 769** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1050** was deferred.

CS for SB 1426—A bill to be entitled An act relating to membership associations; creating s. 617.221, F.S.; defining the term “membership association”; requiring membership associations to file an annual report with the Legislature; specifying the requirements for the annual report; prohibiting a membership association from using public funds for certain litigation; requiring the assessment of dues paid to a membership association by certain elected and appointed officials with public funds; requiring the Auditor General to conduct certain audits annually; specifying that all membership association records constitute public records under certain law; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1426**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1155** was withdrawn from the Committees on Community Affairs; Education Pre-K - 12; and Appropriations.

On motion by Senator Stargel—

CS for HB 1155—A bill to be entitled An act relating to membership associations; creating s. 617.221, F.S.; defining the term “membership association”; requiring a membership association to file an annual report with the Legislature; specifying report requirements; prohibiting a membership association from expending public funds on litigation against the state; requiring the Auditor General to conduct an annual financial and operational audit of membership associations; providing an effective date.

—a companion measure, was substituted for **CS for SB 1426** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1155** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day except **CS for CS for SB 800** were retained on the Special Order Calendar.

On motion by Senator Simmons, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Wednesday, March 9, 2016.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, March 8, 2016: **CS for SB 20**, **CS for CS for SB 44**, **CS for SB 46**, **CS for CS for SJR 170**, **CS for CS for CS for SB 172**, **CS for SB 582**, **CS for CS for SB 604**, **CS for CS for SB 704**, **CS for SB 746**, **CS for CS for SB 748**, **CS for CS for SB 862**, **CS for CS for SB 1050**, **CS for CS for SB 1052**, **CS for SB 1088**, **CS for SB 1196**, **CS for SB 1316**, **CS for SB 1426**, **CS for SB 1490**.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

Pursuant to Rule 4.18 the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Tuesday, March 8, 2016: **HB 419**, **HB 481**, **HB 519**, **CS for HB 649**, **CS for CS for HB 785**, **HB 845**, **HB 847**, **HB 871**, **HB 891**, **CS for HB 895**, **HB 911**, **CS for HB 1071**, **HB 1081**, **HB 1221**, **HB 1265**, **CS for HB 1267**, **CS for CS for HB 1355**, **HB 1433**.

Respectfully submitted,
David Simmons, Rules Chair

COMMUNICATION

March 8, 2016

In compliance with Article III, Section 19(d) of the Florida Constitution, and Joint Rule 2, the Budget Conference Committee Report on **HB 5001** was electronically furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

The Conference Committee Report on **HB 5001** was made available on Tuesday, March 8, 2016 at 2:53 p.m.

Respectfully Submitted,
Bob Ward
 Clerk of the House

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **CS/SB 90**.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 124.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 126 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 194.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 436.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 514.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 580.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 592 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 626.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 628.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 668.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 708.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 752 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 754 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 772.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 812.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 826.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 828.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 846.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 854.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 908.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 912.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 922.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 936.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 938.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 964.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1004.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1044.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1104.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 1110.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1170.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1176.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 1202.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1274.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1318.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1386.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 1402.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1416 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1422.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1432.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1470.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1534.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 1602.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7028.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7040.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7048.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7076.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

ENROLLING REPORTS

SB 238, CS for CS for SB 242, SB 340, SB 450, CS for CS for CS for SB 590, CS for CS for SB 636, CS for SB 860, CS for SB 1174, and SB 7020 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 8, 2016.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 7 was corrected and approved.

CO-INTRODUCERS

Senators Altman—CS for SB 582, CS for CS for CS for SB 676; Bean—CS for CS for CS for SB 676; Bullard—CS for CS for CS for SB 676; Detert—CS for CS for CS for SB 676; Flores—CS for CS for CS for SB 676; Latvala—CS for CS for SB 1250; Margolis—CS for CS for CS for SB 676

Senator Grimsley was recorded as introducer of CS for CS for SB 1250.

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:56 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, March 9 or upon call of the President.



Journal of the Senate

Number 23—Regular Session

Wednesday, March 9, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

PRAYER

The following prayer was offered by Pastor Jim Locke, Hillcrest Baptist Church, Pensacola:

Our Father in heaven, we begin today by thanking you for the precious gift of life, for you are the creator and the sustainer of all that is and ever will be. You've created the world and you've created us to know you, to enjoy you, and to magnify your great name throughout the world. "O Lord, our Lord, how majestic is your name in all the earth."

As we live in times of instability and oppression around the world, we thank you for the incredible blessing of being American. We acknowledge you as the author of our liberties and thank you for the gift of freedom purchased through sacrifice and blood. Freedom is not free. We remember and give thanks for those in our armed forces who stand watch today over our liberties and ask you to protect and encourage them as they defend us here and around the world.

Thank you for the members of the Florida Senate. What an honor and privilege to serve and lead the people of our great State. Fill the leaders of this honored chamber today with the very wisdom of heaven that they may love justice, show mercy, and walk in humility before God. Give them discerning minds, compassionate hearts, gentleness, and civility as they relate to one another, and, most of all, give them an understanding of the one to whom we must all one day give an account.

Finally, O Lord, forgive us, for we are sinful people, and we are in desperate need of your mercy and grace. Forgive us, and grant to us a real and lasting spiritual awakening that our state and our nation might be renewed from within and remain strong for generations to come.

With great thanksgiving, and respecting all faiths, I offer this prayer in the name of Christ my Lord. Amen.

PLEDGE

Senate Pages, Kollin Boje and Kaleb Boje of Apollo Beach, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Chris Pittman of Tampa, sponsored by Senator Gaetz, as the doctor of the day. Dr. Pittman specializes in venous and lymphatic medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Latvala—

By Senator Latvala—

SR 1762—A resolution recognizing and congratulating BayCare Health System, Inc., on its selection as the 2016 recipient of the National Association of Workforce Boards' W.O. Lawton Business Leadership Award.

WHEREAS, the National Association of Workforce Boards' (NAWB) W.O. Lawton Business Leadership Award annually recognizes an outstanding business or organization that makes the commitment of time, money, and leadership to make its community's workforce and economy more vibrant, and

WHEREAS, BayCare is a leading not-for-profit health care system that connects individuals and families to a wide range of services at 14 hospitals and other medical facilities, and

WHEREAS, one of the largest employers in the Tampa Bay region, with more than 23,000 employees, BayCare has taken a leadership role in working with CareerSource Pinellas to provide specialized health care training in high-wage, high-demand allied health care occupations, and

WHEREAS, BayCare has been an essential partner to CareerSource Pinellas in several initiatives, including its contribution of \$4.57 million in matching funds for the H-1B grant awarded to CareerSource Pinellas by the United States Department of Labor, and

WHEREAS, since 2011, this investment by BayCare in the health care workforce in the Tampa Bay region has allowed CareerSource Pinellas to train more than 550 persons and has created jobs for 140 new registered nurses at BayCare, and

WHEREAS, BayCare has entered into a number of community partnerships with, and provided financial support for, organizations that improve the lives of children and address the health and wellness needs of the community at large by providing health care to disadvantaged residents, and

WHEREAS, BayCare will be recognized by NAWB at The Forum 2016, the organization's premier event, which will be held March 12-15, 2016, in Washington, D.C., and attended by workforce development professionals and leaders in business, government, labor, and education from across the nation, NOW, THEREFORE,

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

That BayCare Health System, Inc., is recognized and congratulated on its selection as the 2016 recipient of the National Association of Workforce Boards' W.O. Lawton Business Leadership Award.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

CS for HB 3517—A bill to be entitled An act for the relief of Rafael Zaldivar and Kyoko Zaldivar, parents of Alex Zaldivar, deceased, individually and as co-personal representatives of the Estate of Alex Zaldivar, and Brienna Campos and Remington Campos by Orange County; providing for an appropriation to compensate Rafael Zaldivar and Kyoko Zaldivar for the death of Alex Zaldivar and to compensate Brienna Campos and Remington Campos for the injuries and damages they sustained as a result of the negligence of Orange County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for HB 3517** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

CS for HB 3509—A bill to be entitled An act for the relief of Susana Castillo, as personal representative of the Estate of Andrea Castillo; providing for an appropriation to compensate the Estate of Andrea Castillo for her death as a result of the negligence of the City of Hialeah; providing a limitation on the payment of fees and costs; providing that the amounts awarded are intended to provide the sole compensation for all present and future claims related to the wrongful death of Andrea Castillo; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for HB 3509** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Montford	Simpson
Hutson	Negron	Smith
Joyner	Richter	Sobel
Latvala	Ring	Soto
Legg	Sachs	Thompson
Margolis	Simmons	

Nays—1

Stargel

CS for HB 3525—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, which occurred as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for HB 3525** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Consideration of **CS for HB 1157** and **CS for CS for CS for HB 183** was deferred.

HB 7071—A bill to be entitled An act relating to public corruption; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term "bribery"; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath, and s. 921.0022(3)(d), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate amendments made by the act to s. 838.022, F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, and 838.22, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **HB 7071** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for CS for HB 427—A bill to be entitled An act relating to recreational vessel registration; amending s. 328.72, F.S.; providing definitions; providing a reduced recreational vessel registration fee schedule for vessels registered during a specified period which are equipped with an emergency position indicating radio beacon or for which the owner of the vessel owns a personal locator beacon; limiting application to one vessel per owner; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules relating to proof of qualification; providing for certain funds to supplement the reduced amounts collected; providing for expiration of the reduced fee schedule; amending s. 328.76, F.S., relating to the Marine Resources Conservation Trust Fund; providing for use of the supplemental funds; amending s. 328.66, F.S., relating to county and municipality optional registration fees; specifying that the reduced fees do not apply to the limitation on registration fees charged by a county; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for CS for HB 427** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for CS for HB 1083—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising and defining terms; repealing s. 393.0641, F.S., relating to a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring an agency to allow a certain individual to receive such services if the individual's parent or legal guardian is an active-duty military servicemember; requiring the agency to send an annual letter to clients and their guardians or families; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.066, F.S.;

providing for the use of an agency data management system; providing requirements for persons or entities under contract with the agency; amending s. 393.0662, F.S.; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client's allocated funds; revising duties of the Agency for Health Care Administration relating to the iBudget system; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring certain intermediate care facilities to comply with certain requests and inspections by the agency; amending s. 393.11, F.S.; providing for annual reviews for persons involuntarily admitted to residential services provided by the agency; requiring the agency to contract with a qualified evaluator; providing requirements for annual reviews; requiring a hearing to be held to consider the results of an annual review; requiring the agency to provide a copy of the review to certain persons; providing a definition; repealing ss. 24 and 26 of chapter 2015-222, Laws of Florida; abrogating the scheduled expiration and reversion of amendments to ss. 393.067(15) and 393.18, F.S.; providing for contingent retroactive operation; reenacting s. 393.067(15), F.S., relating to a provision specifying that the agency is not required to contract with certain licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; providing qualification requirements for the supervisor of the clinical director of a specified licensee; revising the organization and operation of components of such a program; providing for the integration of educational components with the local school district; providing that failure of certain licensees to comply with the terms of a settlement agreement is grounds for discipline; authorizing the agency to approve the admission or readmission of an individual to such a program; amending ss. 383.141 and 1002.385, F.S.; conforming cross-references to changes made by the act; providing an appropriation; providing a contingent appropriation; providing effective dates.

—was read the third time by title.

On motion by Senator Sobel, **CS for CS for HB 1083** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 1335—A bill to be entitled An act relating to long-term care managed care prioritization; amending s. 409.962, F.S.; providing definitions; amending s. 409.979, F.S.; requiring the Department Elderly Affairs to maintain a statewide wait list for enrollment for home and community-based services through the Medicaid long-term care managed care program; requiring the department to prioritize individuals for potential enrollment using a frailty-based screening tool that provides a priority score; providing for determinations regarding offers of enrollment; requiring screening and certain rescreening by aging resource center personnel of individuals requesting long-term care services from the program; requiring the department to adopt by rule a screening tool; requiring the department to make a specified methodology available on its website; requiring the department to notify applicants of placement on the wait list; requiring the department to document attempts to contact an individual to schedule a screening or rescreening; requiring the department to send a letter to an individual

who it is unable to contact to schedule an initial screening or re-screening; requiring the department to conduct prerelease assessments upon notification by the agency of available capacity; authorizing certain individuals to enroll in the long-term care managed care program; authorizing the department to terminate an individual from the wait list under certain circumstances; providing for priority enrollment for home and community-based services for certain individuals; authorizing the department and the Agency for Health Care Administration to adopt rules; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 1335** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 703—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S., relating to the reckless or careless operation of a vessel; providing that vessel overloading or excessive speed constitutes careless operation of a vessel; amending s. 327.70, F.S.; providing for issuance and display of vessel safety inspection decals; prohibiting law enforcement officers from stopping certain vessels solely to inspect for compliance with specified safety requirements; providing an exception; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for HB 703** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HJR 1009—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to authorize a first responder, who is totally and permanently disabled as a result of an injury sustained in the line of duty, to receive relief from ad valorem taxes assessed on homestead property, if authorized by general law, and to provide an effective date.

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

That the following amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant either or both of the following additional homestead tax exemptions:

(1) An exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars; or

(2) An exemption equal to the assessed value of the property to any person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars and who has maintained thereon the permanent residence of the owner for not less than twenty-five years and who has attained age sixty-five and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant these additional exemptions, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related and the veteran was honorably discharged upon separation from military service. The dis-

count shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection is self-executing and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to ~~the~~:

(1) *The surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.*

(2) *The surviving spouse of a first responder who died in the line of duty.*

(3) *A first responder who is totally and permanently disabled as a result of an injury or injuries sustained in the line of duty. Causal connection between a disability and service in the line of duty shall not be presumed but must be determined as provided by general law. For purposes of this paragraph, the term "disability" does not include a chronic condition or chronic disease, unless the injury sustained in the line of duty was the sole cause of the chronic condition or chronic disease.*

As used in this subsection and as further defined by general law, the term:

a. "first responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic, and the term:

b. "in the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII

SCHEDULE

Tax exemption for totally and permanently disabled first responders.—The amendment to Section 6 of Article VII relating to relief from ad valorem taxes assessed on homestead property for first responders, who are totally and permanently disabled as a result of injuries sustained in the line of duty, takes effect January 1, 2017.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII

TAX EXEMPTION FOR TOTALLY AND PERMANENTLY DISABLED FIRST RESPONDERS.—Proposing an amendment to the State Constitution to authorize a first responder, who is totally and permanently disabled as a result of injuries sustained in the line of duty, to receive relief from ad valorem taxes assessed on homestead property, if authorized by general law. If approved by voters, the amendment takes effect January 1, 2017.

—was read the third time by title.

On motion by Senator Negrón, **CS for HJR 1009** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negrón
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HJR 275—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution to revise the homestead tax exemption that may be granted by counties or municipalities, if authorized by general law, for the assessed value of property with a just value less than \$250,000 and owned by persons age 65 or older who meet certain residence and income requirements to specify that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption and to provide retroactive applicability and an effective date.

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

That the following amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant either or both of the following additional homestead tax exemptions:

(1) An exemption not exceeding fifty thousand dollars to a ~~any~~ person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, ~~and~~ who has attained age sixty-five, and whose household income, as defined by general law, does not exceed twenty thousand dollars; or

(2) An exemption equal to the assessed value of the property to a ~~any~~ person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars, *as determined in the first tax year that the owner applies and is eligible for the exemption*, and who has maintained thereon the permanent residence of the owner for not less than twenty-five years, ~~and~~ who has attained age sixty-five, and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant these additional exemptions, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection is self-executing and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to the:

(1) Surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

(2) Surviving spouse of a first responder who died in the line of duty.

(3) As used in this subsection and as further defined by general law, the term:

a. "First responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic.

b. "In the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII
SCHEDULE

Additional ad valorem exemption for persons age sixty-five or older.— This section and the amendment to Section 6 of Article VII revising the just value determination for the additional ad valorem tax exemption for persons age sixty-five or older shall take effect January 1, 2017, following approval by the electors, and shall operate retroactively to January 1, 2013, for any person who received the exemption under paragraph (2) of Section 6(d) of Article VII before January 1, 2017.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII

HOMESTEAD TAX EXEMPTION FOR CERTAIN SENIOR, LOW-INCOME, LONG-TERM RESIDENTS; DETERMINATION OF JUST VALUE.—Proposing an amendment to the State Constitution to revise the homestead tax exemption that may be granted by counties or municipalities for property with just value less than \$250,000 owned by certain senior, low-income, long-term residents to specify that just value is determined in the first tax year the owner applies and is eligible for the exemption. The amendment takes effect January 1, 2017, and applies retroactively to exemptions granted before January 1, 2017.

—was read the third time by title.

On motion by Senator Flores, **CS for HJR 275** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 277—A bill to be entitled An act relating to a county and municipality homestead tax exemption; amending s. 196.075, F.S.; revising the homestead tax exemption that may be adopted by a county or municipality by ordinance for the assessed value of property with a just value less than \$250,000 which is owned by persons age 65 or older who meet certain residence and income requirements; specifying that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption; providing for a refund of overpaid taxes in prior years; providing retroactive applicability; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for HB 277** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bradley	Dean
Abruzzo	Braynon	Detert
Altman	Bullard	Diaz de la Portilla
Benacquisto	Clemens	Evers

Flores	Hutson	Ring
Gaetz	Joyner	Sachs
Galvano	Latvala	Simmons
Garcia	Legg	Simpson
Gibson	Margolis	Smith
Grimsley	Montford	Sobel
Hays	Negron	Soto
Hukill	Richter	Thompson

Nays—None

Vote after roll call:

Yea—Bean, Brandes, Stargel

CS for CS for HB 499—A bill to be entitled An act relating to ad valorem taxation; amending s. 129.03, F.S.; revising the information required to be included on summaries of adopted tentative budgets; authorizing a summary statement to be published more than once in specified locations; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; establishing procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; establishing deadlines for value adjustment boards to complete final assessment roll certifications; providing exceptions; providing applicability; amending s. 193.155, F.S.; providing timeframes in which taxpayers may appeal to the value adjustment board the application of the assessment limitation on homestead property; amending ss. 193.1554 and 193.1555, F.S.; providing timeframes in which taxpayers may appeal the application of the assessment limitation on certain property to the value adjustment board; authorizing the waiver of penalties and interest under certain circumstances; allowing certain taxpayers to pay taxes, penalties, and interest within a specified period to avoid the filing of a lien; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; revising the procedures used during a value adjustment board hearing; revising the documentation required to be on evidence lists during value adjustment board hearings; specifying the period during which certain evidence remains confidential; amending s. 194.014, F.S.; revising the interest rate upon which certain unpaid and overpaid ad valorem taxes accrue; defining the term “bank prime loan rate”; amending s. 194.015, F.S.; revising procedures for appointment to a value adjustment board; amending s. 194.032, F.S.; revising requirements for the provision of property record cards to a petitioner; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term “good cause”; requiring value adjustment boards to address issues concerning assessment rolls by a time certain; providing an exception; amending s. 194.034, F.S.; revising the authorization required for various entities that may represent a taxpayer before the value adjustment board; prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term “timely filed”; revising provisions relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by an attorney special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing a special magistrate; amending s. 1011.62, F.S.; revising dates for purposes of computing each school district’s required local effort; repealing certain rules adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

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

On motion by Senator Flores, **CS for CS for HB 499**, as amended, was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Benacquisto	Bullard
Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert

Diaz de la Portilla	Hukill	Ring
Evers	Hutson	Sachs
Flores	Joyner	Simmons
Gaetz	Latvala	Simpson
Galvano	Legg	Sobel
Garcia	Margolis	Soto
Gibson	Montford	Stargel
Grimsley	Negron	Thompson
Hays	Richter	

Nays—None

CS for HB 837—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; exempting a foster child from specified eligibility provisions; providing that a student enrolled in a transition-to-work program is eligible for a John M. McKay Scholarship; creating a transition-to-work program for specific students enrolled in the John M. McKay Scholarships for Students with Disabilities Program; providing program requirements; providing participation requirements for students, schools, and businesses; exempting a John M. McKay Scholarship award from a specified funding calculation; amending s. 1011.61, F.S.; exempting a John M. McKay Scholarship award from a specified funding calculation for purposes of the Florida Education Finance Program; providing an effective date.

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

On motion by Senator Stargel, **CS for HB 837**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 1305—A bill to be entitled An act relating to emergency allergy treatment in schools; amending s. 381.88, F.S.; revising the term “authorized entity”; amending ss. 1002.20 and 1002.42, F.S.; authorizing a public school and a private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors; revising the storage requirements for epinephrine auto-injectors; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 1305** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Montford	Simpson
Hutson	Negron	Smith
Joyner	Richter	Sobel
Latvala	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson

Nays—None

HB 1061—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the department; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions, to conform; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse’s multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with state practice laws; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse’s multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information; providing for the development of the system, reporting procedures, and the exchange of certain information between party states; establishing the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rule-making procedures; providing for state enforcement of the compact; providing for the termination of compact membership; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members or employees of the commission as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain judgments or claims; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **HB 1061** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 195—A bill to be entitled An act relating to a special election; providing for a special election to be held August 30, 2016, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an exemption from the tangible personal property tax for solar or renewable energy source devices, a limitation on the assessed value of real property used for nonresidential purposes for the installation of such devices, and an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for HB 195** was passed by the required constitutional three-fourths vote of the membership and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Gaetz	Richter
Benacquisto	Galvano	Ring
Bradley	Garcia	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Sobel
Dean	Hutson	Soto
Detert	Legg	Stargel

Nays—6

Clemens	Joyner	Smith
Gibson	Latvala	Thompson

CS for CS for HB 1411—A bill to be entitled An act relating to termination of pregnancies; creating s. 390.0001, F.S.; providing legislative findings regarding termination of pregnancies; amending s. 390.011, F.S.; defining the term “gestation” and revising the term “third trimester”; amending s. 390.0111, F.S.; revising the requirements for disposal of fetal remains; revising the criminal punishment for failure to properly dispose of fetal remains; prohibiting state agencies, local governmental entities, and Medicaid managed care plans from expending or paying funds to or initiating or renewing contracts under certain circumstances with certain organizations that perform abortions; providing exceptions; amending s. 390.0112, F.S.; requiring directors of

certain hospitals and physicians' offices and licensed abortion clinics to submit monthly reports to the Agency for Health Care Administration on a specified form; prohibiting the report from including personal identifying information; requiring the agency to submit certain data to the Centers for Disease Control and Prevention on a quarterly basis; amending s. 390.012, F.S.; requiring the agency to develop and enforce rules relating to license inspections and investigations of certain clinics; requiring the agency to adopt rules to require all physicians performing abortions to have admitting privileges at a hospital within a reasonable proximity unless the clinic has a transfer agreement with the hospital; revising requirements for rules that prescribe minimum recovery room standards; revising requirements for the disposal of fetal remains; requiring the agency to submit an annual report to the Legislature; amending s. 390.014, F.S.; providing a different limitation on the amount of a fee; amending s. 390.025, F.S.; requiring certain organizations that provide abortion referral services or abortion counseling services to register with the agency, pay a specified fee, and include certain information in advertisements; requiring biennial renewal of a registration; providing exemptions from the registration requirement; requiring the agency to adopt rules; providing for the assessment of costs in certain circumstances; amending s. 873.05, F.S.; prohibiting an offer to purchase, sell, donate, or transfer fetal remains obtained from an abortion and the purchase, sale, donation, or transfer of such remains, excluding costs associated with certain transportation of remains; providing an appropriation; providing effective dates.

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

On motion by Senator Stargel, **CS for CS for HB 1411**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Flores	Lee
Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Dean	Hukill	Stargel
Diaz de la Portilla	Hutson	
Evers	Latvala	

Nays—15

Abruzzo	Gibson	Sachs
Braynon	Joyner	Smith
Bullard	Margolis	Sobel
Clemens	Montford	Soto
Detert	Ring	Thompson

CS for HB 1297—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 112.64, F.S.; authorizing a county to apply proceeds of a pension liability surtax toward reducing the unfunded liability of a defined benefit retirement plan or system; specifying the method of determining the amortization schedule if a surtax is approved; amending s. 212.055, F.S.; authorizing a county to levy a pension liability surtax by ordinance if certain conditions are met; prescribing the form of the ballot statement; requiring the Department of Revenue to distribute the surtax proceeds, less administrative fees; specifying the manner in which a local government may use the surtax proceeds; prescribing requirements for the ordinance that provides for the imposition of the surtax; specifying conditions under which the surtax terminates; limiting the combined rate of specified discretionary sales surtaxes; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 1297** was passed and certified to the House. The vote on passage was:

Yeas—35

Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Bradley	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Lee	Soto
Detert	Legg	Stargel
Diaz de la Portilla	Margolis	Thompson
Evers	Montford	

Nays—1

Brandes

Vote after roll call:

Yea—Mr. President, Galvano, Garcia

CS for CS for HB 931—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss projection models in establishing certain rates; authorizing the use of specified information by certain entities in analyzing risks or developing rating plans; prohibiting the use of such information for the direct solicitation of policyholders; requiring the corporation to revise certain programs by a specified date; requiring the corporation to publish a periodic schedule of cycles for certain purposes; specifying information required to be included in certain take-out requests; requiring the corporation to maintain and make available specified lists of insurers requesting to take out a policy; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding policy renewal options; providing an effective date.

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

On motion by Senator Flores, **CS for CS for HB 931**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel

Nays—None

CS for HB 1157—A bill to be entitled An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; directing the Department of Education to award certain postsecondary course credit to veterans; amending s. 1007.27, F.S.; directing the Department of Education to award postsecondary course credit for specified examina-

tions and tests; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for HB 1157** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for CS for HB 183—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; providing procedures for agencies to follow when initiating rulemaking after certain public hearings; limiting reliance upon an unadopted rule in certain circumstances; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing for additional notice of rule development, proposals, and adoptions in the Florida Administrative Register; requiring certain agencies to provide additional e-mail notifications concerning specified rulemaking and rule development activities; providing that failure to follow certain provisions does not constitute grounds to challenge validity of a rule; amending s. 120.56, F.S.; clarifying language; amending s. 120.57, F.S.; conforming proceedings that oppose agency action based on an invalid or unadopted rule to proceedings used for challenging rules; authorizing the administrative law judge to make certain findings on the validity of certain alleged unadopted rules; authorizing a petitioner to file certain collateral challenges regarding the validity of a rule; authorizing the administrative law judge to consolidate proceedings in such rule challenges; providing that agency action may not be based on an invalid or unadopted rule; amending s. 120.68, F.S.; specifying legal authority to file a petition challenging an agency rule as an invalid exercise of delegated legislative authority; amending s. 120.695, F.S.; removing obsolete provisions with respect to required agency review and designation of minor violations; requiring agency review and certification of minor violation rules by a specified date; requiring minor violation certification for all rules adopted after a specified date; requiring public notice; providing applicability; amending s. 403.8141, F.S.; requiring administrative challenges to proposed regulatory permits related to special events to follow certain summary hearing provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for CS for CS for HB 183** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Benacquisto	Bullard
Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert

Diaz de la Portilla	Hutson	Sachs
Evers	Joyner	Simmons
Flores	Latvala	Simpson
Gaetz	Lee	Smith
Galvano	Legg	Sobel
Garcia	Margolis	Soto
Gibson	Montford	Stargel
Grimsley	Negron	Thompson
Hays	Richter	
Hukill	Ring	

Nays—None

CS for CS for HB 7007—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; creating s. 15.0521, F.S.; designating tupelo honey as the official state honey; amending s. 482.111, F.S.; revising requirements for issuance of an original pest control operator’s certificate; amending s. 482.1562, F.S.; revising the date by which an application for recertification of a limited certification for urban landscape commercial fertilizer application is required; removing provisions imposing late renewal charges; providing a grace period for such recertification; amending s. 500.03, F.S.; revising the definition of the term “food” and defining the term “vehicle” for purposes of the Florida Food Safety Act; amending s. 500.10, F.S.; providing that food transported under specified conditions or containing ingredients for which there is inadequate information is deemed adulterated; providing conditions under which a dietary supplement or its ingredients is deemed adulterated; amending s. 500.11, F.S.; providing that a food is deemed misbranded for noncompliance with specified allergen information; creating s. 500.90, F.S.; preempting to the department the regulatory authority for the use and sale of polystyrene products by certain entities; providing applicability; amending s. 570.07, F.S.; revising powers and duties of the department to include sponsoring events; authorizing the department to secure letters of patent, copyrights, and trademarks on work products and to engage in acts accordingly; amending s. 570.30, F.S.; removing electronic data processing and management information systems support for the department as a power and duty of the Division of Administration; amending s. 570.441, F.S.; authorizing the use of funds in the Pest Control Trust Fund for activities of the Division of Agricultural Environmental Services; amending s. 570.53, F.S.; revising duties of the Division of Marketing and Development to remove enforcement of provisions relating to dealers in agricultural products; amending s. 570.544, F.S.; revising duties of the director of the Division of Consumer Services to include enforcement of provisions relating to dealers in agricultural products and grain dealers; creating s. 570.68, F.S.; authorizing the Commissioner of Agriculture to create an Office of Agriculture Technology Services; providing duties of the office; amending s. 570.681, F.S.; revising legislative findings with regard to the Florida Agriculture Center and Horse Park; amending s. 570.685, F.S.; authorizing, rather than requiring, the department to provide administrative and staff support services, meeting space, and record storage for the Florida Agriculture Center and Horse Park Authority; amending s. 571.24, F.S.; providing legislative intent for the Florida Agricultural Promotional Campaign to serve as a marketing program for certain purposes; removing an obsolete provision relating to the designation of a Division of Marketing and Development employee as a member of the Advertising Intergency Coordinating Council; amending s. 571.27, F.S.; removing obsolete provisions relating to the authority of the department to adopt rules for entering into contracts with advertising agencies for services which are directly related to the Florida Agricultural Promotional Campaign; amending s. 571.28, F.S.; revising provisions specifying membership criteria of the Florida Agricultural Promotional Campaign Advisory Council; amending s. 576.041, F.S.; revising the frequency of fertilizer sales reports and the payment of related inspection fees; providing for such reports and fees to be made through the department’s website; revising the time by which such reports must be made and fees must be paid; creating s. 580.0365, F.S.; providing legislative intent with regard to regulation of commercial feed and feedstuff; preempting to the department the regulatory authority for commercial feed and feedstuff; amending s. 581.181, F.S.; providing applicability of provisions requiring treatment or destruction of infested or infected plants and plant

products; creating s. 581.189, F.S.; creating the Grove Removal or Vector Elimination (GROVE) Program within the department to provide cost-share funding for the removal or destruction of abandoned citrus groves; providing definitions; providing program procedures and requirements; directing the department to adopt rules; specifying that funding for the program is contingent upon specific legislative appropriation; amending s. 582.01, F.S.; revising definitions; amending s. 582.02, F.S.; revising legislative findings and intent with regard to the purpose of soil and water conservation districts; repealing s. 582.03, F.S., relating to the consequences of soil erosion; repealing s. 582.04, F.S., relating to appropriate corrective methods for conservation, development, and use of soil and water resources; repealing s. 582.05, F.S., relating to legislative policy for the conservation, development, and use of such resources; amending s. 582.055, F.S.; revising provisions relating to powers and duties of the department with regard to soil and water conservation districts; amending s. 582.06, F.S.; revising provisions relating to powers and duties of the Soil and Water Conservation Council; repealing s. 582.08, F.S., relating to additional powers of the department with regard to soil and water conservation districts; repealing s. 582.09, F.S., relating to the employment of an administrative officer of soil and water conservation; amending s. 582.16, F.S.; revising provisions for modifying soil and water conservation district boundaries; repealing s. 582.17, F.S., relating to the presumption that districts are established in accordance with specified provisions; amending s. 582.20, F.S.; revising provisions relating to powers and duties of soil and water conservation districts and district supervisors; repealing s. 582.21, F.S., relating to the adoption of land use regulations by soil and water conservation district supervisors; repealing s. 582.22, F.S., relating to the content of land use regulations adopted by soil and water conservation district supervisors; repealing s. 582.23, F.S., relating to the performance of work under land use regulations adopted by soil and water conservation district supervisors; repealing s. 582.24, F.S., relating to the board of adjustment; repealing s. 582.25, F.S., relating to rules of procedure of the board of adjustment; repealing s. 582.26, F.S., relating to petitions to the board of adjustment for land use variances; amending s. 582.29, F.S.; revising provisions directing state agencies and other governmental subdivisions of the state that manage publicly owned lands to cooperate with soil and water conservation district supervisors in implementing district programs and operations; repealing s. 582.331, F.S., relating to the establishment of a watershed improvement district within a soil and water conservation district; repealing s. 582.34, F.S., relating to the petition for establishment of a watershed improvement district within a soil and water conservation district; repealing s. 582.35, F.S., relating to notice and hearing on petition for establishment of a watershed improvement district within a soil and water conservation district and determination of need for such district; repealing s. 582.36, F.S., relating to determination of feasibility and referendum for a watershed improvement district within a soil and water conservation district; repealing s. 582.37, F.S., relating to consideration of referendum results for determination of feasibility and declaration of organization of a watershed improvement district within a soil and water conservation district; repealing s. 582.38, F.S., relating to organization of a watershed improvement district within a soil and water conservation district; repealing s. 582.39, F.S., relating to establishment of a watershed improvement district situated in more than one soil and water conservation district; repealing s. 582.40, F.S., relating to change of district boundaries including additions, detachments, transfers of land from one district to another, and change of district name; repealing s. 582.41, F.S., relating to the board of directors of a soil and water conservation district; repealing s. 582.42, F.S., relating to officers, agents, and employees of a watershed improvement district within a soil and water conservation district and issuance of surety bonds by, and annual audits of, such district; repealing s. 582.43, F.S., relating to the power of a watershed improvement district within a soil and water conservation district to levy taxes and to construct, operate, improve, and maintain works of improvement in such district and to obtain necessary lands or interests therein; repealing s. 582.44, F.S., relating to procedures for a watershed improvement district within a soil and water conservation district to levy taxes; repealing s. 582.45, F.S., relating to the fiscal power of the board of directors of a watershed improvement district within a soil and water conservation district to issue bonds; repealing s. 582.46, F.S., relating to additional powers of the board of directors of a watershed improvement district within a soil

and water conservation district; repealing s. 582.47, F.S., relating to the authority of a watershed improvement district within a soil and water conservation district to coordinate work with flood control districts; repealing s. 582.48, F.S., relating to discontinuance of a watershed improvement district within a soil and water conservation district; repealing s. 582.49, F.S., relating to discontinuance of a soil and water conservation district; repealing s. 589.26, F.S., relating to the authority of the Florida Forest Service to dedicate and reserve state park lands for public use; amending s. 595.402, F.S.; defining terms relating to school food and nutrition service programs; conforming a reference to changes made by the act; amending s. 595.404, F.S.; revising powers and duties of the department with regard to school food and nutrition programs; authorizing the department to conduct, supervise, and administer a farmers' market nutrition program for certain purposes; directing the department to collect and publish data on food purchased through specified programs; authorizing the department to enter into agreements with federal and state agencies to implement nutrition programs; amending s. 595.405, F.S.; revising requirements for school nutrition programs; providing for breakfast meals to be available to all students in schools that serve specified grade levels; conforming a reference to changes made by the act; amending s. 595.406, F.S.; renaming the "Florida Farm Fresh Schools Program" as the "Florida Farm to School Program"; authorizing the department to establish by rule a recognition program for certain sponsors; amending s. 595.407, F.S.; revising provisions of the children's summer nutrition program to include certain schools that serve specified grade levels; revising provisions relating to the duration of the program; authorizing school districts to exclude holidays and weekends; amending s. 595.408, F.S.; conforming references to changes made by the act; amending s. 595.501, F.S.; requiring entities to complete corrective action plans required by the department or a federal agency to be in compliance with school food and nutrition service programs; amending s. 595.601, F.S.; correcting a cross-reference; amending s. 601.31, F.S.; requiring citrus inspectors to be licensed and certified by the department rather than by the United States Department of Agriculture; amending s. 604.21, F.S.; revising affidavit requirements for an agricultural products dealer who files a complaint against another such dealer; amending s. 604.33, F.S.; removing provisions requiring grain dealers to submit monthly reports; authorizing, rather than requiring, the department to make at least one spot check annually of each grain dealer; providing an effective date.

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

On motion by Senator Montford, **CS for CS for HB 7007**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Stargel

CS for HB 1233—A bill to be entitled An act relating to Federal Home Loan Banks; amending s. 655.057, F.S.; authorizing the Office of Financial Regulation to furnish certain information relating to Federal Home Loan Banks pursuant to an information sharing agreement; re-

quiring the office to execute such agreement by a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for HB 1233** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	

Nays—None

Consideration of **CS for CS for SJR 170** was deferred.

CS for CS for CS for HB 535—A bill to be entitled An act relating to building codes; amending s. 468.609, F.S.; revising the certification examination requirements for building code inspectors, plans examiners, and building code administrators; requiring the Florida Building Code Administrators and Inspectors Board to provide for issuance of certain provisional certificates; amending s. 489.103, F.S.; providing an exemption for certain employees who make minor repairs to existing electric water heaters and to existing electric heating, ventilating, and air-conditioning systems under specified circumstances; providing that the exemption does not limit the authority of a municipality or county to adopt or enforce certain ordinances, rules, or regulations; amending s. 489.105, F.S.; revising the definition of the term “plumbing contractor”; amending s. 489.1401, F.S.; revising legislative intent with respect to the purpose of the Florida Homeowners’ Construction Recovery Fund; providing legislative intent that Division II contractors set apart funds to participate in the fund; amending s. 489.1402, F.S.; revising definitions; amending s. 489.141, F.S.; authorizing certain claimants to make a claim against the recovery fund for certain contracts entered into before a specified date; amending s. 489.1425, F.S.; revising a notification provided by contractors to certain residential property owners to state that payment from the recovery fund is limited; amending s. 489.143, F.S.; revising provisions concerning payments from the recovery fund; specifying claim amounts for certain contracts entered into on or after specified dates; providing aggregate caps for payments; amending s. 489.503, F.S.; exempting certain low-voltage landscape lighting from licensed electrical contractor installation requirements; amending s. 514.011, F.S.; defining the term “temporary pool”; amending s. 514.0115, F.S.; prohibiting a portable pool from being regulated as a public pool in certain circumstances; prohibiting a temporary pool from being regulated as a public pool; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 514.031, F.S.; prohibiting a portable pool from being used as a public pool unless it is exempt under s. 514.0115, F.S.; amending s. 515.27, F.S.; revising minimum requirements for a residential swimming pool to pass final inspection and receive a certificate of completion to include specified swimming pool alarms; amending s. 553.512, F.S.; revising the membership of the Accessibility Advisory Council; amending s. 553.721, F.S.; directing the Florida Building Code Compliance and Mitigation Program to fund, from existing resources, the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup; providing a limitation; requiring that a specified amount of funds from the surcharge be used to fund certain Florida Fire Prevention Code informal interpretations; requiring the State Fire Marshal to

adopt rules; amending s. 553.73, F.S.; authorizing local boards created to address specified issues to combine the appeals boards to create a single, local board; authorizing the local board to grant alternatives or modifications through specified procedures; providing quorum requirements; authorizing the appeal to a local administrative board of specified decisions made by a local fire official; specifying the decisions of the local building official and the local fire official which are subject to review; providing requirements for fire service access elevators and elevator lobbies in certain buildings; specifying standards for standpipes in high-rise buildings; amending s. 553.775, F.S.; revising membership on a panel that hears requests to review decisions of local building officials; amending s. 553.79, F.S.; providing grounds for disciplinary action against a plans reviewer or building code administrator; authorizing a building official to issue a permit for the construction of the foundation or any other part of a building or structure before the construction documents for the entire building or structure have been submitted; providing that the holder of such permit begins building at the holder’s own risk and without assurance that a permit for the entire structure will be granted; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; requiring the owner, lessee, or occupant of a property to register an alarm system under certain circumstances; requiring contractors and alarm system monitoring companies to provide notice to an owner, lessee, or occupant that registration of the alarm system may be required; exempting a contractor or alarm system monitoring company from specified fines and penalties; prohibiting local governmental entities from requiring notarization of an alarm system registration form; providing for pre-emption; amending s. 553.80, F.S.; prohibiting a local enforcement agency from charging additional fees related to the recording of a contractor’s license or workers’ compensation insurance; amending s. 553.842, F.S.; specifying additional approved evaluation entities; amending s. 553.844, F.S.; excluding certain work associated with the prevention of degradation of a residence from certain building permit requirements; reviving, readopting, and amending s. 553.844(4), F.S.; deleting an obsolete provision providing for expiration of requirements for the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; revising such requirements; amending s. 553.883, F.S.; exempting certain devices from certain smoke alarm battery requirements; amending s. 553.908, F.S.; providing for the amendment of portions of the Florida Building Code, Energy Conservation, related to certain buildings and dwelling units after a specified date; delaying the effective date of certain portions of the Florida Building Code, Energy Conservation, related to blower door testing; providing for the amendment of portions of the Florida Building Code, Mechanical, and Florida Building Code, Residential, related to air infiltration rates in a dwelling after a specified date; amending s. 553.998, F.S.; specifying the types of individuals from whom local enforcement agencies shall accept duct and air infiltration tests and may accept inspections; amending s. 633.202, F.S.; requiring all new high-rise and existing high-rise buildings to maintain a minimum radio signal strength for fire department communications; providing a transitory period for compliance; requiring existing apartment buildings that are not in compliance to initiate an application for an appropriate permit by a specified date; requiring areas of refuge to be required as determined by the Florida Building Code, Accessibility; amending s. 633.208, F.S.; authorizing fire officials to consider certain systems acceptable when identifying low-cost alternatives; amending s. 633.336, F.S.; authorizing a licensed fire protection contractor to subcontract for advanced technical services under certain circumstances; creating the Calder Sloan Swimming Pool Electrical-Safety Task Force within the commission; specifying the purpose of the task force; requiring a report to the Governor and Legislature; providing for membership; requiring the commission to provide staff, information, and other assistance to the task force; providing that members of the task force serve without compensation; providing for meetings; providing for expiration of the task force; creating the Construction Industry Workforce Task Force within the University of Florida M. E. Rinker, Sr., School of Construction Management; specifying the goals of the task force; providing for membership; requiring the school to provide assistance to the task force; providing for meetings; requiring a report to the Governor and Legislature; providing an appropriation from specified funds available to the Department of Business and Professional Regulation; providing for expiration of the task force; requiring the com-

mission to amend the Florida Building Code to define the term “fire separation distance,” to specify openings and roof overhang projection requirements, to adopt a specific energy rating index as an option for compliance, to provide for Climate Zone indices, to provide exceptions to shower lining requirements, and to provide minimum fire separation distances; requiring a restaurant, cafeteria, or similar dining facility to have sprinklers only under specified circumstances; amending ss. 125.56 and 553.79, F.S.; requiring counties and local enforcement agencies, respectively, to post all types of building permit applications on their websites; specifying the format in which completed applications must be submitted and the format in which payments, attachments, and drawings may be submitted; providing effective dates.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for CS for HB 535** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

CS for HB 627—A bill to be entitled An act relating to community contribution tax credits; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for HB 627** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

HB 85—A bill to be entitled An act relating to recovery care services; amending s. 395.001, F.S.; providing legislative intent regarding recovery care centers; amending s. 395.002, F.S.; revising and providing definitions; amending s. 395.003, F.S.; including recovery care centers as facilities licensed under chapter 395, F.S.; creating s. 395.0171, F.S.; providing admission criteria for a recovery care center; requiring emergency care, transfer, and discharge protocols; authorizing the Agency for Health Care Administration to adopt rules; amending s. 395.1055, F.S.; authorizing the agency to establish separate standards for the care and treatment of patients in recovery care centers; amending s. 395.10973, F.S.; directing the agency to enforce special-occupancy provisions of the Florida Building Code applicable to recovery care centers; amending s. 395.301, F.S.; providing for format and content of a patient bill from a recovery care center; amending s. 408.802, F.S.; providing applicability of the Health Care Licensing Procedures Act to recovery care centers; amending s. 408.820, F.S.; exempting recovery care centers from specified minimum licensure requirements; amending ss. 394.4787 and 409.975, F.S.; conforming cross-references; providing an effective date.

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

On motion by Senator Gaetz, **HB 85**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Consideration of **CS for CS for HB 1175** was deferred.

CS for HB 375—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; deleting provisions related to examination by the Department of Health; amending s. 459.022, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for HB 375** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Benacquisto	Bullard
Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert

Diaz de la Portilla	Hutson	Sachs
Evers	Joyner	Simmons
Flores	Latvala	Simpson
Gaetz	Lee	Smith
Galvano	Legg	Sobel
Garcia	Margolis	Soto
Gibson	Montford	Stargel
Grimsley	Negron	Thompson
Hays	Richter	
Hukill	Ring	

Nays—None

CS for CS for CS for HB 589—A bill to be entitled An act relating to environmental control; repealing s. 373.245, F.S., relating to violations of consumptive use permit conditions; amending s. 373.323, F.S.; revising eligibility requirements for taking the water well contractor licensure examination; amending s. 378.209, F.S.; providing conditions under which certain constructed clay settling areas are exempt from reclamation rate and financial responsibility requirements; amending s. 403.067, F.S.; authorizing the use of land set-asides and land use modifications, including constructed wetlands or other water quality improvement projects, in water quality credit trading; amending s. 403.201, F.S.; providing applicability of prohibited variances concerning discharges of waste into waters of the state and hazardous waste management; amending s. 403.709, F.S.; revising conditions under which the Department of Environmental Protection may use specified funds to contract with a third party for the closing and long-term care of solid waste management facilities; abrogating the scheduled expiration of such authorization; amending s. 403.814, F.S.; requiring Florida registered professionals to certify that certain stormwater management systems will meet additional requirements for a general permit; requiring that such certification be submitted to the department or water management district before construction of such stormwater management systems begins; reenacting s. 373.414(17), F.S., relating to variances for activities in surface waters and wetlands, to incorporate the amendment made by the act to s. 403.201, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for CS for HB 589** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson

Nays—None

Vote after roll call:

Yea—Simpson

CS for CS for CS for HB 439—A bill to be entitled An act relating to mental health services in the criminal justice system; amending ss. 39.001, 39.507, and 39.521, F.S.; conforming provisions to changes made by the act; amending s. 394.4655, F.S.; defining the terms “court” and “criminal county court” for purposes of involuntary outpatient placement; conforming provisions to changes made by act; amending ss.

394.4599 and 394.463, F.S.; conforming provisions to changes made by act; conforming cross-references; amending s. 394.455 and 394.4615, F.S.; conforming cross-references; amending s. 394.47891, F.S.; expanding eligibility for military veterans and servicemembers court programs; creating s. 394.47892, F.S.; authorizing the creation of treatment-based mental health court programs; providing for eligibility; providing program requirements; providing for an advisory committee; amending s. 790.065, F.S.; conforming a provision to changes made by this act; amending s. 910.035, F.S.; revising the definition of the term “problem-solving court”; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; authorizing the department to request specified budget amendments; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending s. 948.001, F.S.; defining the term “mental health probation”; amending ss. 948.01 and 948.06, F.S.; authorizing courts to order certain offenders on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into a pretrial mental health court program; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; requiring the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending ss. 948.01 and 948.06, F.S.; providing for courts to order certain defendants on probation or community control to post-adjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into pretrial mental health court program; amending s. 948.16, F.S.; expanding eligibility of veterans for a misdemeanor pretrial veterans’ treatment intervention program; providing eligibility of misdemeanor defendants for a misdemeanor pretrial mental health court program; amending s. 948.21, F.S.; expanding veterans’ eligibility for participating in treatment programs while on court-ordered probation or community control; amending s. 985.345, F.S.; authorizing delinquency pretrial mental health court intervention programs for certain juvenile offenders; providing for disposition of pending charges after completion of the program; authorizing expunction of specified criminal history records after successful completion of the program; reenacting s. 397.334(3)(a) and (5), F.S., relating to treatment-based drug court programs, to incorporate the amendments made by the act to ss. 948.01 and 948.06, F.S., in references thereto; reenacting s. 948.012(2)(b), F.S., relating to split sentence probation or community control and imprisonment, to incorporate the amendment made by the act to s. 948.06, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for CS for CS for HB 439** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for HB 769—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; provides for continuation of psychotropic medication by forensic and civil facilities for individuals receiving such medication before admission; amending s. 916.13, F.S.; providing a timeframe within which competency hearings must be held; requiring that a defendant be transported for the hearing; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants who remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; requiring that a defendant be transported for the hearing; providing an effective date.

—was read the third time by title.

On motion by Senator Legg, **CS for CS for HB 769** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for HB 1155—A bill to be entitled An act relating to membership associations; creating s. 617.221, F.S.; defining the term “membership association”; requiring a membership association to file an annual report with the Legislature; specifying report requirements; prohibiting a membership association from expending public funds on litigation against the state; requiring the Auditor General to conduct an annual financial and operational audit of membership associations; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, further consideration of **CS for HB 1155** was deferred.

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor’s reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions

are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of “full-time equivalent student”; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider’s contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of “full-time equivalent student”; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

—as amended March 4, was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Gaetz, the Senate reconsidered the vote by which engrossed **Amendment 1 (620160)** was adopted.

Senator Gaetz moved the following amendment:

Amendment 1 (620160) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsection (27) of section 1001.42, Florida Statutes, is redesignated as subsection (28), and a new subsection (27) is added to that section, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(27) *VISITATION OF SCHOOLS.*—Visit the schools, observe the management and instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school.

Section 2. Section 1001.67, Florida Statutes, is created to read:

1001.67 *Distinguished Florida College System Program.*—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College system institutions.

(1) *EXCELLENCE STANDARDS.*—The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) *DISTINGUISHED COLLEGE DESIGNATION.*—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) *DISTINGUISHED COLLEGE SUPPORT.*—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

Section 3. Paragraphs (a) and (b) of subsection (6), subsection (16), paragraph (a) of subsection (17), and paragraph (a) of subsection (22) of section 1002.20, Florida Statutes, are amended, and subsection (25) is added to that section, to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(6) *EDUCATIONAL CHOICE.*—

(a) *Public educational school choices.*—Parents of public school students may seek any ~~whatever~~ public educational school choice options that are applicable and available to students *throughout the state in their school districts*. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), CAPE digital tools, CAPE industry certifications, collegiate high school programs, Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public educational ~~school~~ choice options of the Opportunity

Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

(b) *Private educational school choices.*—Parents of public school students may seek private educational ~~school~~ choice options under certain programs.

1. Under the McKay Scholarships for Students with Disabilities Program, the parent of a public school student with a disability may request and receive a McKay Scholarship for the student to attend a private school in accordance with s. 1002.39.

2. Under the Florida Tax Credit Scholarship Program, the parent of a student who qualifies for free or reduced-price school lunch or who is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01 may seek a scholarship from an eligible nonprofit scholarship-funding organization in accordance with s. 1002.395.

3. *Under the Florida Personal Learning Scholarship Accounts Program, the parent of a student with a qualifying disability may apply for a personal learning scholarship to be used for individual educational needs in accordance with s. 1002.385.*

(16) *SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS; FISCAL TRANSPARENCY.*—Parents of public school students ~~have the right are entitled~~ to an easy-to-read report card about the school's grade designation or, if applicable under s. 1008.341, the school's improvement rating, and the school's accountability report, including the school financial report as required under s. 1010.215. *The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.*

(17) *ATHLETICS; PUBLIC HIGH SCHOOL.*—

(a) *Eligibility.*—Eligibility requirements for all students participating in high school athletic competition must allow a student to be *immediately* eligible in the school in which he or she first enrolls each school year, the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred ~~with approval of the district school board~~, in accordance with ~~the provisions of~~ s. 1006.20(2)(a).

(22) *TRANSPORTATION.*—

(a) *Transportation to school.*—Public school students shall be provided transportation to school, in accordance with ~~the provisions of~~ s. 1006.21(3)(a). *Public school students may be provided transportation to school in accordance with the controlled open enrollment provisions of s. 1002.31(2).*

(25) *FISCAL TRANSPARENCY.*—A parent has the right to know the average amount of money estimated to be expended from all local, state, and federal sources for the education of his or her child, including operating and capital outlay expenses. *By December 31 of each year, the department shall publish on its website from each school district's annual financial report, expenditures on a per FTE basis for general, special revenue, debt service, and capital project funds and a total of such expenditures. Fiduciary, enterprise, and internal service funds may not be included. By December 31 of each year, each school district shall publish the school district's funding information in the same format on its website. With the exception of expenditures from debt service and capital project funds, the same information regarding the specific school shall be made available to students on each school's website, provided to parents in the school financial report, and published in the student handbook or a similar publication.*

Section 4. Section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; Public school parental choice.—

(1) As used in this section, “controlled open enrollment” means a public education delivery system that allows school districts to make student school assignments using parents’ indicated preferential educational school choice as a significant factor.

(2)(a) *Beginning by the 2017-2018 school year, as part of a school district’s or charter school’s controlled open enrollment process, and in addition to the existing public school choice programs provided in s. 1002.20(6)(a), each district school board or charter school shall allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. The school district or charter school shall accept the student, pursuant to that school district’s or charter school’s controlled open enrollment process, and report the student for purposes of the school district’s or charter school’s funding pursuant to the Florida Education Finance Program. A school district or charter school may provide transportation to students described under this section.*

(b) *Each school district and charter school capacity determinations for its schools must be current and must be identified on the school district and charter school’s websites. In determining the capacity of each district school, the district school board shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35. Each charter school governing board shall determine capacity based upon its charter school contract.*

(c) *Each district school board and charter school governing board must provide preferential treatment in its controlled open enrollment process to all of the following:*

1. *Dependent children of active duty military personnel whose move resulted from military orders.*
2. *Children who have been relocated due to a foster care placement in a different school zone.*
3. *Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*
4. *Students residing in the school district.*

(d) *As part of its controlled open enrollment process, a charter school must provide preferential treatment in its controlled open enrollment participation process to the enrollment limitations pursuant to s. 1002.33(10)(e)1., 2., 5., 6., and 7, and may provide preferential treatment for the enrollment preferences pursuant to s. 1002.33(10)(d)4.b., if such special purposes are identified in the charter agreement. Each charter school shall annually post on its website the application process required to participate in controlled open enrollment, consistent with this section and s. 1002.33.*

(e) *Students residing in the district, including charter school students, may not be displaced by a student from another district seeking enrollment under the controlled open enrollment process.*

(f) *For purposes of continuity of educational choice, a student who transfers pursuant to this section may remain at the school chosen by the parent until the student completes the highest grade level at the school ~~may offer controlled open enrollment within the public schools which is in addition to the existing choice programs such as virtual instruction programs, magnet schools, alternative schools, special programs, advanced placement, and dual enrollment.~~*

(3) ~~Each district school board offering controlled open enrollment shall adopt by rule and post on its website the process required to participate in controlled open enrollment. The process a controlled open enrollment plan which must:~~

- (a) Adhere to federal desegregation requirements.

(b) ~~Allow~~ ~~Include an application process required to participate in controlled open enrollment that allows~~ parents to declare school preferences, including placement of siblings within the same school.

(c) Provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.

(d) Afford parents of students in multiple session schools preferred access to controlled open enrollment.

(e) Maintain socioeconomic, demographic, and racial balance.

(f) Address the availability of transportation.

(g) *Maintain existing academic eligibility criteria for public school choice programs pursuant to s. 1002.20(6)(a).*

(h) *Identify schools that have not reached capacity, as determined by the school district.*

(i) *Ensure that each district school board adopts a policy to provide preferential treatment pursuant to paragraph (2)(c).*

(4) In accordance with the reporting requirements of s. 1011.62, each district school board shall annually report the number of students ~~exercising public school choice, by type attending the various types of public schools of choice in the district, in accordance with including schools such as virtual instruction programs, magnet schools, and public charter schools, according to~~ rules adopted by the State Board of Education.

(5) For a school or program that is a public school of choice under this section, the calculation for compliance with maximum class size pursuant to s. 1003.03 is the average number of students at the school level.

(6)(a) *A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment or a choice program from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.*

(b) *A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:*

1. *Dependent children of active duty military personnel whose move resulted from military orders.*
2. *Children who have been relocated due to a foster care placement in a different school zone.*
3. *Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*
4. *Authorized for good cause in district or charter school policy.*

Section 5. Subsection (1), paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (6), paragraphs (a) and (d) of subsection (7), paragraphs (g), (n), and (p) of subsection (9), paragraph (d) of subsection (10), paragraphs (b) and (e) of subsection (17), paragraph (a) of subsection (18), and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended, and a new paragraph (g) is added to subsection (17) of that section, to read:

1002.33 Charter schools.—

(1) AUTHORIZATION.—Charter schools shall be part of the state’s program of public education. All charter schools in Florida are public schools. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(d) to provide full-time online instruction to eligible students, pursuant to s. 1002.455, in kindergarten through grade 12. *An existing A charter school that is seeking to become a virtual charter school must amend its charter or submit a new application pursuant to subsection (6) to be-*

come a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subsections (18) and (19), subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.

(2) GUIDING PRINCIPLES; PURPOSE.—

(a) Charter schools in Florida shall be guided by the following principles:

1. Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state’s public school system.

2. Promote enhanced academic success and financial efficiency by aligning responsibility with accountability.

3. Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year’s worth of learning for every year spent in the charter school. *For a student who exhibits a substantial deficiency in reading, as determined by the charter school, the school shall notify the parent of the deficiency, the intensive interventions and supports used, and the student’s progress in accordance with s. 1008.25(5).*

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity ~~seeking~~ ~~wishing~~ to open a charter school shall prepare and submit an application on a model application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny an application ~~a charter~~ if the school does not propose a reading curriculum that is *evidence-based and includes explicit, systematic, and multisensory reading instructional strategies; however, a sponsor may not require the charter school to implement the reading plan adopted by the school district pursuant to s. 1011.62(9) consistent with effective teaching strategies that are grounded in scientifically based reading research.*

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. *Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.*

~~7.6.~~ Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8.7- For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(b) A sponsor shall receive and review all applications for a charter school using ~~the~~ ~~an~~ evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district’s next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application on or before May 1 with an application fee of \$500. If a draft application is timely submitted, the sponsor shall review and provide feedback as to material deficiencies in the application by July 1. The applicant shall then have until August 1 to resubmit a revised and final application. The sponsor may approve the draft application. *Except as provided for a draft application,* a sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any final application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the ~~charter~~ application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school’s educational program does not substantially replicate that of the applicant or one of the applicant’s high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education and, if an appeal is filed, must provide a copy of the appeal to the sponsor pursuant to paragraph (c) ~~sub-subparagraph (c) 3. b.~~

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of ~~an a-charter~~ application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of ~~an a-charter~~ application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this subparagraph for good cause.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and *evidence-based* ~~grounded in scientifically based reading research.~~

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the

charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. *Admission or dismissal must not be based on a student's academic performance.*

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including

whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

~~(d) A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter~~

~~school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o). Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, charter school employee, or individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate individual representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website if a website is maintained by the school. The sponsor may not require that governing board members reside in the school district in which the charter school is located if the charter school complies with this paragraph.~~

~~2. Each charter school's governing board must hold at least two public meetings per school year in the school district. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her equivalent, must be physically present at each meeting.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(g)1. In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

a. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

b. At the discretion of the charter school's governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

2. Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph.

3. A charter school shall, *upon approval of the charter contract*, provide the sponsor with a concise, uniform, monthly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental funds format prescribed by the Governmental Accounting Standards Board. A high-performing charter school pursuant to s. 1002.331 may provide a quarterly financial statement in the same format and requirements as the uniform monthly financial statement summary sheet. *The sponsor shall review each monthly or quarterly financial statement to identify the existence of any conditions identified in s. 1002.345(1)(a).*

4. A charter school shall maintain and provide financial information as required in this paragraph. The financial statement required in subparagraph 3. must be in a form prescribed by the Department of Education.

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin im-

plementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades of “D,” two consecutive grades of “D” followed by a grade of “F,” or two non-consecutive grades of “F” within a 3-year period, the charter school governing board shall choose one of the following corrective actions:

(I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;

(II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;

(III) Reorganize the school under a new director or principal who is authorized to hire new staff; or

(IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade of “D,” a grade of “F” following two consecutive grades of “D,” or a second non-consecutive grade of “F” within a 3-year period.

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of “F” is subject to subparagraph 4.

d. A charter school is no longer required to implement a corrective action if it improves by at least one letter grade. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school’s continued improvement pursuant to subparagraph 5.

e. A charter school implementing a corrective action that does not improve by at least one letter grade after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of “F” while implementing a corrective action is subject to subparagraph 4.

3. A charter school with a grade of “D” or “F” that improves by at least one letter grade must continue to implement the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school’s continued improvement pursuant to subparagraph 5.

4. ~~A charter school’s charter contract is automatically terminated if the school earns two consecutive grades of “F” after all school grade appeals are final. The sponsor shall terminate a charter if the charter school earns two consecutive grades of “F” unless:~~

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)3. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school that earned a grade of “F” in the year before the charter school opened and the charter school earns at least a grade of “D” in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department’s official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school’s governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

5. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

6. Notwithstanding any provision of this paragraph except sub-subparagraphs 4.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school’s academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school’s annual budget and its annual independent fiscal audit; the school’s grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. *Each charter school’s governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative’s contact information must be provided annually in writing to parents and posted prominently on the charter school’s website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.*

3. *Each charter school’s governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school’s operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Administration Commission under s. 120.54(5).*

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. Students who are the children of:

a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or

b. A resident or employee of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school.

5. Students who have successfully completed a voluntary pre-kindergarten education program under ss. 1002.51-1002.79 provided by the charter school or the charter school's governing board during the previous year.

6. Students who are the children of an active duty member of any branch of the United States Armed Forces.

7. *Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).*

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation, the research-based reading allocation, and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.

(e) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. *Payments of funds under paragraph (b) shall be made monthly or twice a month, beginning with the start of the district school board's fiscal year. Each payment shall be one-twelfth, or one twenty-fourth, as applicable, of the total state and local funds described in paragraph (b) and adjusted as set forth therein. For the first 2 years of a charter school's operation, if a minimum of 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the district school board shall may distribute funds to the a charter school for the up to 2 months of July through October based on the projected full-time equivalent student membership of the charter school as submitted in the approved application. If less than 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the sponsor shall base payments on the actual number of student enrollment entered into the sponsor's student information system. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The*

payments payment shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds or the date the payment is due pursuant to this subsection. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued. The district school board may not delay payment to a charter school of any portion of the funds provided in paragraph (b) based on the timing of receipt of local funds by the district school board.

(g) To be eligible for public education capital outlay (PECO) funds, a charter school must be located in the State of Florida.

(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. ~~Beginning July 1, 2011,~~ A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools that are not charter schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. *If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded attorney fees and court costs.*

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s. 1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(3) ~~or 1013.62(2)~~.

3. For high-performing charter schools, as defined in s. 1002.331 ~~ch. 2011-232~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

- a. Includes both conversion charter schools and nonconversion charter schools;
- b. Has all schools located in the same county;
- c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- d. Has the same governing board; and
- e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(3) ~~or 1013.62(2)~~.

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 6. Section 1001.66, Florida Statutes, is created to read:

1001.66 *Florida College System Performance-Based Incentive.*—

(1) *A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance*

funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.

(3)(a) *Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.*

(b) *A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. Beginning in the 2017-2018 fiscal year, the ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.*

(c) *The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.*

(4) *Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.*

(5) *By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.*

(6) *The State Board of Education shall adopt rules to administer this section.*

Section 7. Section 1001.92, Florida Statutes, is amended to read:

1001.92 *State University System Performance-Based Incentive.*—

(1) *A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model ~~metrics~~ shall consist of the state's investment in ~~appropriation for per-~~*

formance funding, ~~including increases in base funding~~ plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System; in an amount provided in the General Appropriations Act. *The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding.* The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based funding model ~~metrics~~.

(3)(a) A state university that fails to meet the Board of Governors' minimum *institutional investment performance funding eligibility* threshold shall have ~~a portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university ~~that is~~ determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation which must reflect the rankings and award distributions.

(6) *The Board of Governors shall adopt regulations to administer this section expires July 1, 2016.*

Section 8. Subsection (4) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(4) **ONLINE COURSE REQUIREMENT.**—At least one course within the 24 credits required under this section must be completed through online learning. ~~A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester.~~

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills ~~this~~ requirement *in this subsection. The This* requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets ~~the this~~ requirement.

(b) *A district school board or a charter school governing board, as applicable, may offer students the following options to satisfy the online course requirement in this subsection:*

1. *Completion of a course in which a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passage of the information technology certification examination without enrollment in or completion of the corresponding course or courses, as applicable.*

2. *Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.*

For purposes of this subsection, a school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. This subsection requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 9. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.62, Florida Statutes, made by chapter 2015-222, Laws of Florida, paragraph (a) of subsection (4) of that section is amended, present subsections (13), (14), and (15) of that section are redesignated as subsections (14), (15), and (16), respectively, a new subsection (13) is added to that section, and present subsection (14) of that section is amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) **COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.**—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days ~~before~~ *prior to* July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) **FEDERALLY CONNECTED STUDENT SUPPLEMENT.**—*The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.*

(c) *The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).*

(14)(13) **QUALITY ASSURANCE GUARANTEE.**—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) (14), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) (14) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE

student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 10. Section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools *as specified in this section.*

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 3 or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. *Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available ~~stability for future operation as a charter school.~~*

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

~~(b) The first priority for charter school capital outlay funding is to allocate to charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student, up to the lesser of the actual number of capital outlay full-time equivalent students in the current year, or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth greater than the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation must be allocated to all eligible charter schools.~~

~~(c) A charter school's allocation may not exceed one fifteenth of the cost per student station specified in s. 1013.64(6)(b). Before releasing capital outlay funds to a school district on behalf of the charter school, the Department of Education must ensure that the district school board and the charter school governing board enter into a written agreement that provides for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3) if the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund.~~

~~(b)(4)~~ A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, and other affiliated parties of charter schools. A charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;

2. Owned by an organization, qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution, the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College System institution, or state university; or

3. Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For purposes of this paragraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that individually or through one or more entities that share common ownership or control that directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, that directly or indirectly manages, administers, controls, or oversees the operation of any of the foregoing.

(d) The funding allocation for eligible charter schools shall be calculated as follows:

1. Eligible charter schools shall be grouped into categories based on their student populations according to the following criteria:

a. Seventy-five percent or greater who are eligible for free or reduced-price school lunch.

b. Twenty-five percent or greater with disabilities as defined in state board rule and consistent with the requirements of the Individuals with Disabilities Education Act.

2. If an eligible charter school does not meet the criteria for either category under subparagraph 1., its FTE shall be provided as the base amount of funding and shall be assigned a weight of 1.0. An eligible charter school that meets the criteria under sub-subparagraph 1.a. or sub-subparagraph 1.b. shall be provided an additional 25 percent above the base funding amount, and the total FTE shall be multiplied by a weight of 1.25. An eligible charter school that meets the criteria under both sub-subparagraphs 1.a. and 1.b. shall be provided an additional 50 percent above the base funding amount, and the FTE for that school shall be multiplied by a weight of 1.5.

3. The state appropriation for charter school capital outlay shall be divided by the total weighted FTE for all eligible charter schools to determine the base charter school per weighted FTE allocation amount. The per weighted FTE allocation amount shall be multiplied by the weighted FTE to determine each charter school's capital outlay allocation.

~~(e) Unless otherwise provided in the General Appropriations Act, the funding allocation for each eligible charter school is determined by multiplying the school's projected student enrollment by one fifteenth of~~

~~the cost per student station specified in s. 1013.64(6)(b) for an elementary, middle, or high school, as appropriate. If the funds appropriated are not sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, a charter school or charter lab school may not receive state charter school capital outlay funds greater than the one fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds the one fifteenth cost per student station formula.~~

~~(2)(a)(f) The department shall calculate the eligible charter school funding allocations. Funds shall be allocated using distributed on the basis of the capital outlay full-time equivalent membership from by grade level, which is calculated by averaging the results of the second and third enrollment surveys and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.~~

~~(b) The department of Education shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter schools.~~

~~(3)(2) A charter school's governing body may use charter school capital outlay funds for the following purposes:~~

~~(a) Purchase of real property.~~

~~(b) Construction of school facilities.~~

~~(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.~~

~~(d) Purchase of vehicles to transport students to and from the charter school.~~

~~(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.~~

~~(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.~~

~~(g) Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.~~

~~(h) Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.~~

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

~~(4)(3) If when a charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with district public funds shall revert to the ownership of the district school board, as provided for in s. 1002.33(8)(e) and (f). In the case of a charter lab school, any unencumbered funds and all equipment and property purchased with university public funds shall revert to the ownership of the state university that issued the charter. The reversion of such~~

equipment, property, and furnishings shall focus on recoverable assets, but not on intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. The reversion of all property secured with public funds is subject to the complete satisfaction of all lawful liens or encumbrances. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.

(5)(4) The Commissioner of Education shall specify procedures for submitting and approving requests for funding under this section and procedures for documenting expenditures.

(6)(5) The annual legislative budget request of the Department of Education shall include a request for capital outlay funding for charter schools. The request shall be based on the projected number of students to be served in charter schools who meet the eligibility requirements of this section. ~~A dedicated funding source, if identified in writing by the Commissioner of Education and submitted along with the annual charter school legislative budget request, may be considered an additional source of funding.~~

~~(6) Unless authorized otherwise by the Legislature, allocation and proration of charter school capital outlay funds shall be made to eligible charter schools by the Commissioner of Education in an amount and in a manner authorized by subsection (1).~~

Section 11. Paragraphs (a) and (b) of subsection (2) and paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the “Special Facility Construction Account.” The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. ~~A No district may not shall~~ receive funding for more than one approved project in any 3-year period ~~or while any portion of the district’s participation requirement is outstanding.~~ The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. ~~Before~~ ~~Prior to~~ developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the *chair of the committee* to include two representatives of the department and two staff members from school districts not eligible to participate in the program. *A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department’s next annual capital outlay legislative budget request, the preapplication review request must be made before February 1.* Within 90 ~~60~~ days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida

Inventory of School Houses; the district’s pattern of student growth; the district’s existing and projected capital outlay full-time equivalent student enrollment as determined by the *demographic, revenue, and education estimating conferences established in s. 216.136* ~~department~~; the district’s existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or *survey amendment cooperatively prepared* ~~surveys~~ by the district *and the department, and approved by the department* under the rules of the State Board of Education. *If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.*

3. The construction project must appear on the district’s approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) *except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district’s control as determined by the Special Facility Construction Committee.*

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. *For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district’s participation requirement of 3 years, levy the maximum millage against its their nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district’s nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of 1 mill 1.5 mills per year to the project until the district’s to satisfy the annual participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied in the Special Facility Construction Account.*

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its ~~3-year~~ commitment to satisfy its participation requirement, which is equivalent to ~~of~~ all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.

12. Final phase III plans must be certified by the *district school board* as complete and in compliance with the building and life safety codes before June 1 of the year the application is made ~~prior to August 1~~.

(b) The Special Facility Construction Committee shall be composed of the following: two representatives of the Department of Education, a representative from the Governor's office, a representative selected annually by the district school boards, and a representative selected annually by the superintendents. *A representative of the department shall chair the committee.*

(6)

(b)1. A district school board ~~may not~~ use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

- a. \$17,952 for an elementary school,
- b. \$19,386 for a middle school, or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. *School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The department shall make the final determination on district compliance based on the recommendation of the Auditor General.*

3. *The Office of Program Policy Analysis and Government Accountability (OPPAGA), in consultation with the department, shall:*

a. *Conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of core facilities, including required media centers, gymnasiums, music rooms, cafeterias and their associated kitchens and food service areas, vocational areas, and other defined specialty areas, including exceptional student education areas. The study must take into account appropriate cost-effectiveness factors in school construction and should include input from industry experts. OPPAGA must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.*

b. *Conduct a study of the State Requirements for Education Facilities (SREF) to identify current requirements that can be eliminated or modified in order to decrease the cost of construction of educational facilities while ensuring student safety. OPPAGA must provide the results of the study, and an overall recommendation as to whether SREF should be retained, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.*

4. *Effective July 1, 2017, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index.*

5.2. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

(c) Except as otherwise provided, new construction initiated by a district school board on or after July 1, 2017, ~~may after June 30, 1997, must not~~ exceed the cost per student station as provided in paragraph (b). A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be subject to sanctions. If the Auditor General determines that the cost per student station overage is de minimus or due to extraordinary circumstances outside the control of the district, the sanctions shall not apply. The sanctions are as follows:

1. *The school district shall be ineligible for allocations from the Public Education Capital Outlay and Debt Service Trust Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.*

2. *The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.*

a. *Each oversight committee shall be composed of the following:*

(I) *One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.*

(II) *One appointee of the office of the state attorney with jurisdiction over the district.*

(III) *One appointee of the Chief Financial Officer who is a licensed certified public accountant.*

b. *An appointee to the oversight committee may not be employed by the school district; be a relative, as defined in s. 1002.33(24)(a)2., of any school district employee; or be an elected official. Each appointee must sign an affidavit attesting to these conditions and affirming that no conflict of interest exists in his or her oversight role.*

(d) The department shall:

1. Compute for each calendar year the statewide average construction costs for facilities serving each instructional level, for relocatable educational facilities, for administrative facilities, and for other ancillary and auxiliary facilities. The department shall compute the statewide average costs per student station for each instructional level.

2. Annually review the actual completed construction costs of educational facilities in each school district. For any school district in which the total actual cost per student station, including change orders, exceeds the statewide limits established in paragraph (b), the school district shall report to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall provide these reports to the Auditor General for verification purposes ~~report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31 of each year a summary of each school district's spending in excess of the cost per student station provided in paragraph (b) as reported by the school districts.~~

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs. Cost per student station does not include the cost of purchasing or leasing the site for the construction or the cost of related offsite improvements.

~~(c) The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of ss. 212.055 and 1011.73 and s. 9, Art. VII of the State Constitution, if the school board approves the project by majority vote.~~

Section 12. Paragraph (a) of subsection (3) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a1. ~~The calculation of “full-time equivalent student” shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to s. 1011.61(4). For a student in grades 9 through 12, a “full-time equivalent student” is one student who has successfully completed six full-credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full-credit courses is a fraction of a full-time equivalent student. Half-credit course completions shall be included in determining a full-time equivalent student.~~

~~2. For a student in kindergarten through grade 8, a “full-time equivalent student” is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.~~

~~2.3. For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a). Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment or for a student who enrolls in a segmented remedial course delivered online.~~

~~For purposes of this paragraph, the calculation of “full-time equivalent student” shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to the requirements in s. 1011.61(4).~~

Section 13. Subsection (4) is added to section 1002.391, Florida Statutes, to read:

1002.391 Auditory-oral education programs.—

(4) *Beginning with the 2017-2018 school year, a school district shall add four special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.*

Section 14. Paragraphs (c) and (d) of subsection (1), paragraph (e) of subsection (7), and paragraphs (c) and (d) of subsection (8) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(c) To provide students with the option of participating in virtual instruction programs as required by paragraph (b), a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School for the provision of a program under paragraph (b). Using this option is subject to the requirements of this section and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which was completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.

2. Contract with an approved provider under subsection (2) for the provision of a full-time or part-time program under paragraph (b).

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under paragraph (b) for students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements that may be executed by a regional consortium for its member districts. A multidistrict contractual arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. These arrangements may be used to fulfill the requirements of paragraph (b).

(d) A virtual charter school may provide full-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:

1. Contract with the Florida Virtual School.
2. Contract with an approved provider under subsection (2).

3. Enter into an agreement with a school district to allow the participation of the virtual charter school's students in the school district's virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

~~(c) Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(8) ASSESSMENT AND ACCOUNTABILITY.—

(c) An approved provider that receives a school grade of “D” or “F” under s. 1008.34 or a school improvement rating of “Unsatisfactory” ~~“Declining”~~ under s. 1008.341 must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) An approved provider's contract must be terminated if the provider receives a school grade of “D” or “F” under s. 1008.34 or a school improvement rating of “Unsatisfactory” ~~“Declining”~~ under s. 1008.341 for 2 years during any consecutive 4-year period or has violated any qualification requirement pursuant to subsection (2). A provider that has a contract terminated under this paragraph may not be an approved provider for a period of at least 1 year after the date upon which the

contract was terminated and until the department determines that the provider is in compliance with subsection (2) and has corrected each cause of the provider's low performance.

Section 15. Section 1003.3101, Florida Statutes, is created to read:

1003.3101 Additional educational choice options.—Each school district board shall establish a transfer process for a parent to request his or her child be transferred to another classroom teacher. This section does not give a parent the right to choose a specific classroom teacher. A school must approve or deny the transfer within 2 weeks after receiving a request. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication.

Section 16. Subsection (3) of section 1003.4295, Florida Statutes, is amended to read:

1003.4295 Acceleration options.—

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in courses required for high school graduation through passage of an end-of-course assessment ~~Algebra I, Algebra II, geometry, United States history, or biology if the student passes the statewide, standardized assessment administered under s. 1008.22, an Advanced Placement Examination, or a College Level Examination Program (CLEP).~~ Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding ~~end-of-course assessment, Advanced Placement Examination, or CLEP statewide, standardized assessment.~~ The school district shall permit a *public school or home education* student who is not enrolled in the course, or who has not completed the course, to take the assessment *or examination* during the regular administration of the assessment *or examination*.

Section 17. Effective June 29, 2016, section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education ~~Pilot~~ Program.—

(1) The Adults with Disabilities Workforce Education ~~Pilot~~ Program is established in the Department of Education ~~through June 30, 2016,~~ in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the ~~pilot~~ program may continue to participate in the program until the student graduates from high school or reaches the age of 40 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a non-profit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the ~~pilot~~ program may be sectarian or nonsectarian and must:

- (a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student's progress.
- (b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.
- (c) Meet state and local health and safety laws and codes.

(d) Provide to the provider of supported employment services all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the ~~pilot~~ program.

(6)(a) If the student chooses to participate in the ~~pilot~~ program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the ~~pilot~~ program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student's or parent's attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. ~~During the pilot program,~~ The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the ~~pilot~~ program, and subsequent payments shall be made upon verification of continued participation in the ~~pilot~~ program. Payment must be by individual warrant made payable to the student or parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall re-

strictly endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 18. Subsection (3) and paragraph (a) of subsection (8) of section 1006.15, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)(a) *As used in this section and s. 1006.20, the term “eligible to participate” includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:*

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student’s parents, if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student’s participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student’s work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend, pursuant to district or interdistrict controlled open enrollment provisions, in any interscholastic extracurricular activity of that school, unless such activity is provided by the student’s charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to attend, pursuant to district or interdistrict-controlled open enrollment policies,~~ if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).
2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.
3. Meets the same residency requirements as other students in the school at which he or she participates.
4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.
5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before the beginning date of the season for the activity in which he or she wishes to participate. A Florida Virtual School student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).

(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).

(h)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment, or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

- a. *Dependent children of active duty military personnel whose move resulted from military orders.*
- b. *Children who have been relocated due to a foster care placement in a different school zone.*
- c. *Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*
- d. *Authorized for good cause in district or charter school policy.*

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with each district school board, shall facilitate a program in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA ~~and does not offer an interscholastic or intrascholastic athletic program.~~
2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board. At a minimum, such guidelines shall provide:

a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.

b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance which apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. *Dependent children of active duty military personnel whose move resulted from military orders.*
2. *Children who have been relocated due to a foster care placement in a different school zone.*
3. *Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*
4. *Authorized for good cause in district or charter school policy.*

Section 19. Section 1006.195, Florida Statutes, is created to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. *A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.*
2. *A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(3)(h).*
3. *A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).*

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(3)(c)-(e) and (8), are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

(c) The provisions of this subsection apply to interscholastic and intrascholastic extracurricular activities conducted by charter schools and private schools, as applicable, except that the charter school governing

board, or equivalent private school authority, is responsible for the authority and responsibility otherwise provided to district school boards.

(2)(a) *The Florida High School Athletic Association (FHSAA) continues to retain jurisdiction over the following provisions in s. 1006.20, which may not be implemented in a manner contrary to this section: membership in the FHSAA; recruiting prohibitions and violations; student medical evaluations; investigations; and sanctions for coaches; school eligibility and forfeiture of contests; student concussions or head injuries; the sports medical advisory committee; and the general operational provisions of the FHSAA.*

(b) *The FHSAA must adopt, and prominently publish, the text of this section on its website and in its bylaws, rules, procedures, training and education materials, and all other governing authority documents by August 1, 2016.*

Section 20. Subsection (1) and paragraphs (a), (b), (c), and (g) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. *The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association.* The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, “high school” includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be *immediately* eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws shall also allow the student to be *immediately* eligible in the school to which the student has transferred ~~during the school year if the transfer is made by a deadline established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport. These transfers shall be allowed pursuant to the district school board policies in the case of transfer to a public school or pursuant to the private school policies in the case of transfer to a private school.~~ The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the FHSAA’s bylaws.

Requirements governing eligibility and transfer between member schools shall be applied similarly to public school students and private school students.

(b) The FHSAA shall adopt bylaws that specifically prohibit the recruiting of students for athletic purposes. The bylaws shall prescribe penalties and an appeals process for athletic recruiting violations.

1. If it is determined that a school has recruited a student in violation of FHSAA bylaws, the FHSAA may require the school to participate in a higher classification for the sport in which the recruited student competes for a minimum of one classification cycle, in addition to the penalties in subparagraphs 2. and 3., and any other appropriate fine or ~~and~~ sanction imposed on the school, its coaches, or adult representatives who violate recruiting rules.

2. *Any recruitment by a school district employee or contractor in violation of FHSAA bylaws results in escalating punishments as follows:*

a. *For a first offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.*

b. *For a second offense, suspension without pay for 12 months from coaching, directing, or advertising an extracurricular activity and a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.*

c. *For a third offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation. If the individual who committed the violation holds an educator certificate, the FHSAA shall also refer the violation to the department for review pursuant to s. 1012.796 to determine whether probable cause exists, and, if there is a finding of probable cause, the commissioner shall file a formal complaint against the individual. If the complaint is upheld, the individual’s educator certificate shall be revoked for 3 years, in addition to any penalties available under s. 1012.796. Additionally, the department shall revoke any adjunct teaching certificates issued pursuant to s. 1012.57 and all permissions under ss. 1012.39 and 1012.43, and the educator is ineligible for such certificates or permissions for a period of time equal to the period of revocation of his or her state-issued certificate.*

3. *Notwithstanding any other provision of law, a school, team, or activity shall forfeit all competitions, including honors resulting from such competitions, in which a student who participated in any fashion was recruited in a manner prohibited pursuant to state law or the FHSAA bylaws.*

4. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit ~~or any promise of benefit~~ if such benefit is not generally available to the school’s students or family members or is based in any way on athletic interest, potential, or performance.

5. *A student’s eligibility to participate in any interscholastic or intrascholastic extracurricular activity, as determined by a district school board pursuant to s. 1006.195(1)(a)3., may not be affected by any alleged recruiting violation until final disposition of the allegation.*

(c) The FHSAA shall adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student’s candidacy for an interscholastic athletic team. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012, and in good standing with the practitioner’s regulatory board. The bylaws shall establish requirements for eliciting a student’s medical history and performing the medical evaluation required under this paragraph, which shall include a physical assessment of the student’s physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form shall incorporate the recommendations of the American Heart Association for participation

cardiovascular screening and shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form shall advise students to complete a cardiovascular assessment and shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. ~~A student is not eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.~~

(g) The FHSAA shall adopt bylaws establishing the process and standards by which FHSAA determinations of eligibility are made. Such bylaws shall provide that:

1. Ineligibility must be established by ~~a preponderance of the clear and convincing~~ evidence;
2. Student athletes, parents, and schools must have notice of the initiation of any investigation or other inquiry into eligibility and may present, to the investigator and to the individual making the eligibility determination, any information or evidence that is credible, persuasive, and of a kind reasonably prudent persons rely upon in the conduct of serious affairs;
3. An investigator may not determine matters of eligibility but must submit information and evidence to the executive director or a person designated by the executive director or by the board of directors for an unbiased and objective determination of eligibility; and
4. A determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

Section 21. Section 1009.893, Florida Statutes, is amended to read:

~~1009.893 Benacquisto Scholarship Florida National Merit Scholar Incentive Program.—~~

- (1) As used in this section, the term:
 - (a) "Department" means the Department of Education.
 - (b) "~~Scholarship Incentive~~ program" means the ~~Benacquisto Scholarship Florida National Merit Scholar Incentive~~ Program.
- (2) The ~~Benacquisto Scholarship Florida National Merit Scholar Incentive~~ Program is created to reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(3) The department shall administer the ~~scholarship incentive~~ program according to rules and procedures established by the State Board of Education. The department shall advertise the availability of the ~~scholarship incentive~~ program and notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria.

(4) In order to be eligible for an award under the ~~scholarship incentive~~ program, a student must:

(a) Be a state resident as determined in s. 1009.40 and rules of the State Board of Education;

(b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or
 2. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;
- (c) Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and
- (d) Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida public postsecondary educational institution shall receive a ~~scholarship an incentive~~ award equal to the institutional cost of attendance minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(b) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida independent postsecondary educational institution shall receive a ~~scholarship an incentive~~ award equal to the highest cost of attendance at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(6)(a) To be eligible for a renewal award, a student must earn all credits for which he or she was enrolled and maintain a 3.0 or higher grade point average.

(b) A student may receive the ~~scholarship incentive~~ award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(7) The department shall annually issue awards from the ~~scholarship incentive~~ program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the ~~scholarship incentive~~ program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advances within 60 days after the end of regular registration.

(c) If funds appropriated are not adequate to provide the maximum allowable award to each eligible student, awards must be prorated using the same percentage reduction.

(8) Funds from any award within the ~~scholarship incentive~~ program may not be used to pay for remedial coursework or developmental education.

(9) A student may use an award for a summer term if funds are available and appropriated by the Legislature.

(10) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the ~~scholarship incentive~~ program within the student financial assistance database as specified in s. 1009.94.

(11) Section 1009.40(4) does not apply to awards issued under this section.

(12) *A student who receives an award under the scholarship program shall be known as a Benacquisto Scholar.*

(13) *All eligible Florida public or independent postsecondary educational institutions are encouraged to become, and all eligible state universities shall become, college sponsors of the National Merit Scholarship Program.*

(14)~~(12)~~ The State Board of Education shall adopt rules necessary to administer this section.

Section 22. Subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A “full-time equivalent student” in each program of the district is defined in terms of full-time students and part-time students as follows:

(a) A “full-time student” is one student on the membership roll of one school program or a combination of school programs listed in s. 1011.62(1)(c) for the school year or the equivalent for:

1. Instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program; *or*

~~2. Instruction in a double session school or a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3; *or*~~

~~2.3.~~ Instruction comprising the appropriate number of net hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for students who, within the past year, have moved with their parents for the purpose of engaging in the farm labor or fish industries, if a plan furnishing such an extended school day or week, or a combination thereof, has been approved by the commissioner. Such plan may be approved to accommodate the needs of migrant students only or may serve all students in schools having a high percentage of migrant students. The plan described in this subparagraph is optional for any school district and is not mandated by the state.

(b) A “part-time student” is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. *A student who receives instruction in a school that operates for less than the minimum term shall generate full-time equivalent student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as provided in s. 1011.60(2).*

(c)1. A “full-time equivalent student” is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year

for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student’s time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year. Beginning in the 2016-2017 fiscal year, the FTE for the course shall be assessment-based and shall be equal to 1/6 FTE. The reported FTE shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

- a. Juvenile justice education programs.
- b. The Florida Virtual School.
- c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for ~~experimental schools and for~~ schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum *term as provided in s. 1011.60(2) school day*.

Section 23. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.62, Florida Statutes, made by chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of subsection (1), paragraph (a) of subsection (4), and present subsection (13) of that section are amended, present subsections (13), (14), and (15) of that section are redesignated as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) *Funding model for exceptional student education programs.*—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure

that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated ~~initially annually~~ to each school district in the amount provided in the General Appropriations Act. These funds shall be ~~supplemental in addition to the funds appropriated for the basic funding level on the basis of FTE student membership in the Florida Education Finance Program~~, and the amount allocated for each school district shall ~~not~~ be recalculated ~~once~~ during the year, ~~based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount.~~ These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(o) *Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.*—

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student ~~may shall~~ not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year ~~for courses that were not provided through dual enrollment~~. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. *However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement*

between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus ~~in the amount~~ of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus ~~in the amount~~ of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2, ~~0.3, 0.5, and 1.0~~.

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph ~~may not exceed \$2,000 in any given school year and~~ is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days ~~before~~ ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each

school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) *FEDERALLY CONNECTED STUDENT SUPPLEMENT.*—*The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately*

under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(14)(13) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) (14), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) (14) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 24. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.71, Florida Statutes, made by chapter 2015-222, Laws of Florida, subsection (1) of that section is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 25. Subsection (2) of section 1012.42, Florida Statutes, is amended to read:

1012.42 Teacher teaching out-of-field.—

(2) NOTIFICATION REQUIREMENTS.—When a teacher in a district school system is assigned teaching duties in a class dealing with subject matter that is outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by district school board policy in the subject area to be taught, the parents of all students in the class shall be notified in writing of such assignment, and each school district shall report out-of-field teachers on the district's website within 30 days before the beginning of each semester. A parent whose student is assigned an out-of-field teacher may request that his or her child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. The school district must approve or deny the parent's request and transfer the student to a different classroom teacher within a reasonable period of time, not to exceed 2 weeks, if an in-

field teacher for that course or grade level is employed by the school and the transfer does not violate maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication. This subsection does not provide a parent the right to choose a specific teacher.

Section 26. Paragraph (b) of subsection (8) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(b)1. Each school district must and a private school or state-supported ~~state supported~~ public school, including a charter school, ~~or a private school~~ may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established ~~approved~~ under s. 1012.34, as applicable.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 27. Section 1012.583, Florida Statutes, is created to read:

1012.583 Continuing education and inservice training for youth suicide awareness and prevention.—

(1) Beginning with the 2016-2017 school year, the Department of Education shall incorporate 2 hours of training in youth suicide awareness and prevention into existing requirements for continuing education or inservice training for instructional personnel in elementary school, middle school, and high school.

(2) The department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, shall develop a list of approved youth suicide awareness and prevention training materials. The materials:

(a) Must include training on how to identify appropriate mental health services and how to refer youth and their families to those services.

(b) May include materials currently being used by a school district if such materials meet any criteria established by the department.

(c) May include programs that instructional personnel can complete through a self-review of approved youth suicide awareness and prevention materials.

(3) The training required by this section must be included in the existing continuing education or inservice training requirements for instructional personnel and may not add to the total hours currently required by the department.

(4) A person has no cause of action for any loss or damage caused by an act or omission resulting from the implementation of this section or resulting from any training required by this section unless the loss or damage was caused by willful or wanton misconduct. This section does not create any new duty of care or basis of liability.

(5) The State Board of Education may adopt rules to implement this section.

Section 28. Paragraph (o) is added to subsection (1) of section 1012.795, Florida Statutes, and subsection (5) of that section is amended, to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; or may impose any other penalty provided by law, if the person:

(o) *Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to s. 1006.20(2)(b).*

(5) Each district school superintendent and the governing authority of each university lab school, state-supported school, ~~or~~ private school, and the FHSAA shall report to the department the name of any person certified pursuant to this chapter or employed and qualified pursuant to s. 1012.39:

(a) Who has been convicted of, or who has pled nolo contendere to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;

(b) Who that official has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension under subsection (1); or

(c) Who has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act.

Section 29. Subsections (3) and (7) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(3) The department staff shall advise the commissioner concerning the findings of the investigation *and of all referrals by the Florida High School Athletic Association (FHSAA) pursuant to ss. 1006.20(2)(b) and 1012.795.* The department general counsel or members of that staff shall review the investigation *or the referral* and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause if, in his or her judgment, such agreements are in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into if there is probable cause to believe that a felony or an act of moral turpitude, as defined by rule of the State Board of Education, has occurred, *or for referrals by the FHSAA.* Upon finding no probable cause, the commissioner shall dismiss the complaint.

(7) A panel of the commission shall enter a final order either dismissing the complaint or imposing one or more of the following penalties:

(a) Denial of an application for a teaching certificate or for an administrative or supervisory endorsement on a teaching certificate. The denial may provide that the applicant may not reapply for certification, and that the department may refuse to consider that applicant's application, for a specified period of time or permanently.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed \$2,000 for each count or separate offense.

(d) Placement of the teacher, administrator, or supervisor on probation for a period of time and subject to such conditions as the commission may specify, including requiring the certified teacher, administrator, or supervisor to complete additional appropriate college courses or work with another certified educator, with the administrative costs of monitoring the probation assessed to the educator placed on probation. An educator who has been placed on probation shall, at a minimum:

1. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

2. Have his or her immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

3. Pay to the commission within the first 6 months of each probation year the administrative costs of monitoring probation assessed to the educator.

4. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

5. Satisfactorily perform his or her assigned duties in a competent, professional manner.

6. Bear all costs of complying with the terms of a final order entered by the commission.

(e) Restriction of the authorized scope of practice of the teacher, administrator, or supervisor.

(f) Reprimand of the teacher, administrator, or supervisor in writing, with a copy to be placed in the certification file of such person.

(g) Imposition of an administrative sanction, upon a person whose teaching certificate has expired, for an act or acts committed while that person possessed a teaching certificate or an expired certificate subject to late renewal, which sanction bars that person from applying for a new certificate for a period of 10 years or less, or permanently.

(h) Refer the teacher, administrator, or supervisor to the recovery network program provided in s. 1012.798 under such terms and conditions as the commission may specify.

The penalties imposed under this subsection are in addition to, and not in lieu of, the penalties required for a third recruiting offense pursuant to s. 1006.20(2)(b).

Section 30. Section 1013.385, Florida Statutes, is created to read:

1013.385 *School district construction flexibility.*—

(1) *A district school board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the educational facilities construction requirements provided in this section. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for each educational facility to be constructed, as applicable, and demonstrates that implementation of*

the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(a) Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.

(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.

(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

(d) Site lighting, by approving construction specifications regarding site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.

2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.

3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.

Section 31. *Notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years, the office shall not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year, shall remain on probation until the provider or school meets the minimum rate adopted by the office. This section expires July 1, 2017.*

Section 32. Upon becoming a law, subsection (8) of section 1012.33, Florida Statutes, is amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(8) Notwithstanding any other provision of law, a retired member may interrupt retirement and be reemployed in any public school as instructional personnel under a 1-year probationary contract as defined in s. 1012.335(1). ~~If the retiree successfully completes the probationary contract, the district school board may reemploy the retiree under an annual contract as defined in s. 1012.335(1). The retiree is not eligible for a professional service contract. A member reemployed by the same district from which he or she retired may be employed on a probationary contractual basis as provided in subsection (1).~~

Section 33. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; providing the right of a parent to know an estimated amount of money expended for the education of his or her child; requiring the Department of Education to annually publish certain financial information on its website by a specified date; requiring each school district to publish certain financial information on its website by a specified date; requiring certain financial information to be published on each school's website, provided in the school financial report, and authorizing the information to be published in the student handbook or a similar publication; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district's funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; conforming cross-references; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; requiring the Commissioner of Education to

withhold certain disbursements under certain circumstances; providing for reporting and rulemaking; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state's threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; deleting an expiration; amending s. 1003.4282, F.S.; revising the online course requirement; authorizing a district school board or a charter school governing board to offer certain additional options to meet the requirement; amending s. 1011.62, F.S.; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1013.62, F.S.; revising requirements for a charter school to be eligible for funding appropriated for charter school capital outlay purposes; deleting provisions relating to priorities for charter school capital outlay funding; deleting provisions relating to a charter school's allocation; providing that a charter school is not eligible for funding unless it meets certain requirements; defining the term "affiliated party of the charter school"; revising the funding allocation calculation; requiring the Department of Education to calculate and periodically recalculate, as necessary, the eligible charter school funding allocations; deleting provisions relating to certain duties of the Commissioner of Education; amending s. 1013.64, F.S.; providing that a school district may not receive funds from the Special Facility Construction Account under certain circumstances; revising the criteria for a request for funding; authorizing the request for a preapplication review to take place at any time; providing exceptions; revising the timeframe for completion of the review; providing that certain capital outlay full-time equivalent student enrollment estimates be determined by specified estimating conferences; requiring surveys to be cooperatively prepared by certain entities and approved by the Department of Education; prohibiting certain consultants from specified employment and compensation; providing an exception to prohibiting the cost per student station from exceeding a certain amount; requiring a school district to levy the maximum millage against certain property value under certain circumstances; reducing the required millage to be budgeted for a project; requiring certain plans to be finalized by a specified date; requiring a representative of the department to chair the Special Facility Construction Committee; requiring school districts to maintain accurate documentation related to specified costs; requiring the Auditor General to review such documentation; providing that the department makes final determinations on compliance; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study, in consultation with the department, on cost per student station amounts and on the State Requirements for Education Facilities; requiring reports to the Governor and the Legislature by a specified date; prohibiting a district school board from using funds for specified purposes for certain projects; providing sanctions for school districts that exceed certain costs; providing for the creation of a district capital outlay oversight committee; providing for membership of the oversight committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.391, F.S.; requiring a school district to add a specified number of points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1006.15, F.S.; defining the term

"eligible to participate"; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; creating s. 1006.195, F.S.; requiring district school boards to establish in codes of student conduct eligibility standards and disciplinary actions relating to students participating in interscholastic and intrascholastic extracurricular activities; providing guidelines and applicability; requiring the FHSAA to comply with certain requirements by a specified date; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition, including resulting honors, in which a student who was recruited in a prohibitive manner; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending s. 1009.893, F.S.; changing the name of the "Florida National Merit Scholar Incentive Program" to the "Benacquisto Scholarship Program"; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; deleting a provision prohibiting a teacher's bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher's field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education to incorporate training in youth suicide awareness and prevention into certain instructional personnel continuing education or inservice training requirements; requiring the department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for the training; specifying requirements for training materials; requiring the training to be included in the existing continuing education or inservice training requirements; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending ss. 1012.795 and 1012.796, F.S.; conforming provisions to changes made by the act; creating s. 1013.385, F.S.; providing for school district construction flexibility; authorizing exceptions to educational facilities construction requirements under certain circumstances; prohibiting the office from adopting a kindergarten readiness rate for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years; providing that any private prekindergarten provider or public school that was on probation for the 2013-2014 program year remains on probation until meeting the minimum kindergarten readiness rate adopted by the office; providing for future expiration; amending s. 1012.33, F.S.; revising provisions relating to reemployment of retirees as instructional personnel on a contract basis; providing that retirees are not eligible for a professional service contract; providing effective dates.

Senator Gaetz moved the following amendments to **Amendment 1 (620160)** which were adopted by two-thirds vote:

Amendment 1A (737686) (with directory and title amendments)—Delete lines 128-144.

And the directory clause is amended as follows:

Delete line 57 and insert: amended, to read:

And the title is amended as follows:

Delete lines 3531-3542 and insert: enrollment; amending s. 1002.31, F.S.;

Amendment 1B (382070) (with title amendment)—Between lines 1136 and 1137 insert:

Section 7. Subsection (1) of section 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (9) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida’s highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective July 1, 2013,~~ The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state ~~research~~ university that annually meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) as a “preeminent state research university.” ~~preeminent state research university.~~

(b) The Board of Governors shall designate each state university that annually meets at least 6 of the 12 academic and research excellence standards identified in subsection (2) as an “emerging preeminent state research university.”

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM UNIVERSITY SUPPORT.—

(a) A state ~~research~~ university that is designated as a preeminent state research university, ~~as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors,~~ shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section ~~an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.—A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Gov-~~

errors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 9 to 12 credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.~~

~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.~~

~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors is encouraged to establish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.~~

And the title is amended as follows:

Between lines 3609 and 3610 insert: amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets specified requirements as an "emerging preeminent state research university"; requiring an emerging preeminent state research university to submit a certain plan to the board and meet specified expectations to receive certain funds; providing for the distribution of certain funding increases; deleting provisions relating to the preeminent state research university enhancement initiative and special course requirement authorization;

Amendment 1C (971612) (with title amendment)—Delete lines 1248-1381.

And the title is amended as follows:

Delete lines 3622-3625 and insert: s. 1013.62,

Senator Evers moved the following amendment to **Amendment 1 (620160)** which was adopted by two-thirds vote:

Amendment 1D (471510) (with title amendment)—Between lines 3499 and 3500 insert:

Section 33. Subsection (1) of section 1003.44, Florida Statutes, is amended to read:

1003.44 Patriotic programs; rules.—

(1) Each district school board may adopt rules to require, in all of the schools of the district, programs of a patriotic nature to encourage greater respect for the government of the United States and its national anthem and flag, subject always to other existing pertinent laws of the United States or of the state. When the national anthem is played, students and all civilians shall stand at attention, men removing the headdress, except when such headdress is worn for religious purposes.

The pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all," shall be rendered by students standing with the right hand over the heart. The pledge of allegiance to the flag shall be recited at the beginning of the day in each public elementary, middle, and high school in the state. Each student shall be informed by a written notice published in the student handbook or a similar publication pursuant to s. 1006.07(2) posting a notice in a conspicuous place that the student has the right not to participate in reciting the pledge. Upon written request by his or her parent, the student must be excused from reciting the pledge. When the pledge is given, civilians must show full respect to the flag by standing at attention, men removing the headdress, except when such headdress is worn for religious purposes, as provided by Pub. L. ch. 77-435, s. 7, approved June 22, 1942, 56 Stat. 377, as amended by Pub. L. ch. 77-806, 56 Stat. 1074, approved December 22, 1942.

And the title is amended as follows:

Between lines 3805 and 3806 insert: amending s. 1003.44, F.S.; requiring a written notice of a student's right not to participate in the pledge of allegiance to be included in a specific publication;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Richter moved the following amendment to **Amendment 1 (620160)** which was adopted by two-thirds vote:

Amendment 1E (174148) (with title amendment)—Between lines 2638 and 2639 insert:

Section 21. Subsection (5), paragraph (j) of subsection (6), and paragraph (a) of subsection (8) of section 1007.35, Florida Statutes, are amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.—

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or *ACT Aspire Preliminary ACT (PLAN)* to all enrolled 10th grade students. However, a written notice shall be provided to each parent that shall include the opportunity to exempt his or her child from taking the PSAT/NMSQT or *ACT Aspire PLAN*.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.

(b) Funding for the PSAT/NMSQT or *ACT Aspire PLAN* for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the PSAT/NMSQT or *ACT Aspire PLAN* for districtwide administration.

(6) The partnership shall:

(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding PSAT/NMSQT or *ACT Aspire PLAN* administration, including, but not limited to:

1. Test administration dates and times.
2. That participation in the PSAT/NMSQT or *ACT Aspire PLAN* is open to all 10th grade ~~10~~ students.
3. The value of such tests in providing diagnostic feedback on student skills.

4. The value of student scores in predicting the probability of success on AP or other advanced course examinations.

(8)(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or ACT Aspire PLAN testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

And the title is amended as follows:

Between lines 3740 and 3741 insert: amending s. 1007.35, F.S.; revising the exams each public high school is required to administer to all enrolled 10th grade students to include ACT Aspire;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Stargel moved the following amendment to Amendment 1 (620160) which was adopted by two-thirds vote:

Amendment 1F (716950) (with title amendment)—Before line 5 insert:

Section 1. Section 617.221, Florida Statutes, is created to read:

617.221 Membership associations; reporting requirements; restrictions on use of funds.—

(1) As used in this section, the term “membership association” means a not-for-profit corporation, including a department or division of such corporation, the majority of whose board members are constitutional officers who, pursuant to s. 1001.32(2), operate, control, and supervise public entities that receive annual state appropriations through a statutorily defined formulaic allocation that is funded and prescribed annually in the General Appropriations Act or the substantive bill implementing the annual appropriations act. The term does not include a labor organization as defined in s. 447.02 or an entity funded through the Justice Administrative Commission.

(2) Dues paid to a membership association which are paid with public funds shall be assessed for each elected or appointed public officer and may be paid to a membership association. If a public officer elects not to join the membership association, the dues assessed to that public officer may not be paid to the membership association.

And the title is amended as follows:

Delete line 3509 and insert: An act relating to education; creating s. 617.221, F.S.; defining the term “membership association”; requiring the assessment of dues paid to a membership association by certain elected and appointed officials with public funds; amending s. 1001.42,

Amendment 1 (620160), as amended, was adopted by two-thirds vote.

On motion by Senator Gaetz, CS for CS for HB 7029, as amended, was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Detert	Grimsley
Altman	Diaz de la Portilla	Hays
Bean	Evers	Hukill
Benacquisto	Flores	Hutson
Bradley	Gaetz	Latvala
Brandes	Galvano	Lee
Dean	Garcia	Legg

Montford	Ring	Stargel
Negron	Simmons	
Richter	Simpson	

Nays—12

Abruzzo	Gibson	Smith
Braynon	Joyner	Sobel
Bullard	Margolis	Soto
Clemens	Sachs	Thompson

MOTIONS

Pursuant to Rule 4.7(1), on motion by Senator Simmons, by two-thirds vote, SM 798 was placed on the calendar of Bills on Second Reading, the unfavorable report of the Committee on Rules on February 10, 2016 notwithstanding.

RECESS

The President declared the Senate in recess at 12:41 p.m. to reconvene at 1:45 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:45 p.m. A quorum present—28:

Mr. President	Garcia	Montford
Altman	Gibson	Richter
Benacquisto	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Diaz de la Portilla	Joyner	Soto
Evers	Lee	Thompson
Gaetz	Legg	
Galvano	Margolis	

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

LOCAL BILL CALENDAR

MOTION

On motion by Senator Simmons, the rules were waived and HB 655, HB 709, HB 1039, CS for HB 1339, and HB 1417 on the Local Bill Calendar were withdrawn from the Committee on Rules, read a second and third time by title, and passed this day.

HB 655—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida, as amended; establishing special zones in downtown Jacksonville; providing exceptions for space and seating requirements for liquor licenses for restaurants in the zones, subject to local zoning requirements; providing an effective date.

—was read the second time by title. On motion by Senator Bean, by two-thirds vote, HB 655 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Diaz de la Portilla	Grimsley
Altman	Evers	Hays
Benacquisto	Gaetz	Hukill
Brandes	Galvano	Hutson
Bullard	Garcia	Joyner
Clemens	Gibson	Lee

Legg	Simmons	Soto
Margolis	Simpson	Thompson
Montford	Smith	
Richter	Sobel	

Nays—None

Vote after roll call:

Yea—Bean, Dean, Detert, Flores, Negron, Stargel

Vote preference:

March 10, 2016: Yea—Sachs

HB 709—A bill to be entitled An act relating to the City of Tallahassee, Leon County; amending chapter 2008-294, Laws of Florida; revising the boundaries of the downtown area for purposes of temporary permits for a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tallahassee; providing an effective date.

—was read the second time by title. On motion by Senator Montford, by two-thirds vote, **HB 709** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Garcia	Montford
Altman	Gibson	Richter
Benacquisto	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Diaz de la Portilla	Joyner	Soto
Evers	Lee	Thompson
Gaetz	Legg	
Galvano	Margolis	

Nays—None

Vote after roll call:

Yea—Bean, Dean, Detert, Flores, Negron, Stargel

Vote preference:

March 10, 2016: Yea—Sachs

HB 1039—A bill to be entitled An act relating to the Babcock Ranch Community Independent Special District, Charlotte and Lee Counties; amending chapter 2007-306, Laws of Florida; expanding the Babcock Ranch Community Independent Special District to include areas of Lee County; amending legislative intent, definitions, legislative policy, district creation and establishment, governing board administrative duties, district budgets and financial reports, and district powers to include references to Lee County; amending the district's legal boundaries to include areas of Lee County; requiring district governing board election procedures to involve officials from both counties; requiring general obligation bond elections to occur in both counties; authorizing the levy and collection of non-ad valorem maintenance taxes in both counties; providing for required notices to be published in both counties; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote, **HB 1039** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Brandes	Diaz de la Portilla
Altman	Bullard	Evers
Benacquisto	Clemens	Gaetz

Galvano	Joyner	Simpson
Garcia	Lee	Smith
Gibson	Legg	Sobel
Grimsley	Margolis	Soto
Hays	Montford	Thompson
Hukill	Richter	
Hutson	Simmons	

Nays—None

Vote after roll call:

Yea—Bean, Dean, Detert, Flores, Negron, Stargel

Vote preference:

March 10, 2016: Yea—Sachs

CS for HB 1339—A bill to be entitled An act relating to the City of Webster, Sumter County; providing legislative intent; codifying, amending, repealing, and reenacting special acts relating to the city; repealing chapter 57-1944, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Simpson, by two-thirds vote, **CS for HB 1339** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Garcia	Montford
Altman	Gibson	Richter
Benacquisto	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Diaz de la Portilla	Joyner	Soto
Evers	Lee	Thompson
Gaetz	Legg	
Galvano	Margolis	

Nays—None

Vote after roll call:

Yea—Bean, Dean, Detert, Flores, Negron, Stargel

Vote preference:

March 10, 2016: Yea—Sachs

HB 1417—A bill to be entitled An act relating to Hillsborough County; amending chapter 70-718, Laws of Florida; revising space and seating requirements for the issuance of alcoholic beverage licenses to certain restaurants; providing an effective date.

—was read the second time by title. On motion by Senator Brandes, by two-thirds vote, **HB 1417** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Garcia	Montford
Altman	Gibson	Richter
Benacquisto	Grimsley	Simmons
Brandes	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Diaz de la Portilla	Joyner	Soto
Evers	Lee	Thompson
Gaetz	Legg	
Galvano	Margolis	

Nays—None

Vote after roll call:

Yea—Bean, Dean, Detert, Flores, Negron, Stargel

Vote preference:

March 10, 2016: Yea—Sachs

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

BILLS ON THIRD READING, continued

CS for CS for SJR 170—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution to authorize the Legislature, by general law, to exempt the assessed value of a solar or renewable energy source device from the tangible personal property tax, to authorize the Legislature, by general law, to prohibit the consideration of the installation of such device in determining the assessed value of residential and non-residential real property for the purpose of ad valorem taxation, and to provide effective and expiration dates.

—was read the third time by title.

Pending further consideration of **CS for CS for SJR 170**, pursuant to Rule 3.11(3), there being no objection, **CS for HJR 193** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

CS for HJR 193—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution to authorize the Legislature, by general law, to exempt from ad valorem taxation the assessed value of solar devices or renewable energy source devices that are subject to tangible personal property tax, to authorize the Legislature, by general law, to prohibit the consideration of the installation of such devices in determining the assessed value of residential and nonresidential real property for the purpose of ad valorem taxation, and to provide effective and expiration dates.

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

That the following amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law,

grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinances. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law. The period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. The authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law.

(d) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. The period of time for which this exemption may be granted to a property owner shall be determined by general law.

(e) By general law and subject to conditions specified therein;

(1) Twenty-five thousand dollars of the assessed value of property subject to tangible personal property tax shall be exempt from ad valorem taxation.

(2) *The assessed value of solar devices or renewable energy source devices subject to tangible personal property tax may be exempt from ad valorem taxation, subject to limitations provided by general law.*

(f) There shall be granted an ad valorem tax exemption for real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

(g) By general law and subject to the conditions specified therein, each person who receives a homestead exemption as provided in section 6 of this article; who was a member of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard; and who was deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature shall receive an additional exemption equal to a percentage of the taxable value of his or her homestead property. The applicable percentage shall be calculated as the number of days during the preceding calendar year the person was deployed on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature divided by the number of days in that year.

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) As provided by general law and subject to conditions, limitations, and reasonable definitions specified therein, land used for conservation purposes shall be classified by general law and assessed solely on the basis of character or use.

(c) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified

percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(d) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead assessed at just value as of January 1 of the year following the effective date of this amendment. This assessment shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on January 1st of each year; but those changes in assessments shall not exceed the lower of the following:

a. Three percent (3%) of the assessment for the prior year.

b. The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics.

(2) No assessment shall exceed just value.

(3) After any change of ownership, as provided by general law, homestead property shall be assessed at just value as of January 1 of the following year, unless the provisions of paragraph (8) apply. Thereafter, the homestead shall be assessed as provided in this subsection.

(4) New homestead property shall be assessed at just value as of January 1st of the year following the establishment of the homestead, unless the provisions of paragraph (8) apply. That assessment shall only change as provided in this subsection.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; provided, however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this amendment are severable. If any of the provisions of this amendment shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this amendment.

(8)a. A person who establishes a new homestead as of January 1, 2009, or January 1 of any subsequent year and who has received a homestead exemption pursuant to Section 6 of this Article as of January 1 of either of the two years immediately preceding the establishment of the new homestead is entitled to have the new homestead assessed at less than just value. If this revision is approved in January of 2008, a person who establishes a new homestead as of January 1, 2008, is entitled to have the new homestead assessed at less than just value only if that person received a homestead exemption on January 1, 2007. The assessed value of the newly established homestead shall be determined as follows:

1. If the just value of the new homestead is greater than or equal to the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be the just value of the new homestead minus an amount equal to the lesser of \$500,000 or the difference between the just value and the assessed value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned. Thereafter, the homestead shall be assessed as provided in this subsection.

2. If the just value of the new homestead is less than the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be equal to the just value of the new homestead divided by the just value of the prior homestead and multiplied by the assessed value of the prior homestead. However, if the difference between the just value of the new homestead and the assessed value of the new homestead calculated pursuant to this sub-subparagraph is greater than \$500,000,

the assessed value of the new homestead shall be increased so that the difference between the just value and the assessed value equals \$500,000. Thereafter, the homestead shall be assessed as provided in this subsection.

b. By general law and subject to conditions specified therein, the legislature shall provide for application of this paragraph to property owned by more than one person.

(e) The legislature may, by general law, for assessment purposes and subject to the provisions of this subsection, allow counties and municipalities to authorize by ordinance that historic property may be assessed solely on the basis of character or use. Such character or use assessment shall apply only to the jurisdiction adopting the ordinance. The requirements for eligible properties must be specified by general law.

(f) A county may, in the manner prescribed by general law, provide for a reduction in the assessed value of homestead property to the extent of any increase in the assessed value of that property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive grandparents or parents of the owner of the property or of the owner's spouse if at least one of the grandparents or parents for whom the living quarters are provided is 62 years of age or older. Such a reduction may not exceed the lesser of the following:

(1) The increase in assessed value resulting from construction or reconstruction of the property.

(2) Twenty percent of the total assessed value of the property as improved.

(g) For all levies other than school district levies, assessments of residential real property, as defined by general law, which contains nine units or fewer and which is not subject to the assessment limitations set forth in subsections (a) through (d) shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law; but those changes in assessments shall not exceed ten percent (10%) of the assessment for the prior year.

(2) No assessment shall exceed just value.

(3) After a change of ownership or control, as defined by general law, including any change of ownership of a legal entity that owns the property, such property shall be assessed at just value as of the next assessment date. Thereafter, such property shall be assessed as provided in this subsection.

(4) Changes, additions, reductions, or improvements to such property shall be assessed as provided for by general law; however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(h) For all levies other than school district levies, assessments of real property that is not subject to the assessment limitations set forth in subsections (a) through (d) and (g) shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law; but those changes in assessments shall not exceed ten percent (10%) of the assessment for the prior year.

(2) No assessment shall exceed just value.

(3) The legislature must provide that such property shall be assessed at just value as of the next assessment date after a qualifying improvement, as defined by general law, is made to such property. Thereafter, such property shall be assessed as provided in this subsection.

(4) The legislature may provide that such property shall be assessed at just value as of the next assessment date after a change of ownership or control, as defined by general law, including any change of ownership of the legal entity that owns the property. Thereafter, such property shall be assessed as provided in this subsection.

(5) Changes, additions, reductions, or improvements to such property shall be assessed as provided for by general law; however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(i) The legislature, by general law and subject to conditions specified therein, may prohibit the consideration of the following in the determination of the assessed value of real property ~~used for residential purposes~~:

(1) Any change or improvement to real property used for residential purposes made to improve ~~for the purpose of improving~~ the property's resistance to wind damage.

(2) The installation of a solar or renewable energy source device.

(j)(1) The assessment of the following working waterfront properties shall be based upon the current use of the property:

- a. Land used predominantly for commercial fishing purposes.
- b. Land that is accessible to the public and used for vessel launches into waters that are navigable.
- c. Marinas and drystacks that are open to the public.
- d. Water-dependent marine manufacturing facilities, commercial fishing facilities, and marine vessel construction and repair facilities and their support activities.

(2) The assessment benefit provided by this subsection is subject to conditions and limitations and reasonable definitions as specified by the legislature by general law.

ARTICLE XII

SCHEDULE

SECTION 34. Solar devices or renewable energy source devices; exemption from certain taxation and assessment.—This section, the amendment to subsection (e) of Section 3 of Article VII authorizing the legislature, subject to limitations set forth in general law, to exempt the assessed value of solar devices or renewable energy source devices subject to tangible personal property tax from ad valorem taxation, and the amendment to subsection (i) of Section 4 of Article VII authorizing the legislature, by general law, to prohibit the consideration of the installation of a solar device or a renewable energy source device in determining the assessed value of real property for the purpose of ad valorem taxation shall take effect on January 1, 2018, and shall expire on December 31, 2037. Upon expiration, this section shall be repealed and the text of subsection (e) of Section 3 of Article VII and subsection (i) of Section 4 of Article VII shall revert to that in existence on December 31, 2017, except that any amendments to such text otherwise adopted shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 3 AND 4

ARTICLE XII, SECTION 34

SOLAR DEVICES OR RENEWABLE ENERGY SOURCE DEVICES; EXEMPTION FROM CERTAIN TAXATION AND ASSESSMENT.—Proposing an amendment to the State Constitution to authorize the Legislature, by general law, to exempt from ad valorem taxation the

assessed value of solar or renewable energy source devices subject to tangible personal property tax, and to authorize the Legislature, by general law, to prohibit consideration of such devices in assessing the value of real property for ad valorem taxation purposes. This amendment takes effect January 1, 2018, and expires on December 31, 2037.

—a companion measure, was substituted for CS for CS for SJR 170, and by two-thirds vote, read the second time by title.

On motion by Senator Brandes, by two-thirds vote, CS for HJR 193 was read the third time by title, passed by the required constitutional three-fifths vote of the membership, and was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Gaetz	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Bradley, Negron

SPECIAL RECOGNITION OF SENATOR HAYS

The President introduced Senator Hays' wife, Jeanne; mother, Bernis; daughter, Leslie Broome and her husband, Bryan Broome; along with his district staff, Nanci Cornwell, Anne-Marie Norman, and Renee Hodges who were present in the chamber. Senator Hays' sister, Phyllis Latham, was also present in the gallery. A video tribute was played honoring Senator Hays. Several Senators were recognized for farewell comments. Senator Hays was recognized for farewell remarks.

Senator Galvano presented Senator Hays with a plaque honoring his years of service to the Senate.

SPECIAL RECOGNITION OF SENATOR SOTO

SENATOR JOYNER PRESIDING

The President introduced Senator Soto's wife, Amanda, who was celebrating her birthday this day, along with his district staff, Cecilia Cruz, Martin Rivera, and Tracy Brooks. A video tribute was played honoring Senator Soto. Several Senators were recognized for farewell comments. Senator Soto was recognized for farewell remarks.

Senator Galvano presented Senator Soto with a plaque honoring his years of service to the Senate.

THE PRESIDENT PRESIDING

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

SPECIAL ORDER CALENDAR

Consideration of CS for SB 234 was deferred.

CS for SB 432—A bill to be entitled An act relating to teacher certification; amending s. 1012.56, F.S.; providing alternative requirements for earning a professional educator certificate that covers certain grades; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 432**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 189** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Hutson—

CS for HB 189—A bill to be entitled An act relating to teacher certification; amending s. 1012.56, F.S.; providing alternative requirements for earning a professional educator certificate that covers certain grades; providing an effective date.

—a companion measure, was substituted for **CS for SB 432** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 189** was placed on the calendar of Bills on Third Reading.

CS for SB 234—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; limiting the number of new accounts that may be established per fiscal year; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; requiring the department to distribute state funds to accounts, subject to legislative appropriations; authorizing the department to accept contributions from a local source for deposit in a designated account; limiting the number of years that an account may remain open; providing for the immediate closing of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank dental health professional shortage areas and medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 234**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 139** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Gaetz—

CS for CS for HB 139—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; providing definitions; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; limiting the number of new dental care access accounts established per fiscal year; requiring the

Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; authorizing the department to distribute state funds to accounts, subject to legislative appropriation; authorizing the department to accept contributions from local sources for deposit in designated accounts; limiting the number of years that an account may remain open; providing for the immediate closure of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time; requiring the department to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank shortage areas and medically underserved areas; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; requiring rulemaking for the submission of information for such reporting; providing an appropriation and authorizing a position; providing an effective date.

—a companion measure, was substituted for **CS for SB 234** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 139** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 534** was deferred.

CS for CS for SB 760—A bill to be entitled An act relating to the Healthy Food Financing Initiative; providing definitions; directing the Department of Agriculture and Consumer Services to establish a Healthy Food Financing Initiative program to provide specified financing to construct, rehabilitate, or expand independent grocery stores and supermarkets in underserved communities in low-income and moderate-income communities; authorizing the department to contract with a third-party administrator; establishing funding specifications for administrators; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department to submit an annual report to the Legislature and adopt rules; providing that implementation of the program is contingent upon legislative appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 760**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 153** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Bean—

CS for CS for CS for HB 153—A bill to be entitled An act relating to the Healthy Food Financing Initiative Pilot Program; creating the Healthy Food Financing Initiative Pilot Program; providing definitions; directing the Department of Agriculture and Consumer Services to establish a program to provide specified financing to construct, rehabilitate, or expand grocery stores and supermarkets in underserved communities in low-income and moderate-income areas; authorizing the department to contract with a third-party administrator; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department submit a report to the Legislature by a specified date; requiring that loan repayments be transferred to the General Revenue Fund; directing the department to adopt rules; providing for expiration of the program; providing an appropriation; providing an effective date.

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

Senator Bean moved the following amendment which was adopted:

Amendment 1 (430650) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Healthy Food Financing Initiative.*—

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

(a) “Community facility” means a property owned by a nonprofit or for-profit entity in which health and human services are provided and space is offered in a manner that provides increased access to, or delivery or distribution of, food or other agricultural products to encourage public consumption and household purchases of fresh produce or other healthy food to improve the public health and well-being of low-income children, families, and older adults.

(b) “Department” means the Department of Agriculture and Consumer Services.

(c) “Independent grocery store or supermarket” means an independently owned grocery store or supermarket whose parent company does not own more than 40 grocery stores throughout the country based upon ownership conditions as identified in the latest Nielsen TDLinx Supermarket/Supercenter database.

(d) “Low-income community” means a population census tract, as reported in the most recent United States Census Bureau American Community Survey, which meets one of the following criteria:

1. The poverty rate is at least 20 percent;
2. In the case of a low-income community located outside of a metropolitan area, the median family income does not exceed 80 percent of the statewide median family income; or
3. In the case of a low-income community located inside of a metropolitan area, the median family income does not exceed 80 percent of the statewide median family income or 80 percent of the metropolitan median family income, whichever is greater.

(e) “Program” means the Healthy Food Financing Initiative established by the department.

(f) “Underserved community” means a distressed urban, suburban, or rural geographic area where a substantial number of residents have low access to a full-service supermarket or grocery store. An area with limited supermarket access must be:

1. A census tract, as determined to be an area with low access by the United States Department of Agriculture, as identified in the Food Access Research Atlas;
2. Identified as a limited supermarket access area as recognized by the Community Development Financial Institutions Fund of the United States Department of the Treasury; or
3. Identified as an area with low access to a supermarket or grocery store through a methodology that has been adopted for use by another governmental initiative, or well-established or well-regarded philanthropic healthy food initiative.

(2) The department shall establish a Healthy Food Financing Initiative program that is composed of and coordinates the use of grants from any source; federal, state, and private loans from a governmental entity or institutions regulated by a governmental entity; federal tax credits; and other types of financial assistance for the construction, rehabilitation, or expansion of independent grocery stores, supermarkets, community facilities, or other structures to increase access to fresh produce and other nutritious food in underserved communities.

(3)(a) The department may contract with one or more qualified nonprofit organizations or Florida-based federally certified community development financial institutions to administer the program through a public-private partnership. Eligible community development financial institutions must be able to demonstrate:

1. Prior experience in healthy food financing.

2. Support from the Community Development Financial Institutions Fund of the United States Department of the Treasury.

3. The ability to successfully manage and operate lending and tax credit programs.

4. The ability to assume full financial risk for loans made under this initiative.

(b) The department shall:

1. Establish program guidelines, raise matching funds, promote the program statewide, evaluate applicants, underwrite and disburse grants and loans, and monitor compliance and impact. The department may contract with a third-party administrator to carry out such duties. If the department contracts with a third-party administrator, funds shall be granted to the third-party administrator to create a revolving loan fund for the purpose of financing projects that meet the criteria of the program. The third-party administrator shall report to the department annually.

2. Create eligibility guidelines and provide financing through an application process. Eligible projects must be:

- a. Located in an underserved community;
- b. Primarily serve low-income communities; and
- c. Provide for the construction of new independent grocery stores or supermarkets; the renovation or expansion of, including infrastructure upgrades to, existing independent grocery stores or supermarkets; or the construction, renovation, or expansion of, including infrastructure upgrades to, community facilities to improve the availability and quality of fresh produce and other healthy foods.

3. Report annually to the President of the Senate and the Speaker of the House of Representatives on the projects funded, the geographic distribution of the projects, the costs of the program, and the outcomes, including the number and type of jobs created.

(4)(a) The Office of Program Policy Analysis and Government Accountability shall review the program and data collected from the department after a term of 7 years and report to the President of the Senate and the Speaker of the House of Representatives. The report shall include, but is not limited to, health impacts based on data collected by the state on diabetes, heart disease and other obesity-related diseases, and other factors as determined by the department.

(b) If the report determines the program to be unsuccessful after 7 years, the department shall create guidelines for unused funds to be returned to the initial investor.

(5) A for-profit entity, including a convenience store or a fueling station, or a not-for-profit entity, including, but not limited to, a sole proprietorship, partnership, limited liability company, corporation, cooperative, nonprofit organization, nonprofit community development entity, or private university, may apply for financing. An applicant for financing must:

- (a) Demonstrate the capacity to successfully implement the project and the likelihood that the project will be economically self-sustaining;
- (b) Demonstrate the ability to repay the loan; and
- (c) Agree, as an independent grocery store or supermarket, for at least 5 years, to:

1. Accept Supplemental Nutrition Assistance Program benefits;
2. Apply to accept Special Supplemental Nutrition Program for Women, Infants, and Children benefits and accept such benefits, if approved;
3. Allocate at least 30 percent of food retail space for the sale of perishable foods, which may include fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish;

4. Comply with all data collection and reporting requirements established by the department; and

5. Promote the hiring of local residents.

Projects including, but not limited to, corner stores, bodegas, or other types of nontraditional grocery stores that do not meet the 30 percent minimum in subparagraph 3. can still qualify for funding if such funding will be used for refrigeration, displays, or other one-time capital expenditures to promote the sale of fresh produce and other healthy foods.

(6) In determining which qualified projects to finance, the department or third-party administrator shall:

(a) Give preference to local Florida-based grocers or local business owners with experience in grocery stores and to grocers and business owners with a business plan model that includes written documentation of opportunities to purchase from Florida farmers and growers before seeking out-of-state purchases;

(b) Consider the level of need in the area to be served;

(c) Consider the degree to which the project will have a positive economic impact on the underserved community, including the creation or retention of jobs for local residents;

(d) Consider the location of existing independent grocery stores, supermarkets, or other markets relevant to the applicant's project and provide the established entity the right of first refusal for such project; and

(e) Consider other criteria as determined by the department.

(7) Financing for projects may be used for the following purposes:

(a) Site acquisition and preparation.

(b) Construction and build-out costs.

(c) Equipment and furnishings.

(d) Workforce training or security.

(e) Predevelopment costs, such as market studies and appraisals.

(f) Energy efficiency measures.

(g) Working capital for first-time inventory and startup costs.

(h) Acquisition of seeds and starter plants for the residential cultivation of fruits, vegetables, herbs, and other culinary products. However, only 7 percent of the total funds expended in any one project under this section may be used for such acquisition.

(i) Other purposes as determined by the department or a third-party administrator.

(8) The department shall adopt rules to administer this section.

Section 2. *Implementation of the Healthy Food Financing Initiative is contingent upon appropriation by the Legislature.*

Section 3. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Healthy Food Financing Initiative; providing definitions; directing the Department of Agriculture and Consumer Services to establish a Healthy Food Financing Initiative program to provide specified financing to construct, rehabilitate, or expand independent grocery stores and supermarkets in underserved communities within low-income communities; authorizing the department to contract with a third-party administrator; establishing funding specifications for administrators; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; di-

recting the department to submit an annual report to the Legislature and adopt rules; directing the Office of Program Policy Analysis and Government Accountability to study the results of the program after a certain time period; directing the termination of the program under certain conditions; providing that implementation of the program is contingent upon legislative appropriation; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for CS for HB 153**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 770—A bill to be entitled An act relating to local government environmental financing; providing a short title; amending s. 212.055, F.S.; expanding the uses of local government infrastructure surtaxes to include acquiring any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; revising a definition and providing a definition for purposes of using surtax proceeds; amending s. 215.619, F.S.; expanding the use of Everglades restoration bonds to include the City of Key West Area of Critical State Concern; expanding the types of water management projects eligible for funding; revising the dates for issuance and maturity of Everglades restoration bonds; reducing the annual appropriation amount dedicated to fund the Florida Keys Area of Critical State Concern protection program; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Department of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain entities to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; amending s. 380.0552, F.S.; revising legislative intent regarding the Florida Keys Area of Critical State Concern; specifying that plan amendments in the Florida Keys must also be consistent with protecting and improving specified water quality and water supply projects; amending s. 380.0666, F.S.; expanding powers of a land authority to include acquiring lands to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern and contributing funds for certain land purchases by the department; providing limitations relating to acquiring or contributing lands to improve public transportation facilities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 770**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 447** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Flores—

CS for CS for HB 447—A bill to be entitled An act relating to local government environmental financing; providing a short title; amending s. 212.055, F.S.; expanding the uses of local government infrastructure surtaxes to include acquiring any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; revising definitions for purposes of using surtax proceeds; amending s. 215.619, F.S.; expanding the use of Everglades restoration bonds to include the City of Key West Area of Critical State Concern; expanding the types of water management projects eligible for funding; revising the dates for issuance and maturity of Everglades restoration bonds; reducing the annual appropriation amount dedicated to fund the Florida Keys Area of Critical State Concern protection program; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Depart-

ment of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain local governments and special districts to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; amending s. 380.0552, F.S.; revising legislative intent regarding the Florida Keys Area of Critical State Concern; specifying that plan amendments in the Florida Keys must also be consistent with protecting and improving specified water quality and water supply projects; amending s. 380.0666, F.S.; expanding powers of a land authority to include acquiring lands to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern and contribute funds for certain land purchases by the department; providing limitations relating to acquiring or contributing lands to improve public transportation facilities; providing an effective date.

—a companion measure, was substituted for **CS for SB 770** and read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (817954) (with title amendment)—Delete lines 199-305 and insert:

(a) Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through 2019-2020 and may not be issued in an amount exceeding \$100 million per fiscal year unless:

1. The Department of Environmental Protection has requested additional amounts in order to achieve cost savings or accelerate the purchase of land; or

2. The Legislature authorizes an additional amount of bonds not to exceed \$200 million, and limited to \$50 million per fiscal year, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program *and the City of Key West Area of Critical State Concern*. Proceeds from the bonds shall be managed by the Department of Environmental Protection for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys Area of Critical State Concern *or the City of Key West Area of Critical State Concern* to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities *or building projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects and projects to protect water resources available to the Florida Keys*.

(b) The duration of Everglades restoration bonds may not exceed 20 annual maturities and must mature by December 31, 2047 ~~2040~~. Except for refunding bonds, a series of bonds may not be issued unless an amount equal to the debt service coming due in the year of issuance has been appropriated by the Legislature. Not more than 58.25 percent of documentary stamp taxes collected may be taken into account for the purpose of satisfying an additional bonds test set forth in any authorizing resolution for bonds issued on or after July 1, 2015. Beginning July 1, 2010, the Legislature shall analyze the ratio of the state's debt to projected revenues before authorizing the issuance of bonds under this section.

(7) *If the South Florida Water Management District and the Department of Environmental Protection determine that lands purchased using bond proceeds within the Florida Keys Area of Critical State Concern, the City of Key West Area of Critical State Concern, or outside the Florida Keys Area of Critical State Concern but which were purchased to preserve and protect the potable water supply to the Florida Keys, are no longer needed for the purpose for which they were purchased, the entity owning the lands may dispose of them. However, before the lands can be disposed of, each general purpose local government within the boundaries of which a portion of the land lies must agree to the disposal of lands within its boundaries and must be offered the first right to purchase those lands.*

Section 4. Section 259.045, Florida Statutes, is amended to read:

259.045 Purchase of lands in areas of critical state concern; recommendations by department and land authorities.—Within 45 days ~~after of the designation by the Administration Commission designates of~~ an area as an area of critical state concern under s. 380.05, *and annually thereafter*, the Department of Environmental Protection shall consider the recommendations of the state land planning agency pursuant to s. 380.05(1)(a) relating to purchase of lands within *an area of critical state concern or lands outside an area of critical state concern that directly impact an area of critical state concern, which may include lands used to preserve and protect water supply, the proposed area* and shall make recommendations to the board with respect to the purchase of the fee or any lesser interest in *any such lands that are: situated in such an area of critical state concern as*

- (1) Environmentally endangered lands; ~~or~~
- (2) Outdoor recreation lands;
- (3) *Lands that conserve sensitive habitat;*
- (4) *Lands that protect, restore, or enhance nearshore water quality and fisheries;*
- (5) *Lands used to protect and enhance water supply to the Florida Keys, including alternative water supplies such as reverse osmosis and reclaimed water systems; or*
- (6) *Lands used to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern if the acquisition of such lands fulfills a public purpose listed in s. 259.032(2).*

The department, a local government, a special district, or ~~and~~ a land authority within an area of critical state concern ~~as authorized in chapter 380~~, may make recommendations with respect to additional purchases which were not included in the state land planning agency recommendations.

Section 5. Paragraph (b) of subsection (3) of section 259.105, Florida Statutes, is amended to read:

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(b) Thirty-five percent to the Department of Environmental Protection for the acquisition of lands and capital project expenditures described in this section. Of the proceeds distributed pursuant to this paragraph, it is the intent of the Legislature that an increased priority be given to those acquisitions which achieve a combination of conservation goals, including protecting Florida's water resources and natural groundwater recharge. At a minimum, 3 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on capital project expenditures identified during the time of acquisition which meet land management planning activities necessary for public access. *Beginning in the 2017-2018 fiscal year and continuing through the 2026-2027 fiscal year, at least \$5 million of the funds allocated pursuant to this paragraph shall be spent on land acquisition within the Florida Keys Area of Critical State Concern as authorized pursuant to s. 259.045.*

Section 6. *For the 2016-2017 fiscal year, the sum of \$5 million in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Environmental Protection to be distributed in accordance with the existing interlocal agreement among the Village of Islamorada, the Key Largo Wastewater Treatment District, the City of Marathon, the Monroe County/Florida Keys Aqueduct Authority, the City of Key West, and Key Colony Beach, for the purposes of constructing sewage collection, treatment, and disposal facilities; implementing stormwater collection and treatment systems; canal restoration and*

muck remediation projects; and projects that protect and enhance water supply in the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern; or, for the purposes of land acquisition within the Florida Keys Area of Critical Concern as authorized pursuant to s. 259.045, Florida Statutes, with increased priority given to those acquisitions that achieve a combination of conservation goals, including protecting Florida's water resources and natural groundwater recharge. A local government requesting disbursement pursuant to this appropriation shall provide the Department of Environmental Protection with such documentation as the department deems necessary to verify that the costs are properly incurred and work has been performed.

And the title is amended as follows:

Delete lines 16-34 and insert: revising the date for the maturity of Everglades restoration bonds; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Department of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain local governments and special districts to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; providing an appropriation; amending s. 380.0552, F.S.;

Pursuant to Rule 4.19, **CS for CS for HB 447**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 676** and **CS for CS for SB 1250** was deferred.

CS for CS for SB 1462—A bill to be entitled An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character education programs to provide certain instruction to students in grades 9-12; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1462**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1147** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Latvala—

CS for HB 1147—A bill to be entitled An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character-development programs to provide certain instruction to students in grades 9-12; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1462** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1147** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 676—A bill to be entitled An act relating to access to health care services; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; repealing s. 383.336, F.S., relating to provider hospitals, practice parameters, and peer review boards; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide

obstetrical services; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances by an advanced registered nurse practitioner; amending s. 456.44, F.S.; defining the term “registrant”; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for the treatment of certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under ch. 458 or ch. 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; revising the term “advanced or specialized nursing practice”; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary’s application in certain instances; requiring the board to adopt the committee’s initial recommendations by a specified date; providing a short title; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; creating s. 627.42392, F.S.; defining the term “health insurer”; requiring that certain health insurers that do not already use a certain form use only a prior authorization form approved by the Financial Services Commission in consultation with the Agency for Health Care Administration; requiring the commission in consultation with the agency to adopt by rule guidelines for such forms; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; amending s. 893.02, F.S.; revising the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., to incorporate the amendment made to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., to incorporate the amendment made to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., to incorporate the amendment made to s. 458.347, F.S., in references thereto; reenacting s. 464.012(3)(c), F.S., to incorporate the amendment made to s. 464.003, F.S., in a reference thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., to incorporate the amendment made to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., to incorporate the amendment made to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., to incorporate the amendment made to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., to incorporate the amendment made to s. 948.03, F.S., in references thereto; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 676**, pursuant to Rule 3.11(3), there being no objection, **HB 423** was withdrawn from the Committees on Health Policy; Banking and Insurance; and Appropriations.

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

HB 423—A bill to be entitled An act relating to drug prescription by advanced registered nurse practitioners and physician assistants; providing a short title; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy or state pilot; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances to an advanced registered nurse practitioner; amending s. 456.44, F.S.; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; expanding the prescribing authority of a licensed physician assistant; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, rather than to monitor and alter drug therapies; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license for or disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or physician assistant is an exception from a prohibition relating to the possession of drugs or narcotics during probation; reenacting s. 310.071(3), F.S., relating to deputy pilot certification, to incorporate the amendment made by the act to s. 310.071, F.S., in a reference thereto; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.347(4)(e) and (9)(c), 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the non-applicability of certain provisions to specified health care practitioners, the prescribing or dispensing of medications by physician assistants, the duties of the Council on Physician Assistants, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, standing orders, and established protocols, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting ss. 464.008(2), 464.009(5), 464.018(2), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to the exclusion as a defense and nonadmissibility as evidence of voluntary intoxication, to

incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to the receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term “probation,” and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 676** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Grimsley moved the following amendment:

Amendment 1 (899458) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (7) of section 110.12315, Florida Statutes, is amended to read:

110.12315 Prescription drug program.—The state employees’ prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician, *advanced registered nurse practitioner, or physician assistant* prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

Section 2. Paragraph (c) of subsection (1) of section 310.071, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

310.071 Deputy pilot certification.—

(1) In addition to meeting other requirements specified in this chapter, each applicant for certification as a deputy pilot must:

(c) Be in good physical and mental health, as evidenced by documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician within the preceding 6 months. The board shall adopt rules to establish requirements for passing the physical examination, which rules shall establish minimum standards for the physical or mental capabilities necessary to carry out the professional duties of a certificated deputy pilot. Such standards shall include zero tolerance for any controlled substance regulated under chapter 893 unless that individual is under the care of a physician, *an advanced registered nurse practitioner, or a physician assistant* and that controlled substance was prescribed by that physician, *advanced registered nurse practitioner, or physician assistant*. To maintain eligibility as a certificated deputy pilot, each certificated deputy pilot must annually provide documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician. The physician must know the minimum standards and certify that the certificateholder satisfactorily meets the standards. The standards for certificateholders shall include a drug test.

(3) The initial certificate issued to a deputy pilot shall be valid for a period of 12 months, and at the end of this period, the certificate shall automatically expire and shall not be renewed. During this period, the board shall thoroughly evaluate the deputy pilot’s performance for suitability to continue training and shall make appropriate recommendations to the department. Upon receipt of a favorable re-

commendation by the board, the department shall issue a certificate to the deputy pilot, which shall be valid for a period of 2 years. The certificate may be renewed only two times, except in the case of a fully licensed pilot who is cross-licensed as a deputy pilot in another port, and provided the deputy pilot meets the requirements specified for pilots in paragraph (1)(c).

Section 3. Subsection (3) of section 310.073, Florida Statutes, is amended to read:

310.073 State pilot licensing.—In addition to meeting other requirements specified in this chapter, each applicant for license as a state pilot must:

(3) Be in good physical and mental health, as evidenced by documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician within the preceding 6 months. The board shall adopt rules to establish requirements for passing the physical examination, which rules shall establish minimum standards for the physical or mental capabilities necessary to carry out the professional duties of a licensed state pilot. Such standards shall include zero tolerance for any controlled substance regulated under chapter 893 unless that individual is under the care of a physician, *an advanced registered nurse practitioner, or a physician assistant* and that controlled substance was prescribed by that physician, *advanced registered nurse practitioner, or physician assistant*. To maintain eligibility as a licensed state pilot, each licensed state pilot must annually provide documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician. The physician must know the minimum standards and certify that the licensee satisfactorily meets the standards. The standards for licensees shall include a drug test.

Section 4. Paragraph (b) of subsection (3) of section 310.081, Florida Statutes, is amended to read:

310.081 Department to examine and license state pilots and certify deputy pilots; vacancies.—

(3) Pilots shall hold their licenses or certificates pursuant to the requirements of this chapter so long as they:

(b) Are in good physical and mental health as evidenced by documentary proof of having satisfactorily passed a physical examination administered by a licensed physician or physician assistant within each calendar year. The board shall adopt rules to establish requirements for passing the physical examination, which rules shall establish minimum standards for the physical or mental capabilities necessary to carry out the professional duties of a licensed state pilot or a certificated deputy pilot. Such standards shall include zero tolerance for any controlled substance regulated under chapter 893 unless that individual is under the care of a physician, *an advanced registered nurse practitioner, or a physician assistant* and that controlled substance was prescribed by that physician, *advanced registered nurse practitioner, or physician assistant*. To maintain eligibility as a certificated deputy pilot or licensed state pilot, each certificated deputy pilot or licensed state pilot must annually provide documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician. The physician must know the minimum standards and certify that the certificateholder or licensee satisfactorily meets the standards. The standards for certificateholders and for licensees shall include a drug test.

Upon resignation or in the case of disability permanently affecting a pilot's ability to serve, the state license or certificate issued under this chapter shall be revoked by the department.

Section 5. Subsection (7) of section 456.072, Florida Statutes, is amended to read:

456.072 Grounds for discipline; penalties; enforcement.—

(7) Notwithstanding subsection (2), upon a finding that a physician has prescribed or dispensed a controlled substance, or caused a controlled substance to be prescribed or dispensed, in a manner that vio-

lates the standard of practice set forth in s. 458.331(1)(q) or (t), s. 459.015(1)(t) or (x), s. 461.013(1)(o) or (s), or s. 466.028(1)(p) or (x), *or that an advanced registered nurse practitioner has prescribed or dispensed a controlled substance, or caused a controlled substance to be prescribed or dispensed, in a manner that violates the standard of practice set forth in s. 464.018(1)(n) or (p)6.*, the physician or *advanced registered nurse practitioner* shall be suspended for a period of not less than 6 months and pay a fine of not less than \$10,000 per count. Repeated violations shall result in increased penalties.

Section 6. Section 456.44, Florida Statutes, is amended to read:

456.44 Controlled substance prescribing.—

(1) DEFINITIONS.—*As used in this section, the term:*

(a) “Addiction medicine specialist” means a board-certified psychiatrist with a subspecialty certification in addiction medicine or who is eligible for such subspecialty certification in addiction medicine, an addiction medicine physician certified or eligible for certification by the American Society of Addiction Medicine, or an osteopathic physician who holds a certificate of added qualification in Addiction Medicine through the American Osteopathic Association.

(b) “Adverse incident” means any incident set forth in s. 458.351(4)(a)-(e) or s. 459.026(4)(a)-(e).

(c) “Board-certified pain management physician” means a physician who possesses board certification in pain medicine by the American Board of Pain Medicine, board certification by the American Board of Interventional Pain Physicians, or board certification or subcertification in pain management or pain medicine by a specialty board recognized by the American Association of Physician Specialists or the American Board of Medical Specialties or an osteopathic physician who holds a certificate in Pain Management by the American Osteopathic Association.

(d) “Board eligible” means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

(e) “Chronic nonmalignant pain” means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

(f) “Mental health addiction facility” means a facility licensed under chapter 394 or chapter 397.

(g) “Registrant” means a physician, a physician assistant, or an advanced registered nurse practitioner who meets the requirements of subsection (2).

(2) REGISTRATION.—~~Effective January 1, 2012,~~ A physician licensed under chapter 458, chapter 459, chapter 461, or chapter 466, a physician assistant licensed under chapter 458 or chapter 459, or an advanced registered nurse practitioner certified under part I of chapter 464 who prescribes any controlled substance, listed in Schedule II, Schedule III, or Schedule IV as defined in s. 893.03, for the treatment of chronic nonmalignant pain, must:

(a) Designate himself or herself as a controlled substance prescribing practitioner on *his or her* ~~the physician's~~ practitioner profile.

(b) Comply with the requirements of this section and applicable board rules.

(3) STANDARDS OF PRACTICE.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(a) A complete medical history and a physical examination must be conducted before beginning any treatment and must be documented in the medical record. The exact components of the physical examination

shall be left to the judgment of the ~~registrant clinician~~ who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of previous medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance. Each registrant must develop a written plan for assessing each patient's risk of aberrant drug-related behavior, which may include patient drug testing. Registrants must assess each patient's risk for aberrant drug-related behavior and monitor that risk on an ongoing basis in accordance with the plan.

(b) Each registrant must develop a written individualized treatment plan for each patient. The treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the ~~registrant physician~~ shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) The ~~registrant physician~~ shall discuss the risks and benefits of the use of controlled substances, including the risks of abuse and addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or the patient's surrogate or guardian if the patient is incompetent. The ~~registrant physician~~ shall use a written controlled substance agreement between the ~~registrant physician~~ and the patient outlining the patient's responsibilities, including, but not limited to:

1. Number and frequency of controlled substance prescriptions and refills.
2. Patient compliance and reasons for which drug therapy may be discontinued, such as a violation of the agreement.
3. An agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating ~~registrant physician~~ unless otherwise authorized by the treating ~~registrant physician~~ and documented in the medical record.

(d) The patient shall be seen by the ~~registrant physician~~ at regular intervals, not to exceed 3 months, to assess the efficacy of treatment, ensure that controlled substance therapy remains indicated, evaluate the patient's progress toward treatment objectives, consider adverse drug effects, and review the etiology of the pain. Continuation or modification of therapy shall depend on the ~~registrant's physician's~~ evaluation of the patient's progress. If treatment goals are not being achieved, despite medication adjustments, the ~~registrant physician~~ shall reevaluate the appropriateness of continued treatment. The ~~registrant physician~~ shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of 3-month intervals.

(e) The ~~registrant physician~~ shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation and requires consultation with or referral to an addiction medicine specialist or a psychiatrist.

(f) A ~~registrant physician registered under this section~~ must maintain accurate, current, and complete records that are accessible and readily available for review and comply with the requirements of this

section, the applicable practice act, and applicable board rules. The medical records must include, but are not limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence.
2. Diagnostic, therapeutic, and laboratory results.
3. Evaluations and consultations.
4. Treatment objectives.
5. Discussion of risks and benefits.
6. Treatments.
7. Medications, including date, type, dosage, and quantity prescribed.
8. Instructions and agreements.
9. Periodic reviews.
10. Results of any drug testing.
11. A photocopy of the patient's government-issued photo identification.
12. If a written prescription for a controlled substance is given to the patient, a duplicate of the prescription.
13. The ~~registrant's physician's~~ full name presented in a legible manner.

(g) A ~~registrant~~ shall immediately refer patients with signs or symptoms of substance abuse ~~shall be immediately referred~~ to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the ~~registrant is a physician who is board-certified or board-eligible in pain management~~. Throughout the period of time before receiving the consultant's report, a prescribing ~~registrant physician~~ shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to ensure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing ~~registrant physician~~ shall incorporate the consultant's recommendations for continuing, modifying, or discontinuing controlled substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record. Evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy, and the patient shall be discharged, and all results of testing and actions taken by the ~~registrant physician~~ shall be documented in the patient's medical record.

This subsection does not apply to a board-eligible or board-certified anesthesiologist, physiatrist, rheumatologist, or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambulatory surgery center and primarily provides surgical services. This subsection does not apply to a board-eligible or board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is board eligible or board certified in pain medicine by the American Board of Pain Medicine, the American Board of Interventional Pain Physicians, the American Association of Physician Specialists, or a board approved by the American Board of Medical Specialties or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. This subsection does not apply to a ~~registrant physician~~ who prescribes medically necessary controlled substances for a patient during an inpatient stay in a hospital licensed under chapter 395.

Section 7. Paragraph (b) of subsection (2) of section 458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(b) ~~Only a person may not dispense any medication on the premises of a registered pain management clinic unless he or she is a physician licensed under this chapter or chapter 459 may dispense medication or prescribe a controlled substance regulated under chapter 893 on the premises of a registered pain-management clinic.~~

Section 8. Paragraph (b) of subsection (2) of section 459.0137, Florida Statutes, is amended to read:

459.0137 Pain-management clinics.—

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any osteopathic physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(b) ~~Only a person may not dispense any medication on the premises of a registered pain management clinic unless he or she is a physician licensed under this chapter or chapter 458 may dispense medication or prescribe a controlled substance regulated under chapter 893 on the premises of a registered pain-management clinic.~~

Section 9. Paragraph (e) of subsection (4) of section 458.347, Florida Statutes, is amended, and paragraph (c) of subsection (9) of that section is republished, to read:

458.347 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervisory physician may delegate to a fully licensed physician assistant the authority to prescribe or dispense any medication used in the supervisory physician's practice unless such medication is listed on the formulary created pursuant to paragraph (f). A fully licensed physician assistant may only prescribe or dispense such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that he or she is a physician assistant. Furthermore, the physician assistant must inform the patient that the patient has the right to see the physician prior to any prescription being prescribed or dispensed by the physician assistant.

2. The supervisory physician must notify the department of his or her intent to delegate, on a department-approved form, before delegating such authority and notify the department of any change in prescriptive privileges of the physician assistant. Authority to dispense may be delegated only by a supervising physician who is registered as a dispensing practitioner in compliance with s. 465.0276.

3. The physician assistant must file with the department a signed affidavit that he or she has completed a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal application. *Three of the 10 hours must consist of a continuing education course on the safe and effective prescribing of controlled substance medications which is offered by a statewide professional association of physicians in this state accredited to provide educational activities designated for the American Medical Association Physician's Recognition Award Category 1 credit or designated by the American Academy of Physician Assistants as a Category 1 credit.*

4. The department may issue a prescriber number to the physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements. The physician assistant shall not be required to independently register pursuant to s. 465.0276.

5. The prescription must be written in a form that complies with chapter 499 and must contain, in addition to the supervisory physician's name, address, and telephone number, the physician assistant's pre-

scriber number. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465 and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number creates a presumption that the physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

6. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

(9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on Physician Assistants is created within the department.

(c) The council shall:

1. Recommend to the department the licensure of physician assistants.

2. Develop all rules regulating the use of physician assistants by physicians under this chapter and chapter 459, except for rules relating to the formulary developed under paragraph (4)(f). The council shall also develop rules to ensure that the continuity of supervision is maintained in each practice setting. The boards shall consider adopting a proposed rule developed by the council at the regularly scheduled meeting immediately following the submission of the proposed rule by the council. A proposed rule submitted by the council may not be adopted by either board unless both boards have accepted and approved the identical language contained in the proposed rule. The language of all proposed rules submitted by the council must be approved by both boards pursuant to each respective board's guidelines and standards regarding the adoption of proposed rules. If either board rejects the council's proposed rule, that board must specify its objection to the council with particularity and include any recommendations it may have for the modification of the proposed rule.

3. Make recommendations to the boards regarding all matters relating to physician assistants.

4. Address concerns and problems of practicing physician assistants in order to improve safety in the clinical practices of licensed physician assistants.

Section 10. Effective January 1, 2017, paragraph (f) of subsection (4) of section 458.347, Florida Statutes, is amended to read:

458.347 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(f)1. The council shall establish a formulary of medicinal drugs that a fully licensed physician assistant having prescribing authority under this section or s. 459.022 may not prescribe. The formulary must include ~~controlled substances as defined in chapter 893~~, general anesthetics, and radiographic contrast materials, *and must limit the prescription of Schedule II controlled substances as listed in s. 893.03 to a 7-day supply. The formulary must also restrict the prescribing of psychiatric mental health controlled substances for children younger than 18 years of age.*

2. In establishing the formulary, the council shall consult with a pharmacist licensed under chapter 465, but not licensed under this chapter or chapter 459, who shall be selected by the State Surgeon General.

3. Only the council shall add to, delete from, or modify the formulary. Any person who requests an addition, a deletion, or a modification of a medicinal drug listed on such formulary has the burden of proof to show cause why such addition, deletion, or modification should be made.

4. The boards shall adopt the formulary required by this paragraph, and each addition, deletion, or modification to the formulary, by rule. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall be effective 60 days after the date it is filed with the Secretary of State. Upon adoption of the formulary, the department shall mail a copy of such formulary to each fully licensed physician

assistant having prescribing authority under this section or s. 459.022, and to each pharmacy licensed by the state. The boards shall establish, by rule, a fee not to exceed \$200 to fund the provisions of this paragraph and paragraph (e).

Section 11. Subsection (2) of section 464.003, Florida Statutes, is amended to read:

464.003 Definitions.—As used in this part, the term:

(2) “Advanced or specialized nursing practice” means, in addition to the practice of professional nursing, the performance of advanced-level nursing acts approved by the board which, by virtue of postbasic specialized education, training, and experience, are appropriately performed by an advanced registered nurse practitioner. Within the context of advanced or specialized nursing practice, the advanced registered nurse practitioner may perform acts of nursing diagnosis and nursing treatment of alterations of the health status. The advanced registered nurse practitioner may also perform acts of medical diagnosis and treatment, prescription, and operation *as authorized within the framework of an established supervisory protocol which are identified and approved by a joint committee composed of three members appointed by the Board of Nursing, two of whom must be advanced registered nurse practitioners; three members appointed by the Board of Medicine, two of whom must have had work experience with advanced registered nurse practitioners; and the State Surgeon General or the State Surgeon General’s designee. Each committee member appointed by a board shall be appointed to a term of 4 years unless a shorter term is required to establish or maintain staggered terms. The Board of Nursing shall adopt rules authorizing the performance of any such acts approved by the joint committee. Unless otherwise specified by the joint committee, such acts must be performed under the general supervision of a practitioner licensed under chapter 458, chapter 459, or chapter 466 within the framework of standing protocols which identify the medical acts to be performed and the conditions for their performance.* The department may, by rule, require that a copy of the protocol be filed with the department along with the notice required by s. 458.348.

Section 12. Section 464.012, Florida Statutes, is amended to read:

464.012 Certification of advanced registered nurse practitioners; fees; *controlled substance prescribing.*—

(1) Any nurse desiring to be certified as an advanced registered nurse practitioner shall apply to the department and submit proof that he or she holds a current license to practice professional nursing and that he or she meets one or more of the following requirements as determined by the board:

(a) Satisfactory completion of a formal postbasic educational program of at least one academic year, the primary purpose of which is to prepare nurses for advanced or specialized practice.

(b) Certification by an appropriate specialty board. Such certification shall be required for initial state certification and any recertification as a registered nurse anesthetist or nurse midwife. The board may by rule provide for provisional state certification of graduate nurse anesthetists and nurse midwives for a period of time determined to be appropriate for preparing for and passing the national certification examination.

(c) Graduation from a program leading to a master’s degree in a nursing clinical specialty area with preparation in specialized practitioner skills. For applicants graduating on or after October 1, 1998, graduation from a master’s degree program shall be required for initial certification as a nurse practitioner under paragraph (4)(c). For applicants graduating on or after October 1, 2001, graduation from a master’s degree program shall be required for initial certification as a registered nurse anesthetist under paragraph (4)(a).

(2) The board shall provide by rule the appropriate requirements for advanced registered nurse practitioners in the categories of certified registered nurse anesthetist, certified nurse midwife, and nurse practitioner.

(3) An advanced registered nurse practitioner shall perform those functions authorized in this section within the framework of an established protocol that is filed with the board upon biennial license renewal and within 30 days after entering into a supervisory relationship with a physician or changes to the protocol. The board shall review the protocol to ensure compliance with applicable regulatory standards for protocols. The board shall refer to the department licensees submitting protocols that are not compliant with the regulatory standards for protocols. A practitioner currently licensed under chapter 458, chapter 459, or chapter 466 shall maintain supervision for directing the specific course of medical treatment. Within the established framework, an advanced registered nurse practitioner may:

- (a) Monitor and alter drug therapies.
- (b) Initiate appropriate therapies for certain conditions.
- (c) Perform additional functions as may be determined by rule in accordance with s. 464.003(2).
- (d) Order diagnostic tests and physical and occupational therapy.

(4) In addition to the general functions specified in subsection (3), an advanced registered nurse practitioner may perform the following acts within his or her specialty:

(a) The certified registered nurse anesthetist may, to the extent authorized by established protocol approved by the medical staff of the facility in which the anesthetic service is performed, perform any or all of the following:

1. Determine the health status of the patient as it relates to the risk factors and to the anesthetic management of the patient through the performance of the general functions.
2. Based on history, physical assessment, and supplemental laboratory results, determine, with the consent of the responsible physician, the appropriate type of anesthesia within the framework of the protocol.
3. Order under the protocol preanesthetic medication.
4. Perform under the protocol procedures commonly used to render the patient insensible to pain during the performance of surgical, obstetrical, therapeutic, or diagnostic clinical procedures. These procedures include ordering and administering regional, spinal, and general anesthesia; inhalation agents and techniques; intravenous agents and techniques; and techniques of hypnosis.
5. Order or perform monitoring procedures indicated as pertinent to the anesthetic health care management of the patient.
6. Support life functions during anesthesia health care, including induction and intubation procedures, the use of appropriate mechanical supportive devices, and the management of fluid, electrolyte, and blood component balances.
7. Recognize and take appropriate corrective action for abnormal patient responses to anesthesia, adjunctive medication, or other forms of therapy.
8. Recognize and treat a cardiac arrhythmia while the patient is under anesthetic care.
9. Participate in management of the patient while in the post-anesthesia recovery area, including ordering the administration of fluids and drugs.
10. Place special peripheral and central venous and arterial lines for blood sampling and monitoring as appropriate.

(b) The certified nurse midwife may, to the extent authorized by an established protocol which has been approved by the medical staff of the health care facility in which the midwifery services are performed, or approved by the nurse midwife’s physician backup when the delivery is performed in a patient’s home, perform any or all of the following:

1. Perform superficial minor surgical procedures.
2. Manage the patient during labor and delivery to include amniotomy, episiotomy, and repair.
3. Order, initiate, and perform appropriate anesthetic procedures.
4. Perform postpartum examination.
5. Order appropriate medications.
6. Provide family-planning services and well-woman care.
7. Manage the medical care of the normal obstetrical patient and the initial care of a newborn patient.

(c) The nurse practitioner may perform any or all of the following acts within the framework of established protocol:

1. Manage selected medical problems.
2. Order physical and occupational therapy.
3. Initiate, monitor, or alter therapies for certain uncomplicated acute illnesses.
4. Monitor and manage patients with stable chronic diseases.
5. Establish behavioral problems and diagnosis and make treatment recommendations.

(5) The board shall certify, and the department shall issue a certificate to, any nurse meeting the qualifications in this section. The board shall establish an application fee not to exceed \$100 and a biennial renewal fee not to exceed \$50. The board is authorized to adopt such other rules as are necessary to implement the provisions of this section.

(6)(a) *The board shall establish a committee to recommend a formulary of controlled substances that an advanced registered nurse practitioner may not prescribe or may prescribe only for specific uses or in limited quantities. The committee must consist of three advanced registered nurse practitioners licensed under this section, recommended by the board; three physicians licensed under chapter 458 or chapter 459 who have work experience with advanced registered nurse practitioners, recommended by the Board of Medicine; and a pharmacist licensed under chapter 465 who is a doctor of pharmacy, recommended by the Board of Pharmacy. The committee may recommend an evidence-based formulary applicable to all advanced registered nurse practitioners which is limited by specialty certification, is limited to approved uses of controlled substances, or is subject to other similar restrictions the committee finds are necessary to protect the health, safety, and welfare of the public. The formulary must restrict the prescribing of psychiatric mental health controlled substances for children younger than 18 years of age to advanced registered nurse practitioners who also are psychiatric nurses as defined in s. 394.455. The formulary must also limit the prescribing of Schedule II controlled substances as listed in s. 893.03 to a 7-day supply, except that such restriction does not apply to controlled substances that are psychiatric medications prescribed by psychiatric nurses as defined in s. 394.455.*

(b) *The board shall adopt by rule the recommended formulary and any revision to the formulary which it finds is supported by evidence-based clinical findings presented by the Board of Medicine, the Board of Osteopathic Medicine, or the Board of Dentistry.*

(c) *The formulary required under this subsection does not apply to a controlled substance that is dispensed for administration pursuant to an order, including an order for medication authorized by subparagraph (4)(a)3., subparagraph (4)(a)4., or subparagraph (4)(a)9.*

(d) *The board shall adopt the committee's initial recommendation no later than October 31, 2016.*

(7) *This section shall be known as "The Barbara Lumpkin Prescribing Act."*

Section 13. Effective January 1, 2017, subsection (3) of section 464.012, Florida Statutes, as amended by this act, is amended to read:

464.012 Certification of advanced registered nurse practitioners; fees; controlled substance prescribing.—

(3) An advanced registered nurse practitioner shall perform those functions authorized in this section within the framework of an established protocol that is filed with the board upon biennial license renewal and within 30 days after entering into a supervisory relationship with a physician or changes to the protocol. The board shall review the protocol to ensure compliance with applicable regulatory standards for protocols. The board shall refer to the department licensees submitting protocols that are not compliant with the regulatory standards for protocols. A practitioner currently licensed under chapter 458, chapter 459, or chapter 466 shall maintain supervision for directing the specific course of medical treatment. Within the established framework, an advanced registered nurse practitioner may:

(a) *Prescribe, dispense, administer, or order any drug; however, an advanced registered nurse practitioner may prescribe or dispense a controlled substance as defined in s. 893.03 only if the advanced registered nurse practitioner has graduated from a program leading to a master's or doctoral degree in a clinical nursing specialty area with training in specialized practitioner skills ~~Monitor and alter drug therapies.~~*

(b) Initiate appropriate therapies for certain conditions.

(c) Perform additional functions as may be determined by rule in accordance with s. 464.003(2).

(d) Order diagnostic tests and physical and occupational therapy.

Section 14. Subsection (3) of section 464.013, Florida Statutes, is amended to read:

464.013 Renewal of license or certificate.—

(3) The board shall by rule prescribe up to 30 hours of continuing education biennially as a condition for renewal of a license or certificate.

(a) A nurse who is certified by a health care specialty program accredited by the National Commission for Certifying Agencies or the Accreditation Board for Specialty Nursing Certification is exempt from continuing education requirements. The criteria for programs ~~shall~~ be approved by the board.

(b) *Notwithstanding the exemption in paragraph (a), as part of the maximum 30 hours of continuing education hours required under this subsection, advanced registered nurse practitioners certified under s. 464.012 must complete at least 3 hours of continuing education on the safe and effective prescription of controlled substances. Such continuing education courses must be offered by a statewide professional association of physicians in this state accredited to provide educational activities designated for the American Medical Association Physician's Recognition Award Category 1 credit, the American Nurses Credentialing Center, the American Association of Nurse Anesthetists, or the American Association of Nurse Practitioners and may be offered in a distance learning format.*

Section 15. Paragraph (p) is added to subsection (1) of section 464.018, Florida Statutes, and subsection (2) of that section is republished, to read:

464.018 Disciplinary actions.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(p) *For an advanced registered nurse practitioner:*

1. *Presigning blank prescription forms.*

2. *Prescribing for office use any medicinal drug appearing on Schedule II in chapter 893.*

3. Prescribing, ordering, dispensing, administering, supplying, selling, or giving a drug that is an amphetamine, a sympathomimetic amine drug, or a compound designated in s. 893.03(2) as a Schedule II controlled substance, to or for any person except for:

a. The treatment of narcolepsy; hyperkinesia; behavioral syndrome in children characterized by the developmentally inappropriate symptoms of moderate to severe distractibility, short attention span, hyperactivity, emotional lability, and impulsivity; or drug-induced brain dysfunction.

b. The differential diagnostic psychiatric evaluation of depression or the treatment of depression shown to be refractory to other therapeutic modalities.

c. The clinical investigation of the effects of such drugs or compounds when an investigative protocol is submitted to, reviewed by, and approved by the department before such investigation is begun.

4. Prescribing, ordering, dispensing, administering, supplying, selling, or giving growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for the purpose of muscle building or to enhance athletic performance. As used in this subparagraph, the term "muscle building" does not include the treatment of injured muscle. A prescription written for the drug products identified in this subparagraph may be dispensed by a pharmacist with the presumption that the prescription is for legitimate medical use.

5. Promoting or advertising on any prescription form a community pharmacy unless the form also states: "This prescription may be filled at any pharmacy of your choice."

6. Prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including a controlled substance, other than in the course of his or her professional practice. For the purposes of this subparagraph, it is legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and is not in the course of the advanced registered nurse practitioner's professional practice, without regard to his or her intent.

7. Prescribing, dispensing, or administering a medicinal drug appearing on any schedule set forth in chapter 893 to himself or herself, except a drug prescribed, dispensed, or administered to the advanced registered nurse practitioner by another practitioner authorized to prescribe, dispense, or administer medicinal drugs.

8. Prescribing, ordering, dispensing, administering, supplying, selling, or giving amygdalin (laetrile) to any person.

9. Dispensing a substance designated in s. 893.03(2) or (3) as a substance controlled in Schedule II or Schedule III, respectively, in violation of s. 465.0276.

10. Promoting or advertising through any communication medium the use, sale, or dispensing of a substance designated in s. 893.03 as a controlled substance.

(2) The board may enter an order denying licensure or imposing any of the penalties in s. 456.072(2) against any applicant for licensure or licensee who is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).

Section 16. Section 627.42392, Florida Statutes, is created to read:

627.42392 *Prior authorization.*—

(1) As used in this section, the term "health insurer" means an authorized insurer offering health insurance as defined in s. 624.603, a managed care plan as defined in s. 409.962(9), or a health maintenance organization as defined in s. 641.19(12).

(2) Notwithstanding any other provision of law, in order to establish uniformity in the submission of prior authorization forms on or after

January 1, 2017, a health insurer, or a pharmacy benefits manager on behalf of the health insurer, which does not use an electronic prior authorization form for its contracted providers shall use only the prior authorization form that has been approved by the Financial Services Commission in consultation with the Agency for Health Care Administration to obtain a prior authorization for a medical procedure, course of treatment, or prescription drug benefit. Such form may not exceed two pages in length, excluding any instructions or guiding documentation.

(3) The Financial Services Commission in consultation with the Agency for Health Care Administration shall adopt by rule guidelines for all prior authorization forms which ensure the general uniformity of such forms.

Section 17. Subsection (11) of section 627.6131, Florida Statutes, is amended to read:

627.6131 *Payment of claims.*—

(11) A health insurer may not retroactively deny a claim because of insured ineligibility:

(a) At any time, if the health insurer verified the eligibility of an insured who is not a recipient of advance payments of the federal premium tax credit and the insurer issued an authorization for payment to a provider;

(b) For services authorized by the insurer and rendered during the first 30 days of a federally required grace period when an insured is a recipient of advance payments of the federal premium tax credit; or

(c) More than 1 year after the date of payment of the claim.

Section 18. Subsection (10) of section 641.3155, Florida Statutes, is amended to read:

641.3155 *Prompt payment of claims.*—

(10) A health maintenance organization may not retroactively deny a claim because of subscriber ineligibility:

(a) At any time, if the health maintenance organization verified the eligibility of a subscriber who is not a recipient of advance payments of the federal premium tax credit and the health maintenance organization issued an authorization for payment to a provider;

(b) For services authorized by the health maintenance organization and rendered during the first 30 days of a federally required grace period when a subscriber is a recipient of advance payments of the federal premium tax credit; or

(c) More than 1 year after the date of payment of the claim.

Section 19. Subsection (21) of section 893.02, Florida Statutes, is amended to read:

893.02 *Definitions.*—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(21) "Practitioner" means a physician licensed ~~under pursuant to~~ chapter 458, a dentist licensed ~~under pursuant to~~ chapter 466, a veterinarian licensed ~~under pursuant to~~ chapter 474, an osteopathic physician licensed ~~under pursuant to~~ chapter 459, an advanced registered nurse practitioner certified under chapter 464, a naturopath licensed ~~under pursuant to~~ chapter 462, a certified optometrist licensed ~~under pursuant to~~ chapter 463, or a podiatric physician licensed ~~under pursuant to~~ chapter 461, or a physician assistant licensed under chapter 458 or chapter 459, provided such practitioner holds a valid federal controlled substance registry number.

Section 20. Paragraph (n) of subsection (1) of section 948.03, Florida Statutes, is amended to read:

948.03 *Terms and conditions of probation.*—

(1) The court shall determine the terms and conditions of probation. Conditions specified in this section do not require oral pronouncement at the time of sentencing and may be considered standard conditions of probation. These conditions may include among them the following, that the probationer or offender in community control shall:

(n) Be prohibited from using intoxicants to excess or possessing any drugs or narcotics unless prescribed by a physician, *an advanced registered nurse practitioner, or a physician assistant*. The probationer or community controllee ~~may shall~~ not knowingly visit places where intoxicants, drugs, or other dangerous substances are unlawfully sold, dispensed, or used.

Section 21. Paragraph (a) of subsection (1) and subsection (2) of section 458.348, Florida Statutes, are amended to read:

458.348 Formal supervisory relationships, standing orders, and established protocols; notice; standards.—

(1) NOTICE.—

(a) When a physician enters into a formal supervisory relationship or standing orders with an emergency medical technician or paramedic licensed pursuant to s. 401.27, which relationship or orders contemplate the performance of medical acts, or when a physician enters into an established protocol with an advanced registered nurse practitioner, which protocol contemplates the performance of medical acts ~~identified and approved by the joint committee pursuant to s. 464.003(2) or~~ acts set forth in s. 464.012(3) and (4), the physician shall submit notice to the board. The notice shall contain a statement in substantially the following form:

I, _____ (name and professional license number of physician), of _____ (address of physician) have hereby entered into a formal supervisory relationship, standing orders, or an established protocol with _____ (number of persons) emergency medical technician(s), _____ (number of persons) paramedic(s), or _____ (number of persons) advanced registered nurse practitioner(s).

(2) ESTABLISHMENT OF STANDARDS BY JOINT COMMITTEE.—The joint committee ~~created under s. 464.003(2)~~ shall determine minimum standards for the content of established protocols pursuant to which an advanced registered nurse practitioner may perform medical acts ~~identified and approved by the joint committee pursuant to s. 464.003(2) or~~ acts set forth in s. 464.012(3) and (4) and shall determine minimum standards for supervision of such acts by the physician, unless the joint committee determines that any act set forth in s. 464.012(3) or (4) is not a medical act. Such standards shall be based on risk to the patient and acceptable standards of medical care and shall take into account the special problems of medically underserved areas. The standards developed by the joint committee shall be adopted as rules by the Board of Nursing and the Board of Medicine for purposes of carrying out their responsibilities pursuant to part I of chapter 464 and this chapter, respectively, but neither board shall have disciplinary powers over the licensees of the other board.

Section 22. Paragraph (a) of subsection (1) of section 459.025, Florida Statutes, is amended to read:

459.025 Formal supervisory relationships, standing orders, and established protocols; notice; standards.—

(1) NOTICE.—

(a) When an osteopathic physician enters into a formal supervisory relationship or standing orders with an emergency medical technician or paramedic licensed pursuant to s. 401.27, which relationship or orders contemplate the performance of medical acts, or when an osteopathic physician enters into an established protocol with an advanced registered nurse practitioner, which protocol contemplates the performance of medical acts ~~identified and approved by the joint committee pursuant to s. 464.003(2) or~~ acts set forth in s. 464.012(3) and (4), the osteopathic physician shall submit notice to the board. The notice must contain a statement in substantially the following form:

I, _____ (name and professional license number of osteopathic physician), of _____ (address of osteopathic physician) have hereby entered into a formal supervisory relationship, standing orders, or an established protocol with _____ (number of persons) emergency medical technician(s), _____ (number of persons) paramedic(s), or _____ (number of persons) advanced registered nurse practitioner(s).

Section 23. *Subsection (10) of s. 458.331, paragraph (g) of subsection (7) of s. 458.347, subsection (10) of s. 459.015, paragraph (f) of subsection (7) of s. 459.022, and paragraph (b) of subsection (5) of s. 465.0158, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 456.072, Florida Statutes, in references thereto.*

Section 24. *Paragraph (mm) of subsection (1) of s. 456.072 and s. 466.02751, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 456.44, Florida Statutes, in references thereto.*

Section 25. *Section 458.303, paragraph (b) of subsection (7) of s. 458.3475, paragraph (e) of subsection (4) and paragraph (c) of subsection (9) of s. 459.022, and paragraph (b) of subsection (7) of s. 459.023, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 458.347, Florida Statutes, in references thereto.*

Section 26. *Paragraph (c) of subsection (3) of s. 464.012, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 464.003, Florida Statutes, in a reference thereto.*

Section 27. *Paragraph (a) of subsection (1) of s. 456.041, subsections (1) and (2) of s. 458.348, and subsection (1) of s. 459.025, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 464.012, Florida Statutes, in references thereto.*

Section 28. *Subsection (7) of s. 464.0205, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 464.013, Florida Statutes, in a reference thereto.*

Section 29. *Subsection (11) of s. 320.0848, subsection (2) of s. 464.008, subsection (5) of s. 464.009, and paragraph (b) of subsection (1), subsection (3), and paragraph (b) of subsection (4) of s. 464.0205, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 464.018, Florida Statutes, in references thereto.*

Section 30. *Section 775.051, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 893.02, Florida Statutes, in a reference thereto.*

Section 31. *Paragraph (a) of subsection (3) of s. 944.17, subsection (8) of s. 948.001, and paragraph (e) of subsection (1) of s. 948.101, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 948.03, Florida Statutes, in references thereto.*

Section 32. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to access to health care services; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances by an advanced registered nurse practitioner; amending s. 456.44, F.S.; defining the term "registrant"; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for the treatment of certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice;

providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under ch. 458 or ch. 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; revising the term “advanced or specialized nursing practice”; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary’s application in certain instances; requiring the board to adopt the committee’s initial recommendations by a specified date; providing a short title; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; creating s. 627.42392, F.S.; defining the term “health insurer”; requiring that certain health insurers that do not already use a certain form use only a prior authorization form approved by the Financial Services Commission in consultation with the Agency for Health Care Administration; requiring the commission in consultation with the agency to adopt by rule guidelines for such forms; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; amending s. 893.02, F.S.; revising the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., to incorporate the amendment made to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., to incorporate the amendment made to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., to incorporate the amendment made to s. 458.347, F.S., in references thereto; reenacting s. 464.012(3)(c), F.S., to incorporate the amendment made to s. 464.003, F.S., in a reference thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., to incorporate the amendment made to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., to incorporate the amendment made to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., to incorporate the amendment made to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., to incorporate the amendment made to s. 948.03, F.S., in references thereto; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1 (899458)** which was adopted:

Amendment 1A (594148) (with title amendment)—Between lines 123 and 124 insert:

Section 5. Present subsections (1) through (10) of section 395.0191, Florida Statutes, are redesignated as subsections (2) through (11), re-

spectively, a new subsection (1) and subsection (12) are added to that section, and present subsection (6) of that section is amended, to read:

395.0191 Staff membership and clinical privileges.—

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

(a) *“Certified surgical assistant” means a surgical assistant who maintains a valid and active certification under one of the following designations: certified surgical first assistant, from the National Board of Surgical Technology and Surgical Assisting; certified surgical assistant, from the National Surgical Assistant Association; or surgical assistant-certified, from the American Board of Surgical Assistants.*

(b) *“Certified surgical technologist” means a surgical technologist who maintains a valid and active certification as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting.*

(c) *“Surgeon” means a health care practitioner as defined in s. 456.001 whose scope of practice includes performing surgery and who is listed as the primary surgeon in the operative record.*

(d) *“Surgical assistant” means a person who provides aid in exposure, hemostasis, closures, and other intraoperative technical functions and who assists the surgeon in performing a safe operation with optimal results for the patient.*

(e) *“Surgical technologist” means a person whose duties include, but are not limited to, maintaining sterility during a surgical procedure, handling and ensuring the availability of necessary equipment and supplies, and maintaining visibility of the operative site to ensure that the operating room environment is safe, that proper equipment is available, and that the operative procedure is conducted efficiently.*

(7)(6) Upon the written request of the applicant, any licensed facility that has denied staff membership or clinical privileges to any applicant specified in subsection (2) or subsection (3) ~~subsection (1) or subsection (2)~~ shall, within 30 days of such request, provide the applicant with the reasons for such denial in writing. A denial of staff membership or clinical privileges to any applicant shall be submitted, in writing, to the applicant’s respective licensing board.

(12) *At least 50 percent of the surgical assistants and 50 percent of the surgical technologists that a licensed facility employs or with whom it contracts must be certified surgical assistants and certified surgical technologists, respectively. The requirements of this subsection do not apply to the following:*

(a) *A person who has completed an appropriate training program for surgical technology in any branch of the Armed Forces or reserve component of the Armed Forces.*

(b) *A person who was employed or contracted to perform the duties of a surgical technologist or surgical assistant at any time before July 1, 2016.*

(c) *A health care practitioner as defined in s. 456.001 or a student if the duties performed by the practitioner or the student are within the scope of the practitioner’s or the student’s training and practice.*

(d) *A person enrolled in a surgical technology or surgical assisting training program accredited by the Commission on Accreditation of Allied Health Education Programs, the Accrediting Bureau of Health Education Schools, or another accrediting body recognized by the United States Department of Education on July 1, 2016. A person may practice as a surgical technologist or a surgical assistant for 2 years after completion of such a training program before he or she is required to obtain a certification under this subsection.*

And the title is amended as follows:

Between lines 1017 and 1018 insert: s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants and surgical technologists employed or contracting with a hospital to be certified; providing exceptions to the certification requirement; conforming cross-references; amending

Amendment 1 (899458), as amended, was adopted.

On motion by Senator Grimsley, by two-thirds vote, **HB 423**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	

Nays—None

CS for CS for CS for SB 534—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who re-sells water service to certain tenants or residents up to a specified percentage or cost; amending s. 367.081, F.S.; authorizing the commission to allow a utility to create a reserve fund upon the commission's own motion or upon the request of the utility; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; requiring the commission to consider certain criteria, when specifically raised in writing by certain parties; specifying standards for evidentiary proceeding involving challenges to such criteria; authorizing the commission to allocate benefits between the customers, shareholders, owners, or affiliates and to disallow rate case expense under certain circumstances; amending s. 367.0814, F.S.; prohibiting the commission from awarding rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; providing exceptions; requiring the commission to propose rules by a certain date; amending s. 367.0816, F.S.; providing an exception to the provision requiring rate case expense recovery to be apportioned over 4 years; prohibiting a utility from earning a return on the unamortized balance of rate case expense; excluding such expenses from rate bases; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service upon its own motion or based on complaints of customers; amending s. 367.165, F.S.; requiring a county that regulates water or wastewater services to comply with the requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; deleting restrictions on such activities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 534**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 491** was withdrawn from the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Appropriations.

On motion by Senator Hays—

CS for CS for CS for HB 491—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of ad-

ditional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who re-sells water service to certain tenants or residents up to a specified percentage or cost; amending s. 367.081, F.S.; providing that the commission may authorize a utility to create a utility reserve fund under certain circumstances; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; specifying the time period over which rate case expenses may be apportioned if a public utility is authorized to recover those expenses through its rates; prohibiting a utility from earning a return on the unamortized balance of the rate case expense; amending s. 367.0814, F.S.; requiring the commission to award rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; requiring the commission to propose rules by a certain date; repealing s. 367.0816, F.S., relating to the recovery of rate case expenses; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service under certain circumstances; amending s. 367.165, F.S.; requiring counties to comply with requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; removing current restrictions on such activities; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 534** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Hays moved the following amendments which were adopted:

Amendment 1 (291762) (with directory and title amendments)—Between lines 173 and 174 insert:

(7) The commission shall determine the reasonableness of rate case expenses and shall disallow all rate case expenses determined to be unreasonable. No rate case expense determined to be unreasonable shall be paid by a consumer.

(a) In determining the reasonable level of rate case expense, the commission shall consider *the following criteria as a basis for disallowing such rate case expense when the criteria are specifically raised in writing by the Public Counsel, an intervenor, or commission staff:*

1. The extent to which a utility has utilized or failed to utilize the provisions of paragraph (4)(a) or paragraph (4)(b).

2. *Whether the customers have received a material benefit as a result of the rate case.*

3. *The amount of time between each rate case.*

4. *The extent to which, at the time of the initial filing, the utility filed complete documentation as required by commission rule, including, but not limited to, minimum filing requirements.*

5. *Whether the utility's rate case filing seeks preferential benefits to shareholders, owners, or nonregulated affiliates.*

6. *The proportion of any rate increase approved by the commission as compared to the amount initially requested by the utility.*

7. *The amount of overall rate case expense incurred and requested as compared to the amount of rate increase approved by the commission.*

8. *The utility management's culpability in causing any deficiencies in the quality of service provided by the utility.*

9. ~~and~~ *Such other criteria as the commission may establish by rule.*

(b) *If any of the criteria specified under paragraph (a) are specifically contested in an evidentiary proceeding, the commission shall make*

specific findings of fact, supported by competent, substantial evidence, for each criterion and the extent to which each criterion benefits the customer. The commission may allocate the benefits between the customers and the shareholders, owners, or affiliates accordingly and may disallow rate case expense in accordance with the specific findings of fact.

And the directory clause is amended as follows:

Delete line 68 and insert:

(4) and subsection (7) are amended, subsection (8) is renumbered as subsection (10),

And the title is amended as follows:

Delete line 21 and insert: specified expense items; requiring the commission to consider certain criteria in determining the reasonableness of rate case expenses, when specifically raised in writing by certain parties; specifying standards for evidentiary proceedings involving challenges to such criteria; authorizing the commission to allocate benefits between the customers and shareholders, owners, or affiliates and to disallow rate case expense under certain circumstances; specifying the time period

Amendment 2 (108966) (with title amendment)—Delete lines 181-202 and insert:

(9) A utility may not earn a return on the unamortized balance of the rate case expense. Any unamortized balance of rate case expense shall be excluded in calculating the utility's rate base.

Section 4. Subsection (3) of section 367.0814, Florida Statutes, is amended to read:

367.0814 Staff assistance in changing rates and charges; interim rates.—

(3) The provisions of s. 367.081(1), (2)(a), and (3) shall apply in determining the utility's rates and charges. *However, the commission may not award rate case expenses to recover attorney fees or fees of other outside consultants who are engaged for the purpose of preparing or filing the case if a utility receives staff assistance in changing rates and charges pursuant to this section, unless the Office of Public Counsel or interested parties have intervened. The commission may award rate case expenses for attorney fees or fees of other outside consultants if such fees are incurred for the purpose of providing consulting or legal services to the utility after the initial staff report is made available to customers and the utility. If there is a protest or appeal by a party other than the utility, the commission may award rate case expenses to*

And the title is amended as follows:

Delete line 26 and insert: expense; amending s. 367.0814, F.S.; authorizing the

Pursuant to Rule 4.19, **CS for CS for CS for HB 491**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1250—A bill to be entitled An act relating to the health care workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for initial or continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.031, F.S.; providing that certain licensing boards must require specified licensees to complete a specified continuing education course that includes a section on human trafficking as a condition of relicensure or recertification; providing requirements and procedures re-

lated to the course; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for physician assistants; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or that may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and non-admissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms

and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1250**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 977** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

CS for HB 977—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term “advanced or specialized nursing practice”; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary’s application in certain instances; requiring the board to adopt the committee’s initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions

to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and nonadmissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term “probation,” and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1250** and read the second time by title.

On motion by Senator Grimsley, further consideration of **CS for HB 977** was deferred.

CS for CS for SB 1714—A bill to be entitled An act relating to the competency-based innovation pilot program; establishing a competency-based innovation pilot program within the Department of Education; defining the term “competency-based education”; authorizing certain schools to apply to the department for approval of a competency-based innovation pilot program; specifying information to be included in the application; authorizing certain waivers; providing reporting and funding requirements for students participating in the pilot program at participating schools; requiring the department to compile certain information and provide access to statewide, standardized assessments; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; specifying the contents of the annual report; providing for expiration of the pilot program; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1714**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1365** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Brandes—

CS for CS for HB 1365—A bill to be entitled An act relating to the Competency-Based Education Pilot Program; creating s. 1003.4996, F.S.; creating the Competency-Based Education Pilot Program; providing for participation in the program and application requirements; exempting participating school districts from specified rules; providing for funding of students enrolled in participating schools; providing duties of the Department of Education; providing for rulemaking; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1714** and read the second time by title.

Senator Hays moved the following amendment which failed:

Amendment 1 (942260) (with title amendment)—Delete lines 14-29 and insert:

Section 1. Paragraph (e) of subsection (1) of section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

(e) One course in career and education planning to be completed in 6th, 7th, or 8th grade. The course may be taught by any member of the instructional staff. At a minimum, the course must be Internet-based, easy to use, and customizable to each student and include research-based assessments to assist students in determining educational and career options and goals. In addition, the course must result in a completed personalized academic and career plan for the student, *which the student is in no way obligated to pursue*; must emphasize the importance of entrepreneurship skills; must emphasize technology or the application of technology in career fields; and, beginning in the 2014-2015 academic year, must include information from the Department of Economic Opportunity's economic security report as described in s. 445.07. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the diploma designation options provided under s. 1003.4285; high school assessment and college entrance test requirements; Florida Bright Futures Scholarship Program requirements; state university and Florida College System institution admission requirements; available opportunities to earn college credit in high school, including Advanced Placement courses; the International Baccalaureate Program; the Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; and career education courses, including career-themed courses and courses that lead to industry certification pursuant to s. 1003.492 or s. 1008.44. *The course in career and education planning required in this paragraph may include, or a school district may develop, grade level curricula or instruction that introduces students to various careers, but the course or school district must not require any curriculum, instruction, or employment-related activity that obligates an elementary or a secondary student to involuntarily select a career, a career interest, an employment goal, or a related job training.*

Each school must inform parents about the course curriculum and activities. Each student shall complete a personal education plan that must be signed by the student and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

Section 2. Section 1003.4996, Florida Statutes, is created to read:

1003.4996 Competency-Based Education Pilot Program.—Beginning with the 2016-2017 school year, the Competency-Based Education Pilot Program is created within the Department of Education to be administered for a period of 5 years. The purpose of the pilot program is to provide an educational environment that allows students to advance to higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.

(1) *PARTICIPATION.—The P.K. Yonge Developmental Research School and the Lake, Palm Beach, Pinellas, and Seminole County School Districts may submit an application in a format prescribed by the department to participate in the pilot program. A school or school district may discontinue its participation in the pilot program at its discretion, or a student who participates in the pilot program may discontinue his or her participation in the program at the end of the current academic period and at the discretion of the student or the student's parent.*

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to the competency-based education; amending s. 1003.4156, F.S.; specifying that a student is not obligated to pursue the personalized academic and career plan; authorizing career and education planning courses to include, or school districts to develop, specified grade level curricula or instruction; prohibiting such courses or school districts from requiring certain curricula, instruction, or activities; creating s. 1003.4996, F.S.; creating the Competency-Based Education Pilot Program; providing for participa-

tion in the program and application requirements; specifying that program participants may discontinue participation in the program; exempting participating

Pursuant to Rule 4.19, **CS for CS for HB 1365** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1118** was deferred.

CS for SB 984—A bill to be entitled An act relating to education access and affordability; amending s. 1001.7065, F.S.; specifying that the costs of instructional materials are not included in tuition for certain online degree programs; creating s. 1004.084, F.S.; requiring the Board of Governors and the State Board of Education to annually identify strategies to promote college affordability; requiring the Board of Governors of the State University System and the State Board of Education to submit annual reports to the Governor and Legislature relating to college affordability; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability to include instructional materials; defining the term “instructional materials”; specifying that Florida College System or state university employees may not receive anything of value in exchange for instructional materials; requiring Florida College System institution and state university boards of trustees to identify wide variances in the costs of, and frequency of changes in the selection of, textbooks and instructional materials for certain courses; requiring the boards of trustees to send a list of identified courses to the academic department chairs for review; providing for legislative review and repeal of specified provisions; requiring Florida College System institutions and state universities to post certain information on their websites; requiring the State Board of Education and Board of Governors to receive input from specified individuals and entities before adopting textbook and instructional materials affordability policies; requiring postsecondary institutions to consult with certain school districts to identify certain practices; requiring cost-benefit analyses relating to textbooks and instructional materials; providing reporting requirements; amending s. 1009.23, F.S.; requiring Florida College System institutions to provide a public notice relating to increases in tuition and fees; amending s. 1009.24, F.S.; requiring state universities to provide a public notice relating to increases in tuition and fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 984**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7019** was withdrawn from the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

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

CS for HB 7019—A bill to be entitled An act relating to postsecondary access and affordability; amending s. 1001.7065, F.S.; specifying that the costs of instructional materials are not included in tuition for certain online degree programs; creating s. 1004.084, F.S.; requiring the Board of Governors of the State University System and the State Board of Education to submit annual reports to the Governor and Legislature relating to college affordability; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability to include instructional materials; defining the term “instructional materials”; requiring Florida College System institution and state university boards of trustees to identify wide variances in the costs of, and frequency of changes in the selection of, textbooks and instructional materials for certain courses; authorizing the Florida College System institution and state university boards of trustees to adopt policies to allow for the use of innovative pricing techniques and payment options for certain textbooks and instructional materials; requiring the boards of trustees to send a list of identified courses to the academic department chairs for review; requiring Florida College System institutions and state universities to post certain information on their websites; requiring the State Board of Education and Board of Governors to receive input from specified individuals and entities before adopting textbook and instructional materials affordability policies; providing for legislative review and repeal of specified provisions; requiring postsecondary institutions to consult with certain school districts to identify certain practices; requiring cost-benefit analyses relating to textbooks and instructional materials; providing reporting requirements; amending s. 1009.23, F.S.; requiring

Florida College System institutions to provide a public notice relating to increases in tuition and fees; amending s. 1009.24, F.S.; revising provisions relating to the assessment of a tuition differential by a state university board of trustees; revising requirements for the use of tuition differential revenues; deleting a requirement that a certain percentage of tuition differential revenues be used for the purpose of improvements in the quality of undergraduate education; requiring state universities to provide a public notice relating to increases in tuition and fees; providing an effective date.

—a companion measure, was substituted for **CS for SB 984** and read the second time by title.

Senator Legg moved the following amendment which was adopted:

Amendment 1 (816310) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (k) of subsection (4) of section 1001.7065, Florida Statutes, is amended to read:

1001.7065 Preeminent state research universities program.—

(4) **PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR ONLINE LEARNING.**—A state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall establish an institute for online learning. The institute shall establish a robust offering of high-quality, fully online baccalaureate degree programs at an affordable cost in accordance with this subsection.

(k) The university shall establish a tuition structure for its online institute in accordance with this paragraph, notwithstanding any other provision of law.

1. For students classified as residents for tuition purposes, tuition for an online baccalaureate degree program shall be set at no more than 75 percent of the tuition rate as specified in the General Appropriations Act pursuant to s. 1009.24(4) and 75 percent of the tuition differential pursuant to s. 1009.24(16). No distance learning fee, fee for campus facilities, or fee for on-campus services may be assessed, except that online students shall pay the university's technology fee, financial aid fee, and Capital Improvement Trust Fund fee. The revenues generated from the Capital Improvement Trust Fund fee shall be dedicated to the university's institute for online learning.

2. For students classified as nonresidents for tuition purposes, tuition may be set at market rates in accordance with the business plan.

3. Tuition for an online degree program shall include all costs associated with instruction, materials, and enrollment, excluding costs associated with the provision of textbooks and instructional materials pursuant to s. 1004.085 and physical laboratory supplies.

4. Subject to the limitations in subparagraph 1., tuition may be differentiated by degree program as appropriate to the instructional and other costs of the program in accordance with the business plan. Pricing must incorporate innovative approaches that incentivize persistence and completion, including, but not limited to, a fee for assessment, a bundled or all-inclusive rate, and sliding scale features.

5. The university must accept advance payment contracts and student financial aid.

6. Fifty percent of the net revenues generated from the online institute of the university shall be used to enhance and enrich the online institute offerings, and 50 percent of the net revenues generated from the online institute shall be used to enhance and enrich the university's campus state-of-the-art research programs and facilities.

7. The institute may charge additional local user fees pursuant to s. 1009.24(14) upon the approval of the Board of Governors.

8. The institute shall submit a proposal to the president of the university authorizing additional user fees for the provision of voluntary student participation in activities and additional student services.

Section 2. Section 1004.084, Florida Statutes, is created to read:

1004.084 College affordability.—

(1) *The Board of Governors and the State Board of Education shall annually identify strategies to promote college affordability for all Floridians by evaluating, at a minimum, the impact of:*

(a) *Tuition and fees on undergraduate, graduate, and professional students at public colleges and universities and graduate assistants employed by public universities.*

(b) *Federal, state, and institutional financial aid policies on the actual cost of attendance for students and their families.*

(c) *The costs of textbooks and instructional materials.*

(2) *By December 31 of each year, beginning in 2016, the Board of Governors and the State Board of Education shall submit a report on their respective college affordability initiatives to the Governor, the President of the Senate, and the Speaker of the House of Representatives.*

Section 3. Section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(1) *As used in this section, the term "instructional materials" means educational materials for use within a course which may be available in printed or digital format.*

(2)~~(1)~~ *An ~~Ne~~ employee of a Florida College System institution or state university may not demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to purchase a specific textbook or instructional material for coursework or instruction.*

(3)~~(2)~~ *An employee may receive:*

(a) *Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.*

(b) *Royalties or other compensation from sales of textbooks or instructional materials that include the instructor's own writing or work.*

(c) *Honoraria for academic peer review of course materials.*

(d) *Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks or instructional materials pursuant to guidelines adopted by the State Board of Education or the Board of Governors.*

(e) *Training in the use of course materials and learning technologies.*

(4) *Each Florida College System institution and state university board of trustees shall, each semester, examine the cost of textbooks and instructional materials by course and course section for all general education courses offered at the institution to identify any variance in the cost of textbooks and instructional materials among different sections of the same course and the percentage of textbooks and instructional materials that remain in use for more than one term. Courses that have a wide variance in costs among sections or that have frequent changes in textbook and instructional materials selections shall be identified and a list of such courses sent to the appropriate academic department chair for review. This subsection is repealed July 1, 2018, unless reviewed and saved from repeal through reenactment by the Legislature.*

(5) *Each Florida College System institution and state university board of trustees is authorized to adopt policies in consultation with providers, including bookstores, which allow for the use of innovative pricing techniques and payment options for textbooks and instructional materials. Such policies may include bulk pricing arrangements that enable students to purchase course materials or texts that are delivered digitally; delivered through other technologies that are, or the licenses of which are, required for use within a course; or delivered in a print format. Innovative pricing techniques and payment options must include an opt-in provision for students and may be approved only if there is documented evidence that the options reduce the cost of textbooks and instructional materials for students taking a course.*

~~(6)(9)~~ Each Florida College System institution ~~institutions~~ and state university ~~universities~~ shall post prominently in the course registration system and on its website ~~on their websites~~, as early as is feasible, but at least 45 ~~not less than 30~~ days before ~~prior to~~ the first day of class for each term, a hyperlink to lists ~~list~~ of each ~~textbook~~ required and recommended textbooks and instructional materials for at least 95 percent of all courses and ~~each~~ course sections offered at the institution during the upcoming term. The lists ~~posted list~~ must include the International Standard Book Number (ISBN) for each required and recommended textbook and instructional material or other identifying information, which must include, at a minimum, all of the following: the title, all authors listed, publishers, edition number, copyright date, published date, and other relevant information necessary to identify the specific ~~textbook or~~ textbooks or instructional materials required and recommended for each course. The State Board of Education and the Board of Governors shall include in the policies, procedures, and guidelines adopted under subsection (7) ~~(4)~~ certain limited exceptions to this notification requirement for classes added after the notification deadline.

~~(7)(4)~~ After receiving input from students, faculty, bookstores, and publishers, the State Board of Education and the Board of Governors each shall adopt textbook and instructional materials affordability policies, procedures, and guidelines for implementation by Florida College System institutions and state universities, respectively, that further efforts to minimize the cost of textbooks and instructional materials for students attending such institutions while maintaining the quality of education and academic freedom. The policies, procedures, and guidelines shall address ~~provide for the following~~:

(a) ~~The establishment of deadlines for an instructor or department to notify the bookstore of required and recommended textbooks and instructional materials so that the bookstore may verify availability, source lower cost options when practicable, explore alternatives with faculty when academically appropriate, and maximize the availability of used textbooks and instructional materials. That textbook adoptions are made with sufficient lead time to bookstores so as to confirm availability of the requested materials and, where possible, ensure maximum availability of used books.~~

(b) ~~Confirmation by the course instructor or academic department offering the course, before the textbook or instructional materials adoption is finalized. That, in the textbook adoption process, of the intent to use all items ordered, particularly each individual item sold as part of a bundled package, is confirmed by the course instructor or the academic department offering the course before the adoption is finalized.~~

(c) ~~Determination by That a course instructor or the academic department offering the course determines, before a textbook or instructional material is adopted, of the extent to which a new edition differs significantly and substantively from earlier versions and the value to the student of changing to a new edition or the extent to which an open-access textbook or instructional material is available may exist and be used.~~

~~(d) That the establishment of policies shall address~~ The availability of required and recommended textbooks and instructional materials to students otherwise unable to afford the cost, including consideration of the extent to which an open-access textbook or instructional material may be used.

(e) ~~Participation by That~~ course instructors and academic departments ~~are encouraged to participate~~ in the development, adaptation, and review of open-access textbooks and instructional materials and, in particular, open-access textbooks and instructional materials for high-demand general education courses.

(f) *Consultation with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to school districts, including, but not limited to, the length of time that textbooks and instructional materials remain in use.*

(g) *Selection of textbooks and instructional materials through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price, by considering:*

1. *Purchasing digital textbooks in bulk.*

2. *Expanding the use of open-access textbooks and instructional materials.*

3. *Providing rental options for textbooks and instructional materials.*

4. *Increasing the availability and use of affordable digital textbooks and learning objects.*

5. *Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials.*

6. *The length of time that textbooks and instructional materials remain in use.*

7. *An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of the materials.*

(8) *The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, beginning in 2016, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for general education courses with a wide cost variance identified pursuant to subsection (4) and high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (6); the number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, beginning in 2016, each chancellor shall provide a summary of the information provided by institutions to the State Board of Education and the Board of Governors, as applicable.*

Section 4. Subsection (20) is added to section 1009.23, Florida Statutes, to read:

1009.23 Florida College System institution student fees.—

(20) *Each Florida College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its consideration at a board of trustees meeting. The notice must:*

- (a) *Include the date and time of the meeting at which the proposal will be considered.*

- (b) *Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.*

- (c) *Be posted on the institution's website and issued in a press release.*

Section 5. Paragraph (b) of subsection (4) of section 1009.24, Florida Statutes, is amended, and subsection (20) is added to that section, to read:

1009.24 State university student fees.—

(4)

- (b) ~~The Board of Governors, or the board's designee,~~ may establish tuition for graduate and professional programs, and out-of-state fees for all programs. Except as otherwise provided in this section, the sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.

(20) *Each state university shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its consideration at a board of trustees meeting. The notice must:*

- (a) *Include the date and time of the meeting at which the proposal will be considered.*

(b) *Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.*

(c) *Be posted on the university's website and issued in a press release.*

Section 6. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education access and affordability; amending s. 1001.7065, F.S.; specifying that the costs of instructional materials are not included in tuition for certain online degree programs; creating s. 1004.084, F.S.; requiring the Board of Governors and the State Board of Education to annually identify strategies to promote college affordability; requiring the Board of Governors of the State University System and the State Board of Education to submit annual reports to the Governor and Legislature relating to college affordability; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability to include instructional materials; defining the term “instructional materials”; specifying that Florida College System or state university employees may not receive anything of value in exchange for instructional materials; requiring Florida College System institution and state university boards of trustees to identify wide variances in the costs of, and frequency of changes in the selection of, textbooks and instructional materials for certain courses; requiring the boards of trustees to send a list of identified courses to the academic department chairs for review; providing for legislative review and repeal of specified provisions; authorizing the Florida College System institution and state university boards of trustees to adopt policies in consultation with providers to allow for the use of innovative pricing techniques and payment options for certain textbooks and instructional materials; requiring the innovative techniques and options to include certain provisions; requiring Florida College System institutions and state universities to post certain information on their websites; requiring the State Board of Education and Board of Governors to receive input from specified individuals and entities before adopting textbook and instructional materials affordability policies; requiring postsecondary institutions to consult with certain school districts to identify certain practices; requiring cost-benefit analyses relating to textbooks and instructional materials; providing reporting requirements; amending s. 1009.23, F.S.; requiring Florida College System institutions to provide a public notice relating to increases in tuition and fees; amending s. 1009.24, F.S.; requiring state universities to provide a public notice relating to increases in tuition and fees; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7019**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 706—A bill to be entitled An act relating to culinary education programs; amending s. 381.0072, F.S.; providing for the applicability of Department of Health sanitation rules to a licensed culinary education program; defining the term “culinary education program”; including certain culinary education programs under the term “food service establishment” and providing for the applicability of food service protection requirements thereto; conforming provisions to changes made by the act; amending s. 509.013, F.S.; revising the term “public food service establishment” to include a culinary education program; amending s. 561.20, F.S.; authorizing a culinary education program with a public food service establishment license to obtain an alcoholic beverage license under certain conditions; authorizing the Division of Alcoholic Beverages and Tobacco to adopt rules to administer such licenses; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 706**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 249** was withdrawn from the Committees on Regulated Industries; Health Policy; and Fiscal Policy.

On motion by Senator Altman—

CS for CS for HB 249—A bill to be entitled An act relating to culinary education programs; amending s. 381.0072, F.S.; providing for the applicability of Department of Health sanitation rules to a licensed

culinary education program; defining the term “culinary education program”; including certain culinary education programs under the definition of “food service establishment” and providing for the applicability of food service protection requirements thereto; conforming provisions; amending s. 509.013, F.S.; revising the definition of the term “public food service establishment” to include a culinary education program; amending s. 561.20, F.S.; permitting a culinary education program with a public food service establishment license to obtain an alcoholic beverage license under certain conditions; authorizing the Division of Alcoholic Beverages and Tobacco to adopt rules to administer such licenses; providing an effective date.

—a companion measure, was substituted for **CS for SB 706** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 249** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1036—A bill to be entitled An act relating to automobile insurance; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for nonpayment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing an additional form of payment for certain motor vehicle insurance contract premiums; authorizing an insurer to impose a specified insufficient funds fee under certain circumstances; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; adding a specified entity to a list of entities that are not required to be licensed as a clinic to receive reimbursement under the Florida Motor Vehicle No-Fault Law; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for CS for SB 1036** to **CS for CS for HB 659**.

Pending further consideration of **CS for CS for CS for SB 1036**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 659** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Brandes—

CS for CS for HB 659—A bill to be entitled An act relating to automobile insurance; amending s. 627.0651, F.S.; providing an exception to a provision that deems use of a single zip code as a rating territory for insurance rates to be unfairly discriminatory; requiring the Office of Insurance Regulation to ensure that rates or rate changes contained in certain rate filings are not excessive, inadequate, or unfairly discriminatory; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for nonpayment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing additional forms of premium payment for motor vehicle insurance contracts; authorizing insurers to charge an insufficient funds fee of up to a specified amount; amending s. 627.744, F.S.; requiring the Division of Insurance Fraud of the Department of Financial Services to provide a report on the required preinsurance inspection of private passenger motor vehicles; specifying data to be included in the report; authorizing the Legislature to use specified data in determining the future public necessity for

specified provisions; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; specifying additional entities that may receive reimbursement under the Florida Motor Vehicle No-Fault Law regardless of whether they meet a specified licensure requirement; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1036**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 659** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 324—A bill to be entitled An act relating to utility projects; providing a short title; defining terms; authorizing certain local governmental entities to finance the costs of a utility project by issuing utility cost containment bonds upon application by a local agency; specifying application requirements; requiring a successor entity of a local agency to assume and perform the obligations of the local agency with respect to the financing of a utility project; providing procedures for local agencies to use when applying to finance a utility project using utility cost containment bonds; authorizing an authority to issue utility cost containment bonds for specified purposes related to utility projects; authorizing an authority to form alternate entities to finance utility projects; requiring the governing body of the authority to adopt a financing resolution and impose a utility project charge on customers of a publicly owned utility as a condition of utility project financing; specifying required and optional provisions of the financing resolution; specifying powers of the authority; requiring the local agency or its publicly owned utility to assist the authority in the establishment or adjustment of the utility project charge; requiring that customers of the public utility specified in the financing resolution pay the utility project charge; providing for adjustment of the utility project charge; establishing ownership of the revenues of the utility project charge; requiring the local agency or its publicly owned utility to collect the utility project charge; conditioning a customer's receipt of public utility services on payment of the utility project charge; authorizing a local agency or its publicly owned utility to use available remedies to enforce collection of the utility project charge; providing that the pledge of the utility project is irrevocable and cannot be reduced or impaired except under certain conditions; providing that a utility project charge constitutes utility project property; providing that utility project property is subject to a lien to secure payment of costs relating to utility cost containment bonds; establishing payment priorities for the use of revenues of the utility project property; providing for the issuance and validation of utility cost containment bonds; securing the payment of utility cost containment bonds and related costs; providing that utility cost containment bonds do not obligate the state or any political subdivision and are not backed by their full faith and credit and taxing power; requiring that certain disclosures be printed on utility cost containment bonds; providing that financing costs related to utility cost containment bonds are an obligation of the authority only; providing limitations on the state's ability to alter financing costs or utility project property under certain circumstances; prohibiting an authority with outstanding payment obligations on utility cost containment bonds from becoming a debtor under certain federal or state laws; providing for construction; endowing public entities with certain powers; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 324**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 347** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Finance and Tax; Communications, Energy, and Public Utilities; and Appropriations.

On motion by Senator Legg—

CS for HB 347—A bill to be entitled An act relating to utility projects; providing a short title; defining terms; authorizing certain local governmental entities to finance the costs of a utility project by issuing utility cost containment bonds upon application by a local agency; specifying application requirements; requiring a successor entity of a

local agency to assume and perform the obligations of the local agency with respect to the financing of a utility project; providing procedures for local agencies to use when applying to finance a utility project using utility cost containment bonds; authorizing an authority to issue utility cost containment bonds for specified purposes related to utility projects; authorizing an authority to form alternate entities to finance utility projects; requiring the governing body of the authority to adopt a financing resolution and impose a utility project charge on customers of a publicly owned utility as a condition of utility project financing; specifying required and optional provisions of the financing resolution; specifying powers of the authority; requiring the local agency or its publicly owned utility to assist the authority in the establishment or adjustment of the utility project charge; requiring that customers of the public utility specified in the financing resolution pay the utility project charge; providing for adjustment of the utility project charge; establishing ownership of the revenues of the utility project charge; requiring the local agency or its publicly owned utility to collect the utility project charge; conditioning a customer's receipt of public utility services on payment of the utility project charge; authorizing a local agency or its publicly owned utility to use available remedies to enforce collection of the utility project charge; providing that the pledge of the utility project charge to secure payment of bonds issued to finance the utility project is irrevocable and cannot be reduced or impaired except under certain conditions; providing that a utility project charge constitutes utility project property; providing that utility project property is subject to a lien to secure payment of costs relating to utility cost containment bonds; establishing payment priorities for the use of revenues of the utility project property; providing for the issuance and validation of utility cost containment bonds; securing the payment of utility cost containment bonds and related costs; providing that utility cost containment bonds do not obligate the state or any political subdivision and are not backed by their full faith and credit and taxing power; requiring that certain disclosures be printed on utility cost containment bonds; providing that financing costs related to utility cost containment bonds are an obligation of the authority only; providing limitations on the state's ability to alter financing costs or utility project property under certain circumstances; prohibiting an authority with outstanding payment obligations on utility cost containment bonds from becoming a debtor under certain federal or state laws; providing for construction; endowing public entities with certain powers; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 324** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 347** was placed on the calendar of Bills on Third Reading.

By direction of the President, the Senate resumed consideration of—

CS for HB 977—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized

nursing practice”; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary’s application in certain instances; requiring the board to adopt the committee’s initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and nonadmissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term “probation,” and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

—which was previously considered this day.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Grimsley moved the following amendment:

Amendment 1 (510114) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Section 394.453, Florida Statutes, is amended to read:

394.453 Legislative intent.—It is the intent of the Legislature to authorize and direct the Department of Children and Families to evaluate, research, plan, and recommend to the Governor and the Legislature programs designed to reduce the occurrence, severity, duration, and disabling aspects of mental, emotional, and behavioral disorders. It is the intent of the Legislature that treatment programs for such disorders shall include, but not be limited to, comprehensive health, social, educational, and rehabilitative services to persons requiring intensive short-term and continued treatment in order to encourage them to assume responsibility for their treatment and recovery. It is intended that such persons be provided with emergency service and temporary detention for evaluation when required; that they be admitted to treatment facilities on a voluntary basis when extended or continuing care is needed and unavailable in the community; that involuntary placement be provided only when expert evaluation determines that it is necessary; that any involuntary treatment or examination be accomplished in a setting which is clinically appropriate and most likely to facilitate the person’s return to the community as soon as possible; and that individual dignity and human rights be guaranteed to all persons who are admitted to mental health facilities or who are being held under s. 394.463. It is the further intent of the Legislature that the least restrictive means of intervention be employed based on the individual needs of each person, within the scope of available services. It is the policy of this state that the use of restraint and seclusion on clients is justified only as an emergency safety measure to be used in response to imminent danger to the client or others. It is, therefore, the intent of the Legislature to achieve an ongoing reduction in the use of restraint and seclusion in programs and facilities serving persons with mental illness. *The Legislature further finds the need for additional psychiatrists to be of critical state concern and recommends the establishment of an additional psychiatry program to be offered by one of Florida’s schools of medicine currently not offering psychiatry. The program shall seek to integrate primary care and psychiatry and other evolving models of care for persons with mental health and substance use disorders. Additionally, the Legislature finds that the use of telemedicine for patient evaluation, case management, and ongoing care will improve management of patient care and reduce costs of transportation.*

Section 2. Subsection (2) of section 394.467, Florida Statutes, is amended to read:

394.467 Involuntary inpatient placement.—

(2) ADMISSION TO A TREATMENT FACILITY.—A patient may be retained by a receiving facility or involuntarily placed in a treatment facility upon the recommendation of the administrator of the receiving facility where the patient has been examined and after adherence to the notice and hearing procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary inpatient placement are met. However, in a county that has a population of fewer than 50,000, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental and nervous disorders or by a psychiatric nurse. Any ~~second~~ opinion authorized in this subsection may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation shall be entered on an involuntary inpatient placement certificate that authorizes the receiving facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

Section 3. Paragraphs (e) and (f) of subsection (1) and paragraph (b) of subsection (4) of section 397.451, Florida Statutes, are amended to read:

397.451 Background checks of service provider personnel.—

(1) PERSONNEL BACKGROUND CHECKS; REQUIREMENTS AND EXCEPTIONS.—

(e) Personnel employed directly or under contract with the Department of Corrections in an inmate substance abuse program ~~who have direct contact with unmarried inmates under the age of 18 or with inmates who are developmentally disabled~~ are exempt from the fin-

gerprinting and background check requirements of this section *unless they have direct contact with unmarried inmates under the age of 18 or with inmates who are developmentally disabled.*

(f) Service provider personnel who request an exemption from disqualification must submit the request within 30 days after being notified of the disqualification. *If 5 years or more have elapsed since the most recent disqualifying offense, service provider personnel may work with adults with substance use disorders under the supervision of a qualified professional licensed under chapter 490 or chapter 491 or a master's level certified addiction professional until the agency makes a final determination regarding the request for an exemption from disqualification. Upon notification of the disqualification, the service provider shall comply with requirements regarding exclusion from employment in s. 435.06.*

(4) EXEMPTIONS FROM DISQUALIFICATION.—

(b) Since rehabilitated substance abuse impaired persons are effective in the successful treatment and rehabilitation of *individuals with substance use disorders* ~~substance abuse impaired adolescents~~, for service providers which treat adolescents 13 years of age and older, service provider personnel whose background checks indicate crimes under s. 817.563, s. 893.13, or s. 893.147 may be exempted from disqualification from employment pursuant to this paragraph.

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

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to behavioral health workforce; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; revising procedures for recommending admission of a patient to a treatment facility; amending s. 397.451, F.S.; revising provisions relating to personnel background checks and exemptions from disqualification for certain service provider personnel; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Grimsley moved the following amendments to **Amendment 1 (510114)** which were adopted:

Amendment 1A (746206) (with title amendment)—Delete line 62 and insert: However, ~~in a county that has a population of fewer than 50,000,~~

And the title is amended as follows:

Delete line 118 and insert: intent; amending s. 394.467, F.S.; authorizing a second opinion for admission to a treatment facility to be provided by certain licensed physicians in all counties, rather than counties with a specified population size; revising procedures

Amendment 1B (654244) (with title amendment)—Between lines 108 and 109 insert:

Section 4. Paragraph (g) is added to subsection (1) of section 456.44, Florida Statutes, and subsections (2) and (3) of that section are amended, to read:

456.44 Controlled substance prescribing.—

(1) DEFINITIONS.—*As used in this section, the term:*

(g) *“Registrant” means a physician who meets the requirements of subsection (2).*

(2) REGISTRATION.—~~Effective January 1, 2012,~~ A physician licensed under chapter 458, chapter 459, chapter 461, or chapter 466 who prescribes any controlled substance, listed in Schedule II, Schedule III, or Schedule IV as defined in s. 893.03, for the treatment of chronic nonmalignant pain, must:

(a) Designate himself or herself as a controlled substance prescribing practitioner on ~~his or her~~ ~~the physician's~~ practitioner profile.

(b) Comply with the requirements of this section and applicable board rules.

(3) STANDARDS OF PRACTICE.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(a) A complete medical history and a physical examination must be conducted before beginning any treatment and must be documented in the medical record. The exact components of the physical examination shall be left to the judgment of the ~~registrant clinician~~ who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of previous medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance. Each registrant must develop a written plan for assessing each patient's risk of aberrant drug-related behavior, which may include patient drug testing. Registrants must assess each patient's risk for aberrant drug-related behavior and monitor that risk on an ongoing basis in accordance with the plan.

(b) Each registrant must develop a written individualized treatment plan for each patient. The treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the ~~registrant physician~~ shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) The ~~registrant physician~~ shall discuss the risks and benefits of the use of controlled substances, including the risks of abuse and addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or the patient's surrogate or guardian if the patient is incompetent. The ~~registrant physician~~ shall use a written controlled substance agreement between the ~~registrant physician~~ and the patient outlining the patient's responsibilities, including, but not limited to:

1. Number and frequency of controlled substance prescriptions and refills.
2. Patient compliance and reasons for which drug therapy may be discontinued, such as a violation of the agreement.
3. An agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating ~~registrant physician~~ unless otherwise authorized by the treating ~~registrant physician~~ and documented in the medical record.

(d) The patient shall be seen by the ~~registrant physician~~ at regular intervals, not to exceed 3 months, to assess the efficacy of treatment, ensure that controlled substance therapy remains indicated, evaluate the patient's progress toward treatment objectives, consider adverse drug effects, and review the etiology of the pain. Continuation or modification of therapy shall depend on the ~~registrant's physician's~~ evaluation of the patient's progress. If treatment goals are not being achieved, despite medication adjustments, the ~~registrant physician~~ shall reevaluate the appropriateness of continued treatment. The ~~registrant physician~~ shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of 3-month intervals.

(e) The ~~registrant physician~~ shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documenta-

tion and requires consultation with or referral to an addiction medicine specialist or a psychiatrist.

(f) A ~~registrant physician registered under this section~~ must maintain accurate, current, and complete records that are accessible and readily available for review and comply with the requirements of this section, the applicable practice act, and applicable board rules. The medical records must include, but are not limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence.
2. Diagnostic, therapeutic, and laboratory results.
3. Evaluations and consultations.
4. Treatment objectives.
5. Discussion of risks and benefits.
6. Treatments.
7. Medications, including date, type, dosage, and quantity prescribed.
8. Instructions and agreements.
9. Periodic reviews.
10. Results of any drug testing.
11. A photocopy of the patient's government-issued photo identification.
12. If a written prescription for a controlled substance is given to the patient, a duplicate of the prescription.
13. The ~~registrant's physician's~~ full name presented in a legible manner.

(g) A ~~registrant shall immediately refer~~ patients with signs or symptoms of substance abuse ~~shall be immediately referred~~ to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the ~~registrant is a physician who~~ is board-certified or board-eligible in pain management. Throughout the period of time before receiving the consultant's report, a prescribing ~~registrant physician~~ shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to ensure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing ~~registrant physician~~ shall incorporate the consultant's recommendations for continuing, modifying, or discontinuing controlled substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record. Evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy, and the patient shall be discharged, and all results of testing and actions taken by the ~~registrant physician~~ shall be documented in the patient's medical record.

This subsection does not apply to a board-eligible or board-certified anesthesiologist, psychiatrist, rheumatologist, or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambulatory surgery center and primarily provides surgical services. This subsection does not apply to a board-eligible or board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is board eligible or board certified in pain medicine by the American Board of Pain Medicine, the American Board of Interventional Pain Physicians, the American Association of Physician Specialists, or a board approved by the American Board of Medical Specialties or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. This subsection does not apply to a ~~registrant physician~~ who prescribes medically necessary controlled substances for a patient during an inpatient stay in a hospital licensed under chapter 395.

Section 5. Paragraph (b) of subsection (2) of section 458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(b) ~~Only a person may not dispense any medication on the premises of a registered pain management clinic unless he or she is a physician licensed under this chapter or chapter 459 may dispense medication or prescribe a controlled substance regulated under chapter 893 on the premises of a registered pain-management clinic.~~

Section 6. Paragraph (b) of subsection (2) of section 459.0137, Florida Statutes, is amended to read:

459.0137 Pain-management clinics.—

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any osteopathic physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(b) ~~Only a person may not dispense any medication on the premises of a registered pain management clinic unless he or she is a physician licensed under this chapter or chapter 458 may dispense medication or prescribe a controlled substance regulated under chapter 893 on the premises of a registered pain-management clinic.~~

Section 7. Section 464.012, Florida Statutes, is amended to read:

464.012 Certification of advanced registered nurse practitioners; fees.—

(1) Any nurse desiring to be certified as an advanced registered nurse practitioner shall apply to the department and submit proof that he or she holds a current license to practice professional nursing and that he or she meets one or more of the following requirements as determined by the board:

(a) Satisfactory completion of a formal postbasic educational program of at least one academic year, the primary purpose of which is to prepare nurses for advanced or specialized practice.

(b) Certification by an appropriate specialty board. Such certification shall be required for initial state certification and any recertification as a registered nurse anesthetist, *psychiatric nurse*, or nurse midwife. The board may by rule provide for provisional state certification of graduate nurse anesthetists, *psychiatric nurses*, and nurse midwives for a period of time determined to be appropriate for preparing for and passing the national certification examination.

(c) Graduation from a program leading to a master's degree in a nursing clinical specialty area with preparation in specialized practitioner skills. For applicants graduating on or after October 1, 1998, graduation from a master's degree program shall be required for initial certification as a nurse practitioner under paragraph (4)(c). For applicants graduating on or after October 1, 2001, graduation from a master's degree program shall be required for initial certification as a registered nurse anesthetist under paragraph (4)(a).

(2) The board shall provide by rule the appropriate requirements for advanced registered nurse practitioners in the categories of certified registered nurse anesthetist, certified nurse midwife, and nurse practitioner.

(3) An advanced registered nurse practitioner shall perform those functions authorized in this section within the framework of an established protocol that is filed with the board upon biennial license renewal and within 30 days after entering into a supervisory relationship with a physician or changes to the protocol. The board shall review the protocol to ensure compliance with applicable regulatory standards for protocols. The board shall refer to the department licensees submitting protocols that are not compliant with the regulatory standards for protocols. A practitioner currently licensed under chapter 458, chapter 459, or chapter 466 shall maintain supervision for directing the specific course

of medical treatment. Within the established framework, an advanced registered nurse practitioner may:

- (a) Monitor and alter drug therapies.
- (b) Initiate appropriate therapies for certain conditions.
- (c) Perform additional functions as may be determined by rule in accordance with s. 464.003(2).
- (d) Order diagnostic tests and physical and occupational therapy.
- (4) In addition to the general functions specified in subsection (3), an advanced registered nurse practitioner may perform the following acts within his or her specialty:

(a) The certified registered nurse anesthetist may, to the extent authorized by established protocol approved by the medical staff of the facility in which the anesthetic service is performed, perform any or all of the following:

1. Determine the health status of the patient as it relates to the risk factors and to the anesthetic management of the patient through the performance of the general functions.
2. Based on history, physical assessment, and supplemental laboratory results, determine, with the consent of the responsible physician, the appropriate type of anesthesia within the framework of the protocol.
3. Order under the protocol preanesthetic medication.
4. Perform under the protocol procedures commonly used to render the patient insensible to pain during the performance of surgical, obstetrical, therapeutic, or diagnostic clinical procedures. These procedures include ordering and administering regional, spinal, and general anesthesia; inhalation agents and techniques; intravenous agents and techniques; and techniques of hypnosis.
5. Order or perform monitoring procedures indicated as pertinent to the anesthetic health care management of the patient.
6. Support life functions during anesthesia health care, including induction and intubation procedures, the use of appropriate mechanical supportive devices, and the management of fluid, electrolyte, and blood component balances.
7. Recognize and take appropriate corrective action for abnormal patient responses to anesthesia, adjunctive medication, or other forms of therapy.
8. Recognize and treat a cardiac arrhythmia while the patient is under anesthetic care.
9. Participate in management of the patient while in the post-anesthesia recovery area, including ordering the administration of fluids and drugs.
10. Place special peripheral and central venous and arterial lines for blood sampling and monitoring as appropriate.

(b) The certified nurse midwife may, to the extent authorized by an established protocol which has been approved by the medical staff of the health care facility in which the midwifery services are performed, or approved by the nurse midwife's physician backup when the delivery is performed in a patient's home, perform any or all of the following:

1. Perform superficial minor surgical procedures.
2. Manage the patient during labor and delivery to include amiotomy, episiotomy, and repair.
3. Order, initiate, and perform appropriate anesthetic procedures.
4. Perform postpartum examination.
5. Order appropriate medications.
6. Provide family-planning services and well-woman care.

7. Manage the medical care of the normal obstetrical patient and the initial care of a newborn patient.

(c) The nurse practitioner may perform any or all of the following acts within the framework of established protocol:

1. Manage selected medical problems.
2. Order physical and occupational therapy.
3. Initiate, monitor, or alter therapies for certain uncomplicated acute illnesses.
4. Monitor and manage patients with stable chronic diseases.
5. Establish behavioral problems and diagnosis and make treatment recommendations.

(5) *A psychiatric nurse, as defined in s. 394.455, within the framework of an established protocol with a psychiatrist, may prescribe psychotropic controlled substances for the treatment of mental disorders.*

(6) The board shall certify, and the department shall issue a certificate to, any nurse meeting the qualifications in this section. The board shall establish an application fee not to exceed \$100 and a biennial renewal fee not to exceed \$50. The board is authorized to adopt such other rules as are necessary to implement the provisions of this section.

Section 8. Paragraph (p) is added to subsection (1) of section 464.018, Florida Statutes, and subsection (2) of that section is republished, to read:

464.018 Disciplinary actions.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(p) *For a psychiatric nurse:*

1. *Presigning blank prescription forms.*
2. *Prescribing for office use any medicinal drug appearing in Schedule II of s. 893.03.*
3. *Prescribing, ordering, dispensing, administering, supplying, selling, or giving a drug that is an amphetamine, a sympathomimetic amine drug, or a compound designated in s. 893.03(2) as a Schedule II controlled substance, to or for any person except for:*
 - a. *The treatment of narcolepsy; hyperkinesia; behavioral syndrome in children characterized by the developmentally inappropriate symptoms of moderate to severe distractibility, short attention span, hyperactivity, emotional lability, and impulsivity; or drug-induced brain dysfunction.*
 - b. *The differential diagnostic psychiatric evaluation of depression or the treatment of depression shown to be refractory to other therapeutic modalities.*
 - c. *The clinical investigation of the effects of such drugs or compounds when an investigative protocol is submitted to, reviewed by, and approved by the department before such investigation is begun.*

4. *Prescribing, ordering, dispensing, administering, supplying, selling, or giving growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for the purpose of muscle building or to enhance athletic performance. As used in this subparagraph, the term "muscle building" does not include the treatment of injured muscle. A prescription written for the drug products identified in this subparagraph may be dispensed by a pharmacist with the presumption that the prescription is for legitimate medical use.*

5. *Promoting or advertising on any prescription form a community pharmacy unless the form also states: "This prescription may be filled at any pharmacy of your choice."*

6. *Prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including a controlled substance, other than in the course of his or her professional practice. For the purposes of this subparagraph, it is legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all*

controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and is not in the course of the advanced registered nurse practitioner's professional practice, without regard to his or her intent.

7. *Prescribing, dispensing, or administering a medicinal drug appearing on any schedule set forth in chapter 893 to himself or herself, except a drug prescribed, dispensed, or administered to the psychiatric nurse by another practitioner authorized to prescribe, dispense, or administer medicinal drugs.*

8. *Prescribing, ordering, dispensing, administering, supplying, selling, or giving amygdalin (laetrile) to any person.*

9. *Dispensing a substance designated in s. 893.03(2) or (3) as a substance controlled in Schedule II or Schedule III, respectively, in violation of s. 465.0276.*

10. *Promoting or advertising through any communication medium the use, sale, or dispensing of a substance designated in s. 893.03 as a controlled substance.*

(2) The board may enter an order denying licensure or imposing any of the penalties in s. 456.072(2) against any applicant for licensure or licensee who is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).

Section 9. Subsection (21) of section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(21) "Practitioner" means a physician licensed pursuant to chapter 458, a dentist licensed pursuant to chapter 466, a veterinarian licensed pursuant to chapter 474, an osteopathic physician licensed pursuant to chapter 459, a naturopath licensed pursuant to chapter 462, a certified optometrist licensed pursuant to chapter 463, *a psychiatric nurse as defined in s. 394.455*, or a podiatric physician licensed pursuant to chapter 461, provided such practitioner holds a valid federal controlled substance registry number.

And the title is amended as follows:

Delete line 123 and insert: provider personnel; amending s. 456.44, F.S.; defining the term "registrant"; requiring psychiatric nurses to make certain designations and comply with certain requirements under specified circumstances; amending s. 458.3265, F.S.; restricting to physicians the authorization to dispense certain medications or prescribe certain controlled substances on the premises of a registered pain-management clinic; amending s. 459.0137, F.S.; restricting to osteopathic physicians the authorization to dispense certain medications or prescribe certain controlled substances on the premises of a registered pain-management clinic; amending s. 464.012, F.S.; providing certification criteria for psychiatric nurses; authorizing psychiatric nurses to prescribe certain psychotropic controlled substances under certain circumstances; amending s. 464.018, F.S.; providing that certain acts by a psychiatric nurse constitute grounds for denial of a license or disciplinary action; amending s. 893.02, F.S.; revising the definition of the term "practitioner"; providing an effective date.

Amendment 1 (510114), as amended, was adopted.

Pursuant to Rule 4.19, **CS for HB 977**, as amended, was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Altman, by two-thirds vote, **SR 1784** was withdrawn from further consideration.

On motion by Senator Simmons, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, March 10, 2016.

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

On motion by Senator Simmons, the rules were waived and **CS for SB 58** was withdrawn from the Committee on Appropriations.

On motion by Senator Simmons, the rules were waived and the following bills were added to the Special Order Calendar for Thursday, March 10, 2016: **SM 798**, **CS for CS for SB 1026**, and **CS for SB 58**. The amendment deadline for these bills was set for one hour after adjournment this day.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, March 9, 2016: CS for SB 234, CS for SB 432, CS for CS for CS for SB 534, CS for CS for CS for SB 676, CS for SB 770, CS for CS for SB 1250, CS for CS for SB 1392, CS for CS for SB 1462, CS for CS for SB 1714.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

Pursuant to Rule 4.18 the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Wednesday, March 9, 2016: HB 655, HB 709, HB 1039, CS for HB 1339, HB 1417.

Respectfully submitted,
David Simmons, Rules Chair

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State CS for CS for SB 202, CS for SB 350, SB 576, CS for SB 1042, and SB 7016 which he approved on March 9, 2016.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HJR 193, as amended, by the required constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee and Representative(s) Rodrigues, R., Berman, Avila, Costello, Diaz, J., Diaz, M., Dudley, Pafford, Rader, Rehwinkel Vasilinda, Smith—

CS for HJR 193—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution to authorize the Legislature, by general law, to exempt from ad valorem taxation the assessed value of solar devices or renewable energy source devices that are subject to tangible personal property tax, to authorize the Legislature, by general law, to prohibit the consideration of the installation of such devices in determining the assessed value of residential and nonresidential real property for the purpose of ad valorem taxation, and to provide effective and expiration dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 4027 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Artiles, Avila, Brodeur, Caldwell, Campbell, Eagle, Hill, Jacobs, Mayfield, McBurney, Renner, Rodrigues, R.—

HB 4027—A bill to be entitled An act relating to traffic infraction detectors; repealing s. 316.003(87) and (91), F.S., relating to the definitions of "traffic infraction detector" and "local hearing officer"; repealing ss. 316.008(8), 316.0083, and 316.00831, F.S., relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations; repealing s. 316.07456, F.S., relating to transitional implementation of such detectors; repealing s. 316.0776, F.S., relating to placement and installation of traffic infraction detectors; repealing s. 318.15(3), F.S., relating to failure to comply with a civil penalty; repealing s. 321.50, F.S., relating to the authorization to use traffic infraction detectors; amending ss. 28.37, 316.640, 316.650, 318.121, 318.14, 318.18, 320.03, and 322.27, F.S., relating to distribution of proceeds, enforcement by traffic infraction enforcement officers using such detectors, procedures for disposition of citations, preemption of additional fees or surcharges, compliance, amount of penalties, registration and renewal of license plates, and points assessed for certain violations, to conform provisions to changes made by the act; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 88.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 288.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 380.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 498.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 716.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1106.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1322.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7012.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7022.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (142638) and passed CS/HB 299, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (534768) and passed CS/CS/HB 499, as amended, by the required constitutional two-thirds vote of the membership.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (411956), 2 (481068), and 3 (145740) and passed CS/CS/CS/HB 651, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (495394) and passed CS/HB 837, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (326768) and passed HB 1205, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (646650), and 2 (173452) and passed HB 1241, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (170350) and passed CS/CS/HB 1361, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (829246) and passed CS/CS/HB 1411, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 3 (949350), and 4 (781556) and passed CS/CS/HB 7007, as amended.

Bob Ward, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 8 was corrected and approved.

CO-INTRODUCERS

Senators Braynon—CS for CS for CS for SB 676; Clemens—CS for CS for CS for SB 676; Diaz de la Portilla—CS for CS for CS for SB 676; Evers—CS for SB 228, CS for CS for SB 308, SB 356, CS for SB 386, SB 418, CS for CS for SB 436, SB 612, CS for CS for SB 636, CS for SB 700, CS for SB 784, SB 850, CS for CS for CS for SB 912, CS for CS for SB 936, CS for CS for SB 1044, CS for SB 1256, CS for SB 1662; Gibson—CS for CS for CS for SB 676; Joyner—CS for CS for SB 760; Sachs—CS for SB 706, CS for CS for SB 760, CS for CS for SB 1714; Stargel—SB 128, CS for CS for SB 436, CS for SB 966; Thompson—CS for CS for SB 760

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:52 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 10 or upon call of the President.



Journal of the Senate

Number 24—Regular Session

Thursday, March 10, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—38:

Mr. President	Gaetz	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Brandes	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	

PRAYER

The following prayer was offered by Major Timothy Gilliam, Area Commander of the Salvation Army of Lee, Hendry, and Glades Counties:

Mighty God, we gather here today with our hearts filled with thanks and gratitude for the blessings you continually bestow upon us. You have endowed our state and its people with your provision, resources, and protection. We acknowledge you as the creator and sustainer of all things.

As this particular session of the state legislature draws to a conclusion, continue to guide and inspire our lawmakers who represent us in times of prosperity, as well as in times when tough decisions are necessary. Give them the wisdom to take actions that preserve the dignity of all our citizens.

Continually lead our Governor, Senators, and Representatives. Help them to remember the poor, the needy, the elderly, and the disenfranchised. Give them discernment when it comes to providing opportunities for those lacking employment and vital necessities for daily living. We pray that Florida's best days are ahead of us and not behind us, and we understand this can only happen by your leading.

Help us to be people of peace and of justice. Help us to be a positive example for the rest of the nation and not an embarrassment. May our state be a bright light in a world that, at times, seems to be getting darker. Teach us to love all that is good and to shun all that is evil.

Guide and bless the men and women of this chamber. Remind them, not only of the gravity of their positions, but also of the fact that you can make their burden lighter. Grant each of them your strength and encouragement. For we ask all these things in your name. Amen.

PLEDGE

Senate Pages, Reece Poppell of Tallahassee; Aaron Denys of Port Orange; and Emily Smith of Riverview, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Dennis F. Saver of Vero Beach, sponsored by Senator Negron, as the doctor of the day. Dr. Saver specializes in family medicine.

BILLS ON THIRD READING

Consideration of **CS for CS for HB 1175** and **CS for CS for HB 139** was deferred.

CS for HB 189—A bill to be entitled An act relating to teacher certification; amending s. 1012.56, F.S.; providing alternative requirements for earning a professional educator certificate that covers certain grades; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for HB 189** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—1

Joyner

CS for CS for CS for HB 491—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified

percentage or cost; amending s. 367.081, F.S.; providing that the commission may authorize a utility to create a utility reserve fund under certain circumstances; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; specifying the time period over which rate case expenses may be apportioned if a public utility is authorized to recover those expenses through its rates; prohibiting a utility from earning a return on the unamortized balance of the rate case expense; amending s. 367.0814, F.S.; requiring the commission to award rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; requiring the commission to propose rules by a certain date; repealing s. 367.0816, F.S., relating to the recovery of rate case expenses; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service under certain circumstances; amending s. 367.165, F.S.; requiring counties to comply with requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; removing current restrictions on such activities; providing an effective date.

—as amended March 9, was read the third time by title.

On motion by Senator Hays, **CS for CS for CS for HB 491**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

Consideration of **CS for CS for CS for HB 153** was deferred.

CS for CS for HB 447—A bill to be entitled An act relating to local government environmental financing; providing a short title; amending s. 212.055, F.S.; expanding the uses of local government infrastructure surtaxes to include acquiring any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; revising definitions for purposes of using surtax proceeds; amending s. 215.619, F.S.; expanding the use of Everglades restoration bonds to include the City of Key West Area of Critical State Concern; expanding the types of water management projects eligible for funding; revising the dates for issuance and maturity of Everglades restoration bonds; reducing the annual appropriation amount dedicated to fund the Florida Keys Area of Critical State Concern protection program; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Department of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain local governments and special districts to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State

Concern; amending s. 380.0552, F.S.; revising legislative intent regarding the Florida Keys Area of Critical State Concern; specifying that plan amendments in the Florida Keys must also be consistent with protecting and improving specified water quality and water supply projects; amending s. 380.0666, F.S.; expanding powers of a land authority to include acquiring lands to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern and contribute funds for certain land purchases by the department; providing limitations relating to acquiring or contributing lands to improve public transportation facilities; providing an effective date.

—as amended March 9, was read the third time by title.

On motion by Senator Flores, **CS for CS for HB 447**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 977—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term “advanced or specialized nursing practice”; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for dis-

ciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and nonadmissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term “probation,” and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

—as amended March 9, was read the third time by title.

On motion by Senator Grimsley, **CS for HB 977**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for HB 1147—A bill to be entitled An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character-development programs to provide certain instruction to students in grades 9-12; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for HB 1147** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

CS for CS for HB 1365—A bill to be entitled An act relating to the Competency-Based Education Pilot Program; creating s. 1003.4996, F.S.; creating the Competency-Based Education Pilot Program; providing for participation in the program and application requirements; exempting participating school districts from specified rules; providing for funding of students enrolled in participating schools; providing duties of the Department of Education; providing for rulemaking; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 1365** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gaetz	Negron
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Benacquisto	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	
Flores	Montford	

Nays—6

Bean	Bullard	Hays
Bradley	Dean	Hutson

Vote after roll call:

Yea—Richter, Simmons

CS for HB 7019—A bill to be entitled An act relating to postsecondary access and affordability; amending s. 1001.7065, F.S.; specifying that the costs of instructional materials are not included in tuition for certain online degree programs; creating s. 1004.084, F.S.; requiring the Board of Governors of the State University System and the State Board of Education to submit annual reports to the Governor and Legislature relating to college affordability; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability to include instructional materials; defining the term “instructional materials”; requiring Florida College System institution and state university boards of trustees to identify wide variances in the costs of, and frequency of changes in the selection of, textbooks and instructional materials for certain courses; authorizing the Florida College System institution and state university

boards of trustees to adopt policies to allow for the use of innovative pricing techniques and payment options for certain textbooks and instructional materials; requiring the boards of trustees to send a list of identified courses to the academic department chairs for review; requiring Florida College System institutions and state universities to post certain information on their websites; requiring the State Board of Education and Board of Governors to receive input from specified individuals and entities before adopting textbook and instructional materials affordability policies; providing for legislative review and repeal of specified provisions; requiring postsecondary institutions to consult with certain school districts to identify certain practices; requiring cost-benefit analyses relating to textbooks and instructional materials; providing reporting requirements; amending s. 1009.23, F.S.; requiring Florida College System institutions to provide a public notice relating to increases in tuition and fees; amending s. 1009.24, F.S.; revising provisions relating to the assessment of a tuition differential by a state university board of trustees; revising requirements for the use of tuition differential revenues; deleting a requirement that a certain percentage of tuition differential revenues be used for the purpose of improvements in the quality of undergraduate education; requiring state universities to provide a public notice relating to increases in tuition and fees; providing an effective date.

—as amended March 9, was read the third time by title.

On motion by Senator Legg, **CS for HB 7019**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Legg
Abruzzo	Evers	Margolis
Altman	Flores	Montford
Bean	Gaetz	Negron
Benacquisto	Galvano	Ring
Bradley	Garcia	Sachs
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Bullard	Hays	Sobel
Clemens	Hukill	Soto
Dean	Hutson	Stargel
Detert	Joyner	Thompson

Nays—None

Vote after roll call:

Yea—Richter, Simmons

CS for CS for HB 249—A bill to be entitled An act relating to culinary education programs; amending s. 381.0072, F.S.; providing for the applicability of Department of Health sanitation rules to a licensed culinary education program; defining the term “culinary education program”; including certain culinary education programs under the definition of “food service establishment” and providing for the applicability of food service protection requirements thereto; conforming provisions; amending s. 509.013, F.S.; revising the definition of the term “public food service establishment” to include a culinary education program; amending s. 561.20, F.S.; permitting a culinary education program with a public food service establishment license to obtain an alcoholic beverage license under certain conditions; authorizing the Division of Alcoholic Beverages and Tobacco to adopt rules to administer such licenses; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for CS for HB 249** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Benacquisto	Bullard
Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert

Diaz de la Portilla	Hutson	Sachs
Evers	Joyner	Simmons
Flores	Latvala	Simpson
Gaetz	Legg	Smith
Galvano	Margolis	Sobel
Garcia	Montford	Soto
Gibson	Negron	Stargel
Grimsley	Richter	
Hays	Ring	

Nays—None

Vote after roll call:

Yea—Hukill, Thompson

CS for CS for HB 659—A bill to be entitled An act relating to automobile insurance; amending s. 627.0651, F.S.; providing an exception to a provision that deems use of a single zip code as a rating territory for insurance rates to be unfairly discriminatory; requiring the Office of Insurance Regulation to ensure that rates or rate changes contained in certain rate filings are not excessive, inadequate, or unfairly discriminatory; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for nonpayment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing additional forms of premium payment for motor vehicle insurance contracts; authorizing insurers to charge an insufficient funds fee of up to a specified amount; amending s. 627.744, F.S.; requiring the Division of Insurance Fraud of the Department of Financial Services to provide a report on the required preinsurance inspection of private passenger motor vehicles; specifying data to be included in the report; authorizing the Legislature to use specified data in determining the future public necessity for specified provisions; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; specifying additional entities that may receive reimbursement under the Florida Motor Vehicle No-Fault Law regardless of whether they meet a specified licensure requirement; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 659** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Abruzzo	Gaetz	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Soto
Clemens	Hutson	Stargel
Dean	Latvala	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—5

Bradley	Joyner	Sobel
Detert	Negron	

Vote after roll call:

Yea to Nay—Flores

CS for HB 347—A bill to be entitled An act relating to utility projects; providing a short title; defining terms; authorizing certain local governmental entities to finance the costs of a utility project by issuing utility cost containment bonds upon application by a local agency; specifying application requirements; requiring a successor entity of a local agency to assume and perform the obligations of the local agency with respect to the financing of a utility project; providing procedures for local agencies to use when applying to finance a utility project using utility cost containment bonds; authorizing an authority to issue utility cost containment bonds for specified purposes related to utility projects; authorizing an authority to form alternate entities to finance utility projects; requiring the governing body of the authority to adopt a financing resolution and impose a utility project charge on customers of a publicly owned utility as a condition of utility project financing; specifying required and optional provisions of the financing resolution; specifying powers of the authority; requiring the local agency or its publicly owned utility to assist the authority in the establishment or adjustment of the utility project charge; requiring that customers of the public utility specified in the financing resolution pay the utility project charge; providing for adjustment of the utility project charge; establishing ownership of the revenues of the utility project charge; requiring the local agency or its publicly owned utility to collect the utility project charge; conditioning a customer's receipt of public utility services on payment of the utility project charge; authorizing a local agency or its publicly owned utility to use available remedies to enforce collection of the utility project charge; providing that the pledge of the utility project charge to secure payment of bonds issued to finance the utility project is irrevocable and cannot be reduced or impaired except under certain conditions; providing that a utility project charge constitutes utility project property; providing that utility project property is subject to a lien to secure payment of costs relating to utility cost containment bonds; establishing payment priorities for the use of revenues of the utility project property; providing for the issuance and validation of utility cost containment bonds; securing the payment of utility cost containment bonds and related costs; providing that utility cost containment bonds do not obligate the state or any political subdivision and are not backed by their full faith and credit and taxing power; requiring that certain disclosures be printed on utility cost containment bonds; providing that financing costs related to utility cost containment bonds are an obligation of the authority only; providing limitations on the state's ability to alter financing costs or utility project property under certain circumstances; prohibiting an authority with outstanding payment obligations on utility cost containment bonds from becoming a debtor under certain federal or state laws; providing for construction; ending public entities with certain powers; providing an effective date.

—was read the third time by title.

On motion by Senator Legg, CS for HB 347 was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Consideration of CS for CS for SB 1394 was deferred.

CS for CS for CS for HB 153—A bill to be entitled An act relating to the Healthy Food Financing Initiative Pilot Program; creating the Healthy Food Financing Initiative Pilot Program; providing definitions; directing the Department of Agriculture and Consumer Services to establish a program to provide specified financing to construct, rehabilitate, or expand grocery stores and supermarkets in underserved communities in low-income and moderate-income areas; authorizing the department to contract with a third-party administrator; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department submit a report to the Legislature by a specified date; requiring that loan repayments be transferred to the General Revenue Fund; directing the department to adopt rules; providing for expiration of the program; providing an appropriation; providing an effective date.

—as amended March 9, was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Bean, the Senate reconsidered the vote by which Amendment 1 (430650) was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bean moved the following amendment to Amendment 1 (430650) which was adopted by two-thirds vote:

Amendment 1A (674624) (with title amendment)—Delete lines 180-181 and insert:

Section 2. For the 2016-2017 fiscal year, the sum of \$500,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Agriculture and Consumer Services for the purpose of implementing this act.

And the title is amended as follows:

Delete lines 207-208 and insert: providing an appropriation; providing

Amendment 1 (430650), as amended, was adopted by two-thirds vote.

On motion by Senator Bean, CS for CS for CS for HB 153, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1288, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 1288—A bill to be entitled An act relating to emergency management; amending s. 252.34, F.S.; defining the term "activate" for purposes of part I of ch. 252, F.S.; amending ss. 163.360, 474.2125, and 627.659, F.S.; conforming cross-references; providing an effective date.

House Amendment 1 (176719) (with title amendment)—Between lines 18 and 19, insert:

Section 2. Section 252.359, Florida Statutes, is created to read:

252.359 *Ensuring availability of emergency supplies.*—

(1) *In order to meet the needs of residents affected during a declared emergency and to ensure the continuing economic resilience of communities impacted by disaster, the division shall establish a statewide system to facilitate the transport and distribution of essentials in commerce.*

(2) *As used in this section, the term "essentials" means goods that are consumed or used as a direct result of a declared emergency, or that are consumed or used to preserve, protect, or sustain life, health, safety, or economic well-being.*

(3) *The division shall develop a system to certify each person who facilitates the transport or distribution of essentials in commerce. The division may not certify a person other than a person who routinely transports or distributes essentials. In developing the system, the division:*

(a) *May provide for a preemergency or postemergency declaration certification.*

(b) *Shall allow the certification of an employer, if requested by the employer, to constitute a certification of the employer's employees.*

(c) *Shall create an easily recognizable indicium of certification to assist local officials' efforts in determining which persons have been certified under this subsection.*

(d) *Shall limit the duration of each certificate to no more than 1 year. Each certificate may be renewed so long as the criteria for certification are met.*

(4) *A person or employer certified under subsection (3) is not required to obtain any additional certification or fulfill any additional requirement to transport or distribute essentials.*

(5) *Notwithstanding any curfew, a person or employer certified under subsection (3) may enter or remain in the curfew area for the limited purpose of facilitating the transport or distribution of essentials and may provide service that exceeds otherwise applicable hours of service maximums to the extent authorized by a duly executed declaration of a state of emergency.*

(6) *This section does not prohibit a law enforcement officer from specifying the permissible route of ingress or egress for a person certified under subsection (3).*

And the title is amended as follows:

Remove line 4 and insert: purposes of part I of ch. 252, F.S.; creating s. 252.359, F.S.; directing the Division of Emergency Management to create a statewide system to facilitate the transport and distribution of essentials in commerce during a declared emergency; defining the term "essentials"; directing the division to create a certification system for persons transporting or distributing essentials in commerce; providing requirements and conditions for the certification system; permitting certain activities by certified persons during a curfew; authorizing a law enforcement officer to specify a permissible route of ingress or egress for a certified person; amending ss.

On motion by Senator Richter, the Senate concurred in the House amendment.

CS for SB 1288 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 698, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for SB 698—A bill to be entitled An act relating to alcoholic beverages and tobacco; amending s. 210.13, F.S.; revising applicability to include other persons who may be subject to a determination of tax on failure to file and return; amending s. 218.32, F.S.; requiring local governmental entities to include revenues derived from the use of temporary alcoholic beverage permits in annual financial reports; amending s. 561.01, F.S.; defining the term "railroad transit station"; amending s. 561.20, F.S.; providing that a license must be revoked or a pending application must be denied under certain circumstances; providing that certain licensees or applicants are not eligible to have an interest in a subsequent license under certain circumstances for a specified timeframe; amending s. 561.29, F.S.; requiring the division to grant a one-time written waiver or extension of certain requirements to specified licensees; revising the circumstances under which a licensee may seek and the division may grant a waiver or extension of the requirements; creating s. 561.4205, F.S.; requiring an alcoholic beverage distributor to charge a deposit for certain alcoholic beverage sales; providing an inventory and reconciliation process as an accounting alternative for specified vendors; providing an inventory and reconciliation process for malt beverage kegs; amending s. 561.422, F.S.; authorizing the division to issue temporary permits to municipalities and counties to sell alcoholic beverages for consumption on the premises of an event; authorizing the director of the division to issue more than three permits per calendar year under certain circumstances; providing conditions for such permits; requiring certain municipalities and counties to properly store and secure unconsumed alcoholic beverages; amending s. 563.06, F.S.; revising requirements for certain vendors to be authorized to fill or refill a growler; revising which licensed vendors may fill or refill a growler; amending s. 565.02, F.S.; authorizing vendors in railroad transit stations to obtain licenses to keep and sell alcoholic beverages; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; revising the locations where certain beverages may be sold; providing liquor bottle size restrictions for railroad transit stations; prohibiting the transfer of certain licenses; requiring operators of railroads and sleeping cars to keep separate certain alcoholic beverages; amending s. 565.04, F.S.; authorizing a licensed distributor to transport alcoholic beverages through certain premises under specified circumstances; providing an effective date.

House Amendment 1 (023647) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 210.13, Florida Statutes, is amended to read:

210.13 *Determination of tax on failure to file a return.*—If a dealer or other person required to remit the tax under this part fails to file any return required under this part, or having filed an incorrect or insufficient return, fails to file a correct or sufficient return, as the case

may require, within 10 days after the giving of notice to the dealer by the Division of Alcoholic Beverages and Tobacco that such return or corrected or sufficient return is required, the division shall determine the amount of tax due by such dealer any time within 3 years after the making of the earliest sale included in such determination and give written notice of such determination to such dealer. Such a determination shall finally and irrevocably fix the tax unless the dealer against whom it is assessed shall, within 30 days after the giving of notice of such determination, apply to the division for a hearing. Judicial review shall not be granted unless the amount of tax stated in the decision, with penalties thereon, if any, shall have been first deposited with the division, and an undertaking or bond filed in the court in which such cause may be pending in such amount and with such sureties as the court shall approve, conditioned that if such proceeding be dismissed or the decision of the division confirmed, the applicant for review will pay all costs and charges which may accrue against the applicant in the prosecution of the proceeding. At the option of the applicant, such undertaking or bond may be in an additional sum sufficient to cover the tax, penalties, costs, and charges aforesaid, in which event the applicant shall not be required to pay such tax and penalties precedent to the granting of such review by such court.

Section 2. Subsection (22) is added to section 561.01, Florida Statutes, to read:

561.01 Definitions.—As used in the Beverage Law:

(22) “Railroad transit station” means a platform or a terminal facility where passenger trains operating on a guided rail system according to a fixed schedule between two or more cities regularly stop to load and unload passengers or goods. The term includes a passenger waiting lounge and dining, retail, entertainment, or recreational facilities within the licensed premises owned or leased by the railroad operator or owner.

Section 3. Paragraph (a) of subsection (2) of section 561.20, Florida Statutes, is amended to read:

561.20 Limitation upon number of licenses issued.—

(2)(a) ~~The No such limitation of the number of licenses as herein provided in this section does not shall henceforth~~ prohibit the issuance of a special license to:

1. Any bona fide hotel, motel, or motor court of not fewer than 80 guest rooms in any county having a population of less than 50,000 residents, and of not fewer than 100 guest rooms in any county having a population of 50,000 residents or greater; or any bona fide hotel or motel located in a historic structure, as defined in s. 561.01(21), with fewer than 100 guest rooms which derives at least 51 percent of its gross revenue from the rental of hotel or motel rooms, which is licensed as a public lodging establishment by the Division of Hotels and Restaurants; provided, however, that a bona fide hotel or motel with no fewer than 10 and no more than 25 guest rooms which is a historic structure, as defined in s. 561.01(21), in a municipality that on the effective date of this act has a population, according to the University of Florida’s Bureau of Economic and Business Research Estimates of Population for 1998, of no fewer than 25,000 and no more than 35,000 residents and that is within a constitutionally chartered county may be issued a special license. This special license shall allow the sale and consumption of alcoholic beverages only on the licensed premises of the hotel or motel. In addition, the hotel or motel must derive at least 60 percent of its gross revenue from the rental of hotel or motel rooms and the sale of food and nonalcoholic beverages; provided that the provisions of this subparagraph shall supersede local laws requiring a greater number of hotel rooms;

2. Any condominium accommodation of which no fewer than 100 condominium units are wholly rentable to transients and which is licensed under the provisions of chapter 509, except that the license shall be issued only to the person or corporation which operates the hotel or motel operation and not to the association of condominium owners;

3. Any condominium accommodation of which no fewer than 50 condominium units are wholly rentable to transients, which is licensed under the provisions of chapter 509, and which is located in any county having home rule under s. 10 or s. 11, Art. VIII of the State Constitution of 1885, as amended, and incorporated by reference in s. 6(e), Art. VIII of the State Constitution, except that the license shall be issued only to

the person or corporation which operates the hotel or motel operation and not to the association of condominium owners;

4. ~~A food service establishment that has Any restaurant having 2,500 square feet of service area, is and equipped to serve meals to 150 persons full course meals at tables at one time, and derives deriving at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages during the first 60-day operating period and each 12-month operating period thereafter. A food service establishment; however, no restaurant granted a special license on or after January 1, 1958, pursuant to general or special law may not shall operate as a package store and may not sell, nor shall intoxicating beverages be sold under such license after the hours of serving or consumption of food have elapsed. Failure by a licensee to meet the required percentage of food and nonalcoholic beverage gross revenues during the covered operating period shall result in revocation of the license or denial of the pending license application. A licensee whose license is revoked or an applicant whose pending application is denied, or any person required to qualify on the special license application, is ineligible to have any interest in a subsequent application for such a license for a period of 120 days after the date of the final denial or revocation; or~~

5. Any caterer, deriving at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, licensed by the Division of Hotels and Restaurants under chapter 509. Notwithstanding any other provision of law to the contrary, a licensee under this subparagraph shall sell or serve alcoholic beverages only for consumption on the premises of a catered event at which the licensee is also providing prepared food, and shall prominently display its license at any catered event at which the caterer is selling or serving alcoholic beverages. A licensee under this subparagraph shall purchase all alcoholic beverages it sells or serves at a catered event from a vendor licensed under s. 563.02(1), s. 564.02(1), or licensed under s. 565.02(1) subject to the limitation imposed in subsection (1), as appropriate. A licensee under this subparagraph may not store any alcoholic beverages to be sold or served at a catered event. Any alcoholic beverages purchased by a licensee under this subparagraph for a catered event that are not used at that event must remain with the customer; provided that if the vendor accepts unopened alcoholic beverages, the licensee may return such alcoholic beverages to the vendor for a credit or reimbursement. Regardless of the county or counties in which the licensee operates, a licensee under this subparagraph shall pay the annual state license tax set forth in s. 565.02(1)(b). A licensee under this subparagraph must maintain for a period of 3 years all records required by the department by rule to demonstrate compliance with the requirements of this subparagraph, including licensed vendor receipts for the purchase of alcoholic beverages and records identifying each customer and the location and date of each catered event. Notwithstanding any provision of law to the contrary, any vendor licensed under s. 565.02(1) subject to the limitation imposed in subsection (1), may, without any additional licensure under this subparagraph, serve or sell alcoholic beverages for consumption on the premises of a catered event at which prepared food is provided by a caterer licensed under chapter 509. If a licensee under this subparagraph also possesses any other license under the Beverage Law, the license issued under this subparagraph shall not authorize the holder to conduct activities on the premises to which the other license or licenses apply that would otherwise be prohibited by the terms of that license or the Beverage Law. Nothing in this section shall permit the licensee to conduct activities that are otherwise prohibited by the Beverage Law or local law. The Division of Alcoholic Beverages and Tobacco is hereby authorized to adopt rules to administer the license created in this subparagraph, to include rules governing licensure, recordkeeping, and enforcement. The first \$300,000 in fees collected by the division each fiscal year pursuant to this subparagraph shall be deposited in the Department of Children and Families’ Operations and Maintenance Trust Fund to be used only for alcohol and drug abuse education, treatment, and prevention programs. The remainder of the fees collected shall be deposited into the Hotel and Restaurant Trust Fund created pursuant to s. 509.072.

However, any license heretofore issued to any such hotel, motel, motor court, or restaurant or hereafter issued to any such hotel, motel, or motor court, including a condominium accommodation, under the general law shall not be moved to a new location, such license being valid only on the premises of such hotel, motel, motor court, or restaurant. Licenses issued to hotels, motels, motor courts, or restaurants under the general law and held by such hotels, motels, motor courts, or restaurants on May 24, 1947, shall be counted in the quota limitation con-

tained in subsection (1). Any license issued for any hotel, motel, or motor court under the provisions of this law shall be issued only to the owner of the hotel, motel, or motor court or, in the event the hotel, motel, or motor court is leased, to the lessee of the hotel, motel, or motor court; and the license shall remain in the name of the owner or lessee so long as the license is in existence. Any special license now in existence heretofore issued under the provisions of this law cannot be renewed except in the name of the owner of the hotel, motel, motor court, or restaurant or, in the event the hotel, motel, motor court, or restaurant is leased, in the name of the lessee of the hotel, motel, motor court, or restaurant in which the license is located and must remain in the name of the owner or lessee so long as the license is in existence. Any license issued under this section shall be marked "Special," and nothing herein provided shall limit, restrict, or prevent the issuance of a special license for any restaurant or motel which shall hereafter meet the requirements of the law existing immediately prior to the effective date of this act, if construction of such restaurant has commenced prior to the effective date of this act and is completed within 30 days thereafter, or if an application is on file for such special license at the time this act takes effect; and any such licenses issued under this proviso may be annually renewed as now provided by law. Nothing herein prevents an application for transfer of a license to a bona fide purchaser of any hotel, motel, motor court, or restaurant by the purchaser of such facility or the transfer of such license pursuant to law.

Section 4. Paragraphs (h) and (i) of subsection (1) of section 561.29, Florida Statutes, are amended to read:

561.29 Revocation and suspension of license; power to subpoena.—

(1) The division is given full power and authority to revoke or suspend the license of any person holding a license under the Beverage Law, when it is determined or found by the division upon sufficient cause appearing of:

(h) Failure by the holder of any license under s. 561.20(1) to maintain the licensed premises in an active manner in which the licensed premises are open for the bona fide sale of authorized alcoholic beverages during regular business hours of at least 6 hours a day for a period of 120 days or more during any 12-month period commencing 18 months after the acquisition of the license by the licensee, regardless of the date the license was originally issued. Every licensee must notify the division in writing of any period during which his or her license is inactive and place the physical license with the division to be held in an inactive status. ~~The division may waive or extend the requirement of this section upon the finding of hardship, including the purchase of the license in order to transfer it to a newly constructed or remodeled location. However, during such closed period, the licensee shall make reasonable efforts toward restoring the license to active status. This paragraph applies shall apply to all annual license periods commencing on or after July 1, 1981, but does shall not apply to licenses issued after September 30, 1988. The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:~~

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises is prohibited from making sales as the result of an order of a court of competent jurisdiction, or the action or inaction of a governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

(i) Failure of ~~a any~~ licensee ~~having issued a new or transfer~~ license issued under s. 561.20(1) after September 30, 1988, ~~under s. 561.20(1)~~ to maintain the licensed premises in an active manner in which the licensed premises are open for business to the public for the bona fide retail sale of authorized alcoholic beverages during regular and reasonable business hours for at least 8 hours a day for a period of 210 days or more during any 12-month period commencing 6 months after the

acquisition of the license by the licensee. It is the intent of this act that for purposes of compliance with this paragraph, a licensee shall operate the licensed premises in a manner so as to maximize sales and tax revenues thereon; this includes maintaining a reasonable inventory of merchandise, including authorized alcoholic beverages, and the use of good business practices to achieve the intent of this law. Any attempt by a licensee to circumvent the intent of this law shall be grounds for revocation or suspension of the alcoholic beverage license. ~~The division may, upon written request of the licensee, give a written waiver of this requirement for a period not to exceed 12 months in cases where the licensee demonstrates that the licensed premises has been physically destroyed through no fault of the licensee, when the licensee has suffered an incapacitating illness or injury which is likely to be prolonged, or when the licensed premises has been prohibited from making sales as a result of any action of any court of competent jurisdiction. Any waiver given pursuant to this subsection may be continued upon subsequent written request showing that substantial progress has been made toward restoring the licensed premises to a condition suitable for the resumption of sales or toward allowing for a court having jurisdiction over the premises to release said jurisdiction, or that an incapacitating illness or injury continues to exist. However, in no event may the waivers necessitated by any one occurrence cumulatively total more than 24 months. A Every licensee shall notify the division in writing of any period during which his or her license is inactive and place the physical license with the division to be held in an inactive status. For the purpose of calculating compliance with the requirements of this paragraph, a license that is acquired in a transaction that is not an arm's length transaction, including transfers from relatives, affiliates, subsidiaries, and other related entities, retains and is subject to the first related transferor's date of acquisition and related periods of operation. The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:~~

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

Section 5. Section 561.4205, Florida Statutes, is created to read:

561.4205 Keg deposits; limited alternative inventory and reconciliation process.—

(1) A distributor selling an alcoholic beverage to a vendor in bulk, by recyclable keg or other similar reusable container, for the purpose of sale in draft form on tap, must charge the vendor a deposit, to be referred to as a "keg deposit," in an amount not less than that charged to the distributor by the manufacturer for each keg or container of the beverage sold. The deposit amount charged to a vendor for a draft keg or container of a like brand must be uniform. Charges made for deposits collected or credits allowed for empty kegs or containers returned must be shown separately on all sale tickets or invoices. A copy of such sales tickets or invoices must be given to the vendor at the time of delivery.

(2) In lieu of receiving a keg deposit, a distributor selling alcoholic beverages by recyclable keg or other similar reusable container for the purpose of sale in draft form to a vendor identified in s. 561.01(18) or s. 565.02(6) or (7) shall implement an inventory and reconciliation process with such vendor in which an accounting of kegs is completed and any loss or variance in the number of kegs is paid for by the vendor on a per-keg basis equivalent to the required keg deposit. This inventory and reconciliation process may occur twice per year, at the discretion of the distributor, but must occur at least annually. Upon completion of an agreed upon keg inventory and reconciliation, the vendor shall remit payment within 15 days after receiving an invoice from the distributor.

The vendor may choose to establish and fund a separate account with the distributor for the purpose of expediting timely payments.

Section 6. Section 561.422, Florida Statutes, is amended to read:

561.422 Nonprofit civic organizations, charitable organizations, municipalities, and counties; temporary permits.—Upon the filing of an application, presentation of a local building and zoning permit, and payment of a fee of \$25 per permit, the director of the division may issue a permit authorizing a bona fide nonprofit civic organization, charitable organization, municipality, or county to sell alcoholic beverages for consumption on the premises only, for a period not to exceed 3 days, subject to any state law or municipal or county ordinance regulating the time for selling such beverages. All net profits from sales of alcoholic beverages collected during the permit period by a nonprofit or civic organization must be retained by such organizations ~~the nonprofit civic organization~~. All net profits from sales of alcoholic beverages collected during the permit period by a municipality or county must be donated to a nonprofit civic or charitable organization within 90 days after the permitted event. A municipality or county may only be issued such a temporary permit if it has attempted to solicit a qualified nonprofit civic or charitable organization to conduct such sales but has been unable to find such a qualifying organization in a reasonably practicable manner and timeframe. A nonprofit ~~any such~~ civic organization, charitable organization, municipality, or county may be issued no more than 12 ~~only three such~~ permits per calendar year. Notwithstanding other provisions of the Beverage Law, a nonprofit ~~any~~ civic organization, charitable organization, municipality, or county licensed under this section may purchase alcoholic beverages from a distributor or vendor licensed under the Beverage Law. The division may adopt rules and conduct audits to ensure compliance with this section.

Section 7. Effective upon this act becoming a law, paragraph (a) of subsection (7) of section 563.06, Florida Statutes, is amended to read:

563.06 Malt beverages; imprint on individual container; size of containers; exemptions.—

(7) Notwithstanding any other provision of the Beverage Law, a malt beverage may be packaged in a growler, which is an individual container that holds 32, 64, or 128 ounces of such malt beverage if it is filled at the point of sale.

(a) A growler may be filled or refilled by any of the following:

1. A licensed manufacturer of malt beverages holding a vendor's license under s. 561.221(2).

2. A vendor holding a quota license under s. 561.20(1) or s. 565.02(1)(a) ~~which that~~ authorizes the sale of malt beverages.

3. A vendor holding a license under s. 563.02(1)(b)-(f), s. 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), unless such license restricts the sale of malt beverages to sale for consumption only on the premises of such vendor.

4. A vendor holding a license pursuant to s. 563.02(1)(a) or s. 564.02(1)(a), having held that license in current, active status on June 30, 2015, subject to the following requirements:

a. The vendor proves, to the satisfaction of the division, that the vendor had draft equipment and tapping accessories installed and had purchased kegs before June 30, 2015.

b. The growlers are filled or refilled by the vendor or the vendor's employee aged 18 or older.

c. The taps or mechanisms used to fill or refill the growlers are not accessible to customers.

d. The growlers meet the labeling and sealing requirements of paragraph (b).

e. The vendor does not permit consumption on premises, including tastings or other sampling activities.

Section 8. Subsections (2) and (9) of section 565.02, Florida Statutes, are amended to read:

565.02 License fees; vendors; clubs; caterers; and others.—

(2) An ~~any~~ operator of railroads or sleeping cars, or a vendor in a railroad transit station, in this state may obtain a license to keep for sale and to sell the beverages mentioned in the Beverage Law ~~on passenger trains upon the payment of an annual license tax of \$2,500, the tax to be paid to the division. A municipality or county may not require an additional license or levy a tax for the privilege of selling such beverages.~~

(a) Operators of railroads or sleeping cars in this state are authorized ~~Such license shall authorize the holder thereof to~~ keep for sale and to sell all beverages mentioned in the Beverage Law for consumption upon any dining, club, parlor, buffet, or observation car of a passenger train in which certified copies of the licenses issued to the operators are posted. Certified copies of such licenses shall be issued by the division upon the payment of a \$10 fee ~~operated by it in this state, but such beverages may be sold only to passengers upon the cars and must be served for consumption thereon. It is unlawful for such licensees to purchase or sell any liquor except in miniature bottles of not more than 2 ounces. A Every such license for the sale of alcoholic beverages on a passenger train shall be good throughout the state. Except for alcoholic beverages sold within the licensed premises of a railroad transit station, it is unlawful for such licensees to purchase or sell any liquor on a passenger train except in miniature bottles of not more than 2 ounces. No license shall be required, or tax levied by any municipality or county, for the privilege of selling such beverages for consumption in such cars. Such beverages shall be sold only on cars in which are posted certified copies of the licenses issued to such operator. Such certified copies of such licenses shall be issued by the division upon the payment of a tax of \$10.~~

(b) A vendor in a railroad transit station is authorized to keep for sale and to sell all beverages mentioned in the Beverage Law. A license issued to a vendor in a railroad transit station may not be transferred to locations beyond the railroad transit station. The alcoholic beverages sold are for consumption on the licensed premises and may be consumed in all areas within the railroad transit station and on a passenger train. Operators of railroads and sleeping cars shall keep separate the alcoholic beverages intended for sale on passenger trains and the alcoholic beverages intended for sale in the railroad transit station.

(9)(a) As used in this subsection, the term:

1. "Annual capacity" means an amount equal to the number of lower berths on a vessel multiplied by the number of embarkations of that vessel during a calendar year.

2. "Base rate" means an amount equal to the total taxes and surcharges paid by all permittees pursuant to the Beverage Law and chapter 210 for sales of alcoholic beverages, cigarettes, and other tobacco products taking place between January 1, 2015, and December 31, 2015, inclusive, divided by the sum of the annual capacities of all vessels permitted pursuant to former s. 565.02(9), Florida Statutes 2015, for calendar year 2015.

3. "Embarkation" means an instance in which a vessel departs from a port in this state.

4. "Lower berth" means a bed that is:

a. Affixed to a vessel;

b. Not located above another bed in the same cabin; and

c. Located in a cabin not in use by employees of the operator of the vessel or its contractors.

5. "Quarterly capacity" means an amount equal to the number of lower berths on a vessel multiplied by the number of embarkations of that vessel during a calendar quarter.

(b) It is the finding of the Legislature that passenger vessels engaged exclusively in foreign commerce are susceptible to a distinct and separate classification for purposes of the sale of alcoholic beverages, cigarettes, and other tobacco products under the Beverage Law and chapter 210.

(c) Upon the filing of an application and payment of an annual fee of \$1,100, the director is authorized to issue a permit authorizing the

operator, or, if applicable, his or her concessionaire, of a passenger vessel which has cabin-berth capacity for at least 75 passengers, and which is engaged exclusively in foreign commerce, to sell alcoholic beverages, cigarettes, and other tobacco products on the vessel for consumption on board only:

1.(a) For no more than ~~During a period not in excess of 24 hours before~~ ~~prior to~~ departure while the vessel is moored at a dock or wharf in a port of this state; or

2.(b) At any time while the vessel is located in Florida territorial waters and is in transit to or from international waters.

One such permit shall be required for each such vessel and shall name the vessel for which it is issued. No license shall be required or tax levied by any municipality or county for the privilege of selling beverages, cigarettes, or other tobacco products for consumption on board such vessels. The beverages, cigarettes, or other tobacco products so sold may be purchased outside the state by the permittee, and the same shall not be considered as imported for the purposes of s. 561.14(3) solely because of such sale. The permittee is not required to obtain its beverages, cigarettes, or other tobacco products from licensees under the Beverage Law or chapter 210. Each permittee, ~~but it~~ shall keep a strict account of the quarterly capacity of each of its vessels ~~all such beverages sold within this state~~ and shall make ~~quarterly~~ ~~monthly~~ reports to the division on forms prepared and furnished by the division. ~~A permittee who sells on board the vessel beverages withdrawn from United States Bureau of Customs and Border Protection bonded storage on board the vessel may satisfy such accounting requirement by supplying the division with copies of the appropriate United States Bureau of Customs and Border Protection forms evidencing such withdrawals as importations under United States customs laws.~~

(d) Each ~~Such~~ permittee shall pay to the state ~~a~~ ~~an~~ excise tax for beverages, cigarettes, and other tobacco products sold pursuant to this subsection in an amount equal to the base rate multiplied by the permittee's quarterly capacity during the calendar quarter, less any tax or surcharge already paid by a licensed manufacturer or distributor pursuant to the Beverage Law or chapter 210 on beverages, cigarettes, and other tobacco products sold by the permittee pursuant to this subsection during the quarter for which tax is due ~~section, if such excise tax has not previously been paid, in an amount equal to the tax which would be required to be paid on such sales by a licensed manufacturer or distributor.~~

(e) A vendor holding such permit shall pay the tax ~~quarterly~~ ~~monthly~~ to the division at the same time he or she furnishes the required report. Such report shall be filed on or before the 15th day of each calendar quarter ~~month~~ for the quarterly capacity sales occurring during the previous calendar quarter ~~month~~.

(f) By August 1, 2016, each permittee shall report the annual capacity for each of its vessels for calendar year 2015 to the division on forms prepared and furnished by the division. By September 1, 2016, the division shall calculate the base rate and report it to each permittee. The base rate shall also be published in the Florida Administrative Register and on the department's website.

(g) Revenues collected pursuant to this subsection shall be distributed pursuant to s. 561.121(1).

Section 9. Section 565.04, Florida Statutes, is amended to read:

565.04 Package store restrictions.—

(1) Vendors licensed under s. 565.02(1)(a) shall not in said place of business sell, offer, or expose for sale any merchandise other than such beverages, and such places of business shall be devoted exclusively to such sales; provided, however, that such vendors shall be permitted to sell bitters, grenadine, nonalcoholic mixer-type beverages (not to include fruit juices produced outside this state), fruit juices produced in this state, home bar, and party supplies and equipment (including but not limited to glassware and party-type foods), miniatures of no alcoholic content, and tobacco products. Such places of business shall have no openings permitting direct access to any other building or room, except to a private office or storage room of the place of business from which patrons are excluded.

(2) Notwithstanding any other law, when delivering alcoholic beverages to a vendor licensed under s. 565.02(1)(a), a licensed distributor

may transport the beverages through another premises owned in whole or in part by the vendor.

Section 10. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to alcoholic beverages and tobacco; amending s. 210.13, F.S.; revising applicability to include other persons who may be subject to a determination of tax on failure to file a return; amending s. 561.01, F.S.; defining the term "railroad transit station"; amending s. 561.20, F.S.; revising the requirements to obtain and maintain a food service establishment alcoholic beverage license; amending s. 561.29, F.S.; requiring the Division of Alcoholic Beverages and Tobacco to grant a one-time written waiver or extension of certain requirements to specified licensees; revising the circumstances under which a licensee may seek and the division may grant a waiver or extension of the requirements; revising compliance requirements for certain licensees; creating s. 561.4205, F.S.; requiring an alcoholic beverage distributor to charge a deposit for certain alcoholic beverage sales; providing an inventory and reconciliation process as an accounting alternative for specified vendors; providing an inventory and reconciliation process for malt beverage kegs; amending s. 561.422, F.S.; authorizing the division to issue temporary permits to charitable organizations, municipalities, and counties to sell alcoholic beverages for consumption on the premises of an event; amending s. 563.06, F.S.; authorizing certain licensees to fill or refill growlers under certain conditions; amending s. 565.02, F.S.; authorizing operators of railroad transit stations to obtain licenses to sell alcoholic beverages; providing requirements and conditions; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; exempting railroad transit stations from liquor bottle size restrictions; revising the tax on the sale of alcoholic beverages on certain foreign passenger vessels; imposing a tax on sale of cigarettes and other tobacco products on certain foreign passenger vessels; defining terms; revising legislative findings; requiring permittees to submit a report to the division; providing requirements for the report; amending s. 565.04, F.S.; authorizing a licensed distributor to transport alcoholic beverages through certain premises under specified circumstances; providing effective dates.

On motion by Senator Bradley, the Senate concurred in the House amendment.

CS for CS for SB 698 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—1

Negron

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 966, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 966—A bill to be entitled An act relating to unclaimed property; amending s. 717.107, F.S.; revising a presumption of when funds held or owing under a matured or terminated life or endowment insurance policy or annuity contract are unclaimed; revising a condition of when certain insurance policies or annuity contracts are deemed matured and the proceeds are due and payable; requiring an insurer to compare records of certain insurance policies, annuity contracts, and retained asset accounts of its insureds against the United States Social Security Administration Death Master File or a certain database or service to determine if a death is indicated; providing requirements for the comparison; providing for a presumption of death for certain individuals; providing an exception; requiring an insurer to account for certain variations in data and partial information; providing the circumstances under which a policy, a contract, or an account is deemed to be in force; providing applicability; defining a term; requiring an insurer to follow certain procedures after learning of a death through a specified comparison; authorizing an insurer to disclose certain personal information to specified persons for certain purposes; prohibiting an insurer and specified entities from charging fees and costs associated with certain activities; conforming provisions to changes made by the act; providing retroactive applicability; providing an effective date.

House Amendment 2 (825195) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 717.107, Florida Statutes, is amended to read:

717.107 Funds owing under life insurance policies, *annuity contracts, and retained asset accounts; fines, penalties, and interest; United States Social Security Administration Death Master File.*—

(1) Funds held or owing under any life or endowment insurance policy or annuity contract which has matured or terminated are presumed unclaimed if unclaimed for more than 5 years after the *date of death of the insured, the annuitant, or the retained asset account holder funds became due and payable as established from the records of the insurance company holding or owing the funds*, but property described in paragraph (3)(d) ~~(3)(b)~~ is presumed unclaimed if such property is not claimed for more than 2 years. The amount presumed unclaimed shall include any amount due and payable under s. 627.4615.

(2) If a person other than the insured, *the ~~or~~ annuitant, or the retained asset account holder* is entitled to the funds and no address of the person is known to the company or it is not definite and certain from the records of the company who is entitled to the funds, it is presumed that the last known address of the person entitled to the funds is the same as the last known address of the insured, *the ~~or~~ annuitant, or the retained asset account holder* according to the records of the company.

(3) For purposes of this chapter, a life or endowment insurance policy or annuity contract not matured by actual proof of the death of the insured, *the ~~or~~ annuitant, or the retained asset account holder* according to the records of the company is deemed matured and the proceeds due and payable if *any of the following applies*:

(a) The company knows that the insured, *the ~~or~~ annuitant, or the retained asset account holder* has died; ~~or~~

(b) A presumption of death made in accordance with paragraph (8)(c) has not been rebutted.

(c) *The policy or contract has reached its maturity date.*

~~(d)(b)1.~~ (d)1. The insured has attained, or would have attained if he or she were living, the limiting age under the mortality table on which the reserve is based;

2. The policy was in force at the time the insured attained, or would have attained, the limiting age specified in subparagraph 1.; and

3. Neither the insured nor any other person appearing to have an interest in the policy within the preceding 2 years, according to the records of the company, has assigned, readjusted, or paid premiums on the policy; subjected the policy to a loan; corresponded in writing with the company concerning the policy; or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the company.

(4) For purposes of this chapter, the application of an automatic premium loan provision or other nonforfeiture provision contained in an insurance policy does not prevent the policy from being matured or terminated under subsection (1) if the insured has died or the insured or the beneficiaries of the policy otherwise have become entitled to the proceeds thereof before the depletion of the cash surrender value of a policy by the application of those provisions.

(5) If the laws of this state or the terms of the life insurance policy require the company to give notice to the insured or owner that an automatic premium loan provision or other nonforfeiture provision has been exercised and the notice, given to an insured or owner whose last known address according to the records of the company is in this state, is undeliverable, the company shall make a reasonable search to ascertain the policyholder's correct address to which the notice must be mailed.

(6) Notwithstanding any other provision of law, if the company learns of the death of the insured, *the ~~or~~ annuitant, or the retained asset account holder* and the beneficiary has not communicated with the insurer within 4 months after the death, the company shall take reasonable steps to pay the proceeds to the beneficiary.

(7) Commencing 2 years after July 1, 1987, every change of beneficiary form issued by an insurance company under any life or endowment insurance policy or annuity contract to an insured or owner who is a resident of this state must request the following information:

(a) The name of each beneficiary, or if a class of beneficiaries is named, the name of each current beneficiary in the class.

(b) The address of each beneficiary.

(c) The relationship of each beneficiary to the insured.

(8)(a) *Notwithstanding any other provision of law, an insurer shall compare the records of its insureds' life or endowment insurance policies, annuity contracts that provide a death benefit, and retained asset accounts that were in force at any time on or after January 1, 1992, against the United States Social Security Administration Death Master File once to determine whether the death of an insured, an annuitant, or a retained asset account holder is indicated and shall thereafter use the Death Master File update files for future comparisons. The comparisons must use the name and social security number or date of birth of the insured, the annuitant, or the retained asset account holder. The comparisons must be made on at least an annual basis before August 31 of each year. If an insurer performs such comparisons regarding its annuities or other books of business more frequently than once a year, the insurer must also make comparisons regarding its life insurance policies, annuity contracts that provide a death benefit, and retained asset accounts at the same frequency as is made regarding its annuities or other books or lines of business. An insurer may perform the comparisons required by this paragraph using any database or service that the department determines is at least as comprehensive as the United States Social Security Administration Death Master File for the purpose of indicating that a person has died.*

(b) *However, an insurer that meets one of the following criteria as of June 30, 2016, shall conduct the comparison in paragraph (a) to all in-force policies:*

1. *The insurer has entered into a regulatory settlement agreement with the Office of Insurance Regulation; or*

2. *The insurer has received a targeted market conduct examination report issued by the Office of Insurance Regulation regarding claims-handling practices and the use of the Death Master File with no findings of violations of law.*

(c) *An insured, an annuitant, or a retained asset account holder is presumed deceased if the date of his or her death is indicated by the comparison required under paragraph (a) unless the insurer has in its records competent and substantial evidence that the person is living, including, but not limited to, a contact made by the insurer with such person or his or her legal representative. The insurer shall account for common variations in data and for any partial names, social security numbers, dates of birth, and addresses of the insured, the annuitant, or*

the retained asset account holder which would otherwise preclude an exact match.

(d) For purposes of this section, a policy, an annuity contract, or a retained asset account is deemed to be in force if it has not lapsed, has not been cancelled, or has not been terminated at the time of death of the insured, the annuitant, or the retained asset account holder.

(e) This subsection does not apply to an insurer with respect to benefits payable under:

1. An annuity that is issued in connection with an employment-based plan subject to the Employee Retirement Income Security Act of 1974 or that is issued to fund an employment-based retirement plan, including any deferred compensation plan.

2. A policy of credit life or accidental death insurance.

3. A joint and survivor annuity contract if an annuitant is still living.

4. A policy issued to a group master policy owner for which the insurer does not perform recordkeeping functions. For purposes of this subparagraph, the term "recordkeeping" means those circumstances under which the insurer has agreed through a group policyholder to be responsible for obtaining, maintaining, and administering, in its own or its agents' systems, information about each individual insured under a group insurance policy or a line of coverage thereunder, including at least the following:

- a. The social security number, or name and date of birth;
- b. Beneficiary designation information;
- c. Coverage eligibility;
- d. The benefit amount; and
- e. Premium payment status.

5. Any policy or certificate of life insurance that is assigned to a person licensed under s. 497.452 to fund a preneed funeral merchandise or service contract.

(9) No later than 120 days after learning of the death of an insured, an annuitant, or a retained asset account holder through a comparison under subsection (8), an insurer shall:

(a) Complete and document an effort to confirm the death of the insured, the annuitant, or the retained asset account holder against other available records and information.

(b) Review its records to determine whether the insured, the annuitant, or the retained asset account holder purchased other products from the insurer.

(c) Determine whether benefits may be due under a policy, an annuity, or a retained asset account.

(d) Complete and document an effort to locate and contact the beneficiary or authorized representative under a policy, an annuity, or a retained asset account if such person has not communicated with the insurer before the expiration of the 120-day period. The effort must include:

1. Sending to the beneficiary or authorized representative information concerning the claim process of the insurer.

2. Notice of any requirement to provide a certified original or copy of the death certificate if applicable under the policy, annuity, or retained asset account.

(10) An insurer may, to the extent permitted by law, disclose the minimum necessary personal information about an insured, an annuitant, a retained asset account owner, or a beneficiary to an individual or entity reasonably believed by the insurer to possess the ability to assist the insurer in locating the beneficiary or any other individual or entity that is entitled to payment of the claim proceeds.

(11) An insurer, or any agent or third party that it engages or that works on its behalf, may not charge insureds, annuitants, retained asset account holders, beneficiaries, or the estates of insureds, annuitants, retained asset account holders, or the beneficiaries of an estate any fees or costs associated with any search, verification, claim, or delivery of funds conducted pursuant to this section.

Section 2. The amendments made by this act are remedial in nature and apply retroactively. Fines, penalties, or additional interest, pursuant to chapter 717, Florida Statutes, may not be imposed due to the failure to report and remit an unclaimed life or an endowment insurance policy, a retained asset account, or an annuity contract with a death benefit if any unclaimed life or endowment insurance policy, retained asset account, or annuity contract proceeds are reported and remitted to the Department of Financial Services on or before May 1, 2021.

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to unclaimed property; amending s. 717.107, F.S.; revising a presumption of when funds held or owing under a matured or terminated life or endowment insurance policy or annuity contract are unclaimed; revising conditions of when certain insurance policies or annuity contracts are deemed matured and the proceeds are due and payable; requiring an insurer to compare records of certain insurance policies, annuity contracts, and retained asset accounts against the United States Social Security Administration Death Master File or a certain database or service to determine whether a death is indicated and to update certain records; providing requirements for the comparison; providing for a presumption of death for certain individuals; providing exceptions; requiring an insurer to account for certain variations in data and partial information; providing the circumstances under which a policy, a contract, or an account is deemed to be in force; providing applicability; defining the term "recordkeeping"; requiring an insurer to follow certain procedures after learning of a death through a specified comparison; authorizing an insurer to disclose certain personal information to specified persons or entities for certain purposes; prohibiting an insurer and specified entities from charging fees and costs associated with certain activities; conforming provisions to changes made by the act; providing retroactive applicability; providing an effective date.

On motion by Senator Benacquisto, the Senate concurred in the House amendment.

CS for SB 966 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1294, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 1294—A bill to be entitled An act relating to offenses involving minors and vulnerable persons; amending ss. 92.53 and 92.54, F.S.; increasing the maximum age at which a victim or witness under may be allowed to testify via closed circuit television rather than in a courtroom in certain circumstances; amending s. 92.55, F.S.; revising the definition of the term "sexual offense victim or witness"; increasing the maximum age of victims and witnesses for whom the court may enter protective orders; authorizing certain advocates to file motions for such orders on behalf of certain persons; amending s. 741.281, F.S.; requiring a court to order that a defendant attend and complete a parenting course if domestic violence was committed upon or in the presence of a child; amending s. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; prohibiting certain defenses to prosecution under certain circumstances; amending s. 794.022, F.S.; including human trafficking and lewd and lascivious offenses in the rules of evidence applicable to sexually-related offenses; providing an effective date.

House Amendment 1 (181625) (with title amendment)—Remove lines 201-337

And the title is amended as follows:

Remove lines 2-19 and insert: An act relating to victim and witness protection; amending ss. 92.53 and 92.54, F.S.; increasing the maximum age at which a victim or witness may be allowed to testify via closed circuit television rather than in a courtroom in certain circumstances; amending s. 92.55, F.S.; revising the definition of the term "sexual offense victim or witness"; increasing the maximum age of victims and witnesses for whom the court may enter protective orders; authorizing certain advocates to file motions for such orders on behalf of certain persons; amending s. 787.06, F.S.; prohibiting

On motion by Senator Flores, the Senate concurred in the House amendment.

CS for SB 1294 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Name, Flores, Montford. Lists names of senators and their corresponding votes.

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 218, with one amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 218—A bill to be entitled An act relating to offenses involving electronic benefits transfer cards; amending s. 414.39, F.S.; specifying acts that constitute trafficking in food assistance benefits cards and are subject to criminal penalties; providing criminal penalties; reenacting s. 921.0022(3)(a), F.S., relating to level 1 of the offense severity ranking chart, to incorporate the amendment made to s. 414.39, F.S., in a reference thereto; providing an effective date.

House Amendment 1 (381087) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (2) of section 414.39, Florida Statutes, is amended to read:

414.39 Fraud.—

(2)(a) Any person who knowingly:

- 1.(a) Uses, transfers, acquires, traffics, alters, forges, or possesses;
2.(b) Attempts to use, transfer, acquire, traffic, alter, forge, or possess; or
3.(c) Aids and abets another person in the use, transfer, acquisition, traffic, alteration, forgery, or possession of, a food assistance identification card, an authorization, including, but not limited to, an electronic authorization, for the expenditure of food assistance benefits, a certificate of eligibility for medical services, or a Medicaid identification card in any manner not authorized by law commits a crime and shall be punished as provided in subsection (5).

(b) For purposes of this subsection, the term "traffic," as it relates to food assistance benefits, includes:

- 1. Buying, selling, stealing, or otherwise effecting an exchange of food assistance benefits for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone;
2. Intentionally reselling a product purchased with food assistance benefits in exchange for cash or consideration other than eligible food; or
3. Intentionally purchasing a product originally purchased with food assistance benefits using cash or consideration other than eligible food.

(c)1. Notwithstanding subsection (5), a person who knowingly possesses in any manner not authorized by law two or more electronic benefit transfer cards for food assistance benefits that were issued to other persons and who sells or attempts to sell one or more of such cards commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Each electronic benefit transfer card possessed, sold, or attempted to be sold in violation of this subparagraph constitutes a separate offense.

2. In addition to any other penalty, a person who commits a violation of subparagraph 1. shall be ordered by the court to serve at least 40 hours of community service. If the court determines that the community service can be performed at a nonprofit entity that provides the community with food services for the needy, the court shall order that the community service be performed at such an entity.

Section 2. Paragraph (a) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(a) LEVEL 1

Table with 3 columns: Florida Statute, Felony-Degree, Description. Lists statute numbers, degrees, and descriptions of offenses.

319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.	838.15(2)	3rd	Commercial bribe receiving.
322.212 (1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.	838.16	3rd	Commercial bribery.
322.212(4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
322.212(5)(a)	3rd	False application for driver license or identification card.	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food assistance program, Medicaid ID, value greater than \$200.	849.01	3rd	Keeping gambling house.
414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
443.071(1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.	849.25(2)	3rd	Engaging in bookmaking.
517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.	860.08	3rd	Interfere with a railroad signal.
562.27(1)	3rd	Possess still or still apparatus.	860.13(1)(a)	3rd	Operate aircraft while under the influence.
713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.	893.13(2)(a)2.	3rd	Purchase of cannabis.
812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
815.04(5)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).	Section 3. For the purpose of incorporating the amendment made by this act to section 414.39, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 414.41, Florida Statutes, is reenacted to read:		
817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.	414.41 Recovery of payments made due to mistake or fraud.—		
817.569(2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.	(1) Whenever it becomes apparent that any person or provider has received any public assistance under this chapter to which she or he is not entitled, through either simple mistake or fraud on the part of the department or on the part of the recipient or participant, the department shall take all necessary steps to recover the overpayment. Recovery may include Federal Income Tax Refund Offset Program collections activities in conjunction with the Food and Nutrition Service and the Internal Revenue Service to intercept income tax refunds due to clients who owe food assistance or temporary cash assistance debt to the state. The department will follow the guidelines in accordance with federal rules and regulations and consistent with the Food Assistance Program. The department may make appropriate settlements and shall establish a policy and cost-effective rules to be used in the computation and recovery of such overpayments.		
826.01	3rd	Bigamy.	(b) When the intentional program violation or case facts do not warrant criminal prosecution for fraud as defined in s. 414.39, the department will initiate an administrative disqualification hearing. The administrative disqualification hearing will be initiated regardless of the individual's current eligibility.		
828.122(3)	3rd	Fighting or baiting animals.	Section 4. For the purpose of incorporating the amendment made by this act to section 414.39, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 772.102, Florida Statutes, is reenacted to read:		
831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.			
831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.			

772.102 Definitions.—As used in this chapter, the term:

(1) “Criminal activity” means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by indictment or information under the following provisions:

1. Section 210.18, relating to evasion of payment of cigarette taxes.
2. Section 414.39, relating to public assistance fraud.
3. Section 440.105 or s. 440.106, relating to workers’ compensation.
4. Part IV of chapter 501, relating to telemarketing.
5. Chapter 517, relating to securities transactions.
6. Section 550.235 or s. 550.3551, relating to dogracing and horse-racing.
7. Chapter 550, relating to jai alai frontons.
8. Chapter 552, relating to the manufacture, distribution, and use of explosives.
9. Chapter 562, relating to beverage law enforcement.
10. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.
11. Chapter 687, relating to interest and usurious practices.
12. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.
13. Chapter 782, relating to homicide.
14. Chapter 784, relating to assault and battery.
15. Chapter 787, relating to kidnapping or human trafficking.
16. Chapter 790, relating to weapons and firearms.
17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07, relating to prostitution.
18. Chapter 806, relating to arson.
19. Section 810.02(2)(c), relating to specified burglary of a dwelling or structure.
20. Chapter 812, relating to theft, robbery, and related crimes.
21. Chapter 815, relating to computer-related crimes.
22. Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, and credit card crimes.
23. Section 827.071, relating to commercial sexual exploitation of children.
24. Chapter 831, relating to forgery and counterfeiting.
25. Chapter 832, relating to issuance of worthless checks and drafts.
26. Section 836.05, relating to extortion.
27. Chapter 837, relating to perjury.
28. Chapter 838, relating to bribery and misuse of public office.
29. Chapter 843, relating to obstruction of justice.
30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s. 849.25, relating to gambling.

32. Chapter 893, relating to drug abuse prevention and control.

33. Section 914.22 or s. 914.23, relating to witnesses, victims, or informants.

34. Section 918.12 or s. 918.13, relating to tampering with jurors and evidence.

Section 5. For the purpose of incorporating the amendment made by this act to section 414.39, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 895.02, Florida Statutes, is reenacted to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(1) “Racketeering activity” means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by petition, indictment, or information under the following provisions of the Florida Statutes:

1. Section 210.18, relating to evasion of payment of cigarette taxes.
2. Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.
3. Section 403.727(3)(b), relating to environmental control.
4. Section 409.920 or s. 409.9201, relating to Medicaid fraud.
5. Section 414.39, relating to public assistance fraud.
6. Section 440.105 or s. 440.106, relating to workers’ compensation.
7. Section 443.071(4), relating to creation of a fictitious employer scheme to commit reemployment assistance fraud.
8. Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.
9. Section 499.0051, relating to crimes involving contraband and adulterated drugs.
10. Part IV of chapter 501, relating to telemarketing.
11. Chapter 517, relating to sale of securities and investor protection.
12. Section 550.235 or s. 550.3551, relating to dogracing and horseracing.
13. Chapter 550, relating to jai alai frontons.
14. Section 551.109, relating to slot machine gaming.
15. Chapter 552, relating to the manufacture, distribution, and use of explosives.
16. Chapter 560, relating to money transmitters, if the violation is punishable as a felony.
17. Chapter 562, relating to beverage law enforcement.
18. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.
19. Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.
20. Chapter 687, relating to interest and usurious practices.
21. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

22. Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.

23. Section 777.03, relating to commission of crimes by accessories after the fact.

24. Chapter 782, relating to homicide.

25. Chapter 784, relating to assault and battery.

26. Chapter 787, relating to kidnapping or human trafficking.

27. Chapter 790, relating to weapons and firearms.

28. Chapter 794, relating to sexual battery, but only if such crime was committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purpose of increasing a criminal gang member's own standing or position within a criminal gang.

29. Former s. 796.03, former s. 796.035, s. 796.04, s. 796.05, or s. 796.07, relating to prostitution.

30. Chapter 806, relating to arson and criminal mischief.

31. Chapter 810, relating to burglary and trespass.

32. Chapter 812, relating to theft, robbery, and related crimes.

33. Chapter 815, relating to computer-related crimes.

34. Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, and credit card crimes.

35. Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

36. Section 827.071, relating to commercial sexual exploitation of children.

37. Section 828.122, relating to fighting or baiting animals.

38. Chapter 831, relating to forgery and counterfeiting.

39. Chapter 832, relating to issuance of worthless checks and drafts.

40. Section 836.05, relating to extortion.

41. Chapter 837, relating to perjury.

42. Chapter 838, relating to bribery and misuse of public office.

43. Chapter 843, relating to obstruction of justice.

44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

45. Chapter 849, relating to gambling, lottery, gambling or gaming devices, slot machines, or any of the provisions within that chapter.

46. Chapter 874, relating to criminal gangs.

47. Chapter 893, relating to drug abuse prevention and control.

48. Chapter 896, relating to offenses related to financial transactions.

49. Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.

50. Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

Section 6. For the purpose of incorporating the amendment made by this act to section 414.39, Florida Statutes, in a reference thereto, subsection (5) of section 1002.91, Florida Statutes, is reenacted to read:

1002.91 Investigations of fraud or overpayment; penalties.—

(5) If a school readiness program provider or a Voluntary Pre-kindergarten Education Program provider, or an owner, officer, or director thereof, is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, or is acting as the beneficial owner for someone who has been convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, the early learning coalition shall refrain from contracting with, or using the services of, that provider for a period of 5 years. In addition, the coalition shall refrain from contracting with, or using the services of, any provider that shares an officer or director with a provider that is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39 for a period of 5 years.

Section 7. This act shall take effect October 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to public assistance fraud; amending s. 414.39, F.S.; specifying acts that constitute trafficking in food assistance benefits and are subject to criminal penalties; prohibiting specified acts relating to the possession and sale of electronic benefit transfer cards for food assistance benefits that were issued to other persons; providing criminal penalties; amending s. 921.0022, F.S.; deleting a reference to s. 414.39(2), F.S., relating to the unauthorized use, possession, forgery, or alteration of certain food assistance program and Medicaid identification, from the offense severity ranking chart; reenacting ss. 414.41(1)(b), 772.102(1)(a), 895.02(1)(a), and 1002.91(5), F.S., relating to recovery of payments made due to mistake or fraud, definitions for civil remedies for criminal practices, definitions for racketeering, and investigations of fraud or overpayment, respectively, to incorporate the amendment made by this act to s. 414.39, F.S., in references thereto; providing an effective date.

Senator Hutson moved the following amendment which was adopted:

Senate Amendment 1 (583000) (with title amendment) to House Amendment 1 (381087)—Delete lines 22-49 and insert:

(b) *As used in this subsection, the term "traffic" includes:*

1. *Buying, selling, stealing, or otherwise effecting an exchange of food assistance benefits issued and accessed via electronic benefits transfer (EBT) cards, electronic benefits transfer (EBT) card numbers and personal identification numbers (PINs), or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone;*

2. *Attempting to buy, sell, steal, or otherwise effect an exchange of food assistance benefits issued and accessed via electronic benefits transfer (EBT) cards, electronic benefits transfer (EBT) card numbers and personal identification numbers (PINs), or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone;*

3. *Exchanging firearms, ammunition, explosives, or controlled substances, as defined in s. 893.02, for food assistance benefits;*

4. *Purchasing with food assistance benefits a product with the intent of obtaining cash or consideration other than eligible food by reselling the product, and subsequently intentionally reselling the product purchased with food assistance benefits in exchange for cash or consideration other than eligible food; or*

5. *Intentionally purchasing products originally purchased with food assistance benefits in exchange for cash or consideration other than eligible food.*

(c) *Any person who has possession of two or more electronic benefits transfer (EBT) cards issued to other persons and who sells or attempts to sell one or more of these cards commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A second or subsequent violation of this paragraph constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

(d) *In addition to any other penalty, a person who commits a violation of paragraph (c) shall be ordered by the court to serve at least 20*

hours of community service. If the court determines that the community service can be performed at a nonprofit entity that provides the community with food services for the needy, the court shall order that the community service be performed at such an entity.

And the title is amended as follows:

Delete lines 329-336 and insert: An act relating to offenses involving electronic benefits transfer cards; amending s. 414.39, F.S.; specifying acts that constitute trafficking in food assistance benefits cards and are subject to criminal penalties; providing criminal penalties; amending s. 921.0022, F.S.; deleting a

On motion by Senator Hutson, the Senate concurred in **House Amendment 1 (381087)**, as amended, and requested the House to concur in the Senate amendment to the House amendment.

CS for SB 218 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

SPECIAL ORDER CALENDAR

CS for SB 58—A bill to be entitled An act for the relief of Q.B. by the Palm Beach County School Board; providing for an appropriation to compensate Q.B. for injuries sustained as a result of the negligence of employees of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing that the appropriation settles all present and future claims related to the negligent act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 58**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 3515** was withdrawn from the Committee on Rules.

On motion by Senator Abruzzo—

CS for HB 3515—A bill to be entitled An act for the relief of Q.B. by the Palm Beach County School Board; providing for an appropriation and annuity to compensate Q.B. for injuries sustained as a result of the negligence of employees of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing that the appropriation settles all present and future claims related to the negligent act; providing an effective date.

—a companion measure, was substituted for **CS for SB 58** and read the second time by title.

On motion by Senator Abruzzo, by two-thirds vote, **CS for HB 3515** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Smith
Flores	Lee	Sobel
Gaetz	Legg	Soto
Galvano	Margolis	Stargel
Garcia	Montford	Thompson
Gibson	Negron	
Grimsley	Richter	

Nays—None

SENATOR RICHTER PRESIDING

SB 314—A bill to be entitled An act relating to juvenile justice; amending s. 985.557, F.S.; revising the circumstances under which a state attorney may file an information when a child of a certain age range commits or attempts to commit specified crimes; deleting a requirement that a state attorney file an information under certain circumstances; deleting a provision that prohibits physical contact with adult offenders under certain circumstances; revising the effects of the direct filing of a child; prohibiting the transfer of a child under certain circumstances based on the child’s competency; authorizing a child to request a hearing to determine whether he or she must remain in adult court; requiring the court to consider certain factors after a written request is made for a hearing; authorizing the court to waive the case back to juvenile court; requiring the Department of Juvenile Justice to collect specified data under certain circumstances; requiring the department to provide an annual report to the Legislature; amending s. 985.56, F.S.; revising the crimes and the age of a child who is subject to the jurisdiction of a circuit court; prohibiting the transfer of a child under certain circumstances based on the child’s competency; removing provisions regarding sentencing of a child; authorizing, rather than requiring, a court to transfer a child indicted under certain circumstances; making technical changes; amending s. 985.565, F.S.; revising the criteria to be used in determining whether to impose juvenile or adult sanctions; requiring the adult court to render an order including specific findings of fact and the reasons for its decision; providing that the order is reviewable on appeal; requiring the court to consider any reports that may assist in the sentencing of a child; providing for the examination of the reports; removing a provision that requires a court to impose adult sanctions under certain circumstances; revising how a child may be sanctioned under certain circumstances; requiring the court to explain the basis for imposing adult sanctions; revising when juvenile sanctions may be imposed; amending s. 985.556, F.S.; conforming provisions to changes made by the act; reenacting ss. 985.15(1), 985.265(5), and 985.556(3), F.S., relating to filing decisions; detention transfer and release, education, and adult jails; and waiver of juvenile court jurisdiction and hearings, respectively, to incorporate the amendment made to s. 985.557, F.S., in references thereto; reenacting ss. 985.514(3) and 985.556(5)(a), F.S., relating to responsibility for cost of care and fees, and waiver of juvenile court jurisdiction and hearings, respectively, to incorporate the amendment made to s. 985.565, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 1 (865416) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (2) and (3) of section 985.556, Florida Statutes, are amended, and present subsections (4) and (5) of that section are redesignated as subsections (3) and (4), respectively, to read:

985.556 Waiver of juvenile court jurisdiction; hearing.—

(2) INVOLUNTARY DISCRETIONARY WAIVER.—~~Except as provided in subsection (3),~~ The state attorney may file a motion requesting the court to transfer the child for criminal prosecution if the child was

14 years of age or older at the time the alleged delinquent act or violation of law was committed.

~~(3) INVOLUNTARY MANDATORY WAIVER.—~~

~~(a) If the child was 14 years of age or older, and if the child has been previously adjudicated delinquent for an act classified as a felony, which adjudication was for the commission of, attempt to commit, or conspiracy to commit murder, sexual battery, armed or strong armed robbery, carjacking, home invasion robbery, aggravated battery, aggravated assault, or burglary with an assault or battery, and the child is currently charged with a second or subsequent violent crime against a person; or~~

~~(b) If the child was 14 years of age or older at the time of commission of a fourth or subsequent alleged felony offense and the child was previously adjudicated delinquent or had adjudication withheld for or was found to have committed, or to have attempted or conspired to commit, three offenses that are felony offenses if committed by an adult, and one or more of such felony offenses involved the use or possession of a firearm or violence against a person;~~

~~the state attorney shall request the court to transfer and certify the child for prosecution as an adult or shall provide written reasons to the court for not making such request, or proceed under s. 985.557(1). Upon the state attorney's request, the court shall either enter an order transferring the case and certifying the case for trial as if the child were an adult or provide written reasons for not issuing such an order.~~

Section 2. Paragraph (c) is added to subsection (1) of section 985.557, Florida Statutes, present subsection (2) of that section is amended, present subsections (3) and (4) of that section are redesignated as subsections (2) and (3), respectively, and a new subsection (4) and subsection (5) are added to that section, to read:

985.557 Direct filing of an information; discretionary and mandatory criteria.—

(1) DISCRETIONARY DIRECT FILE.—

(c)1. A decision under this section to transfer a child to adult court for criminal prosecution, or a decision not to transfer a child eligible for direct file, shall be documented in writing by the state attorney in charge of the case and be signed by the child's defense attorney or, if the child is not represented by counsel, by the child's parent or guardian. The document shall be filed with the court at the disposition of the case. The state attorney shall include the following information in the written decision:

- a. Whether adult codefendants were involved in the case.
- b. The length of time the child spent in jail awaiting disposition.
- c. Whether any discovery has been conducted on the case at the time of transfer.
- d. Whether the child waived the right to go to trial.
- e. If the decision to transfer or not to transfer resulted in a plea agreement, the details of the plea agreement, including previous plea offers made by the state but not accepted by the child, and any conditions placed on the plea offer.
- f. Whether the prosecutor allowed the judge to sentence the child to a disposition other than what the prosecutor was offering in exchange for the child not being transferred to adult court.
- g. Whether the child had to waive statutory limits on secure detention in order to avoid a direct file transfer, and, if available, the amount of time the child who waived secure detention limits actually spent in secure detention.

2. On or before the 15th of each month, the state attorney in each judicial circuit shall collect the information specified in subparagraph 1. for all cases disposed of the previous month and submit that documentation to the department for data collection.

~~(2) MANDATORY DIRECT FILE.—~~

~~(a) With respect to any child who was 16 or 17 years of age at the time the alleged offense was committed, the state attorney shall file an information if the child has been previously adjudicated delinquent for an act classified as a felony, which adjudication was for the commission of, attempt to commit, or conspiracy to commit murder, sexual battery, armed or strong armed robbery, carjacking, home invasion robbery, aggravated battery, or aggravated assault, and the child is currently charged with a second or subsequent violent crime against a person.~~

~~(b) With respect to any child 16 or 17 years of age at the time an offense classified as a forcible felony, as defined in s. 776.08, was committed, the state attorney shall file an information if the child has previously been adjudicated delinquent or had adjudication withheld for three acts classified as felonies each of which occurred at least 45 days apart from each other. This paragraph does not apply when the state attorney has good cause to believe that exceptional circumstances exist which preclude the just prosecution of the juvenile in adult court.~~

~~(c) The state attorney must file an information if a child, regardless of the child's age at the time the alleged offense was committed, is alleged to have committed an act that would be a violation of law if the child were an adult, that involves stealing a motor vehicle, including, but not limited to, a violation of s. 812.133, relating to carjacking, or s. 812.014(2)(c)6., relating to grand theft of a motor vehicle, and while the child was in possession of the stolen motor vehicle the child caused serious bodily injury to or the death of a person who was not involved in the underlying offense. For purposes of this section, the driver and all willing passengers in the stolen motor vehicle at the time such serious bodily injury or death is inflicted shall also be subject to mandatory transfer to adult court. "Stolen motor vehicle," for the purposes of this section, means a motor vehicle that has been the subject of any criminal wrongful taking. For purposes of this section, "willing passengers" means all willing passengers who have participated in the underlying offense.~~

~~(d)1. With respect to any child who was 16 or 17 years of age at the time the alleged offense was committed, the state attorney shall file an information if the child has been charged with committing or attempting to commit an offense listed in s. 775.087(2)(a)1.a. q., and, during the commission of or attempt to commit the offense, the child:~~

~~a. Actually possessed a firearm or destructive device, as those terms are defined in s. 790.001.~~

~~b. Discharged a firearm or destructive device, as described in s. 775.087(2)(a)2.~~

~~c. Discharged a firearm or destructive device, as described in s. 775.087(2)(a)3., and, as a result of the discharge, death or great bodily harm was inflicted upon any person.~~

~~2. Upon transfer, any child who is:~~

~~a. Charged under sub subparagraph 1.a. and who has been previously adjudicated or had adjudication withheld for a forcible felony offense or any offense involving a firearm, or who has been previously placed in a residential commitment program, shall be subject to sentencing under s. 775.087(2)(a), notwithstanding s. 985.565.~~

~~b. Charged under sub subparagraph 1.b. or sub subparagraph 1.c., shall be subject to sentencing under s. 775.087(2)(a), notwithstanding s. 985.565.~~

~~3. Upon transfer, any child who is charged under this paragraph, but who does not meet the requirements specified in subparagraph 2., shall be sentenced under s. 985.565; however, if the court imposes a juvenile sanction, the court must commit the child to a high risk or maximum risk juvenile facility.~~

~~4. This paragraph shall not apply if the state attorney has good cause to believe that exceptional circumstances exist that preclude the just prosecution of the child in adult court.~~

~~5. The Department of Corrections shall make every reasonable effort to ensure that any child 16 or 17 years of age who is convicted and sentenced under this paragraph be completely separated such that there is no physical contact with adult offenders in the facility, to the extent that it is consistent with chapter 958.~~

(4) *TRANSFER PROHIBITION.*—Notwithstanding any other law, a child who is eligible for direct file and who has previously been found to be incompetent but has not been restored to competency by a court may not be transferred to adult court for criminal prosecution. A transferred child who is found to be incompetent must be returned to the jurisdiction of the juvenile court.

(5) *DATA COLLECTION RELATING TO DIRECT FILE.*—

(a) Beginning January 1, 2017, the department shall collect data relating to children who qualify for direct file under this section and s. 985.556 regardless of the outcome of the case, including, but not limited to:

1. Age.
2. Race and ethnicity.
3. Gender.
4. Circuit and county of residence.
5. Circuit and county of offense.
6. Prior adjudicated offenses.
7. Prior periods of probation.
8. Previous contacts with law enforcement agencies or the court which result in a civil citation, arrest, or charges being filed with the state.
9. Initial charges.
10. Charges at disposition.
11. Whether child codefendants were involved who were transferred to adult court.
12. Whether the child was represented by counsel.
13. Risk assessment instrument score.
14. The child's medical, mental health, substance abuse, or trauma history.
15. The child's history of mental impairment or disability-related accommodations.
16. The child's history of abuse or neglect.
17. The child's history of foster care placements, including the number of prior placements.
18. Whether the child has below-average intellectual functioning.
19. Whether the child has received mental health services or treatment.
20. Whether the child has been the subject of a child-in-need-of-services or families-in-need-of-services petition or a dependency petition.
21. Whether the child was transferred for criminal prosecution as an adult.
22. The case resolution in juvenile court.
23. The case resolution in adult court.
24. Whether the child was represented by counsel or whether the child waived counsel.
25. Information generated by the office of the state attorney in each judicial circuit under subparagraph (1)(c)1.

(b) Beginning January 1, 2017, for a child transferred for criminal prosecution as an adult, the department shall also collect:

1. Disposition data, including, but not limited to, whether the child received adult sanctions, juvenile sanctions, or diversion and, if sen-

tenced to prison, the length of the prison sentence or the enhanced sentence; and

2. Whether the child was previously found incompetent to proceed in juvenile court.

(c) For every juvenile case transferred between July 1, 2015, and June 30, 2016, the department shall work with the Office of Program Policy Analysis and Government Accountability to generate a report analyzing the aggregated data. The department must provide this report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2017.

(d) The department must work with the Office of Program Policy Analysis and Government Accountability to generate a report analyzing the aggregated data under paragraphs (a) and (b) on an annual basis. The department must provide this report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31 of the following calendar year.

Section 3. Subsection (54) of section 985.03, Florida Statutes, is amended to read:

985.03 Definitions.—As used in this chapter, the term:

(54) “Waiver hearing” means a hearing provided for under s. 985.556 ~~s. 985.556(4)~~.

Section 4. Subsection (2) of section 985.04, Florida Statutes, is amended to read:

985.04 Oaths; records; confidential information.—

(2) Notwithstanding any other provisions of this chapter, the name, photograph, address, and crime or arrest report of a child:

(a) Taken into custody if the child has been taken into custody by a law enforcement officer for a violation of law which, if committed by an adult, would be a felony;

(b) Found by a court to have committed three or more violations of law which, if committed by an adult, would be misdemeanors;

(c) Transferred to the adult system under s. 985.557, indicted under s. 985.56, or waived under s. 985.556;

~~(d) Taken into custody by a law enforcement officer for a violation of law subject to s. 985.557(2)(b) or (d); or~~

~~(d)(e)~~ Transferred to the adult system but sentenced to the juvenile system under s. 985.565

shall not be considered confidential and exempt from s. 119.07(1) solely because of the child's age.

Section 5. Subsection (1) of section 985.15, Florida Statutes, is amended to read:

985.15 Filing decisions.—

(1) The state attorney may in all cases take action independent of the action or lack of action of the juvenile probation officer and shall determine the action that is in the best interest of the public and the child. ~~If the child meets the criteria requiring prosecution as an adult under s. 985.556, the state attorney shall request the court to transfer and certify the child for prosecution as an adult or shall provide written reasons to the court for not making such a request. In all other cases,~~ The state attorney may:

(a) File a petition for dependency;

(b) File a petition under chapter 984;

(c) File a petition for delinquency;

(d) File a petition for delinquency with a motion to transfer and certify the child for prosecution as an adult;

(e) File an information under s. 985.557;

- (f) Refer the case to a grand jury;
- (g) Refer the child to a diversionary, pretrial intervention, arbitration, or mediation program, or to some other treatment or care program if such program commitment is voluntarily accepted by the child or the child's parents or legal guardian; or
- (h) Decline to file.

Section 6. Paragraphs (a) and (b) of subsection (4) of section 985.565, Florida Statutes, are amended to read:

985.565 Sentencing powers; procedures; alternatives for juveniles prosecuted as adults.—

(4) SENTENCING ALTERNATIVES.—

(a) *Adult sanctions.*—

1. Cases prosecuted on indictment.—If the child is found to have committed the offense punishable by death or life imprisonment, the child shall be sentenced as an adult. If the juvenile is not found to have committed the indictable offense but is found to have committed a lesser included offense or any other offense for which he or she was indicted as a part of the criminal episode, the court may sentence as follows:

- a. As an adult;
- b. Under chapter 958; or
- c. As a juvenile under this section.

2. Other cases.—If a child who has been transferred for criminal prosecution pursuant to information or waiver of juvenile court jurisdiction is found to have committed a violation of state law or a lesser included offense for which he or she was charged as a part of the criminal episode, the court may sentence as follows:

- a. As an adult;
- b. Under chapter 958; or
- c. As a juvenile under this section.

~~3. Notwithstanding any other provision to the contrary, if the state attorney is required to file a motion to transfer and certify the juvenile for prosecution as an adult under s. 985.556(3) and that motion is granted, or if the state attorney is required to file an information under s. 985.557(2)(a) or (b), the court must impose adult sanctions.~~

3.4. Any sentence imposing adult sanctions is presumed appropriate, and the court is not required to set forth specific findings or enumerate the criteria in this subsection as any basis for its decision to impose adult sanctions.

~~4.5. When a child has been transferred for criminal prosecution as an adult and has been found to have committed a violation of state law, the disposition of the case may include the enforcement of any restitution ordered in any juvenile proceeding.~~

(b) *Juvenile sanctions.*—~~For juveniles transferred to adult court but who do not qualify for such transfer under s. 985.556(3) or s. 985.557(2)(a) or (b),~~ The court may impose juvenile sanctions under this paragraph *for juveniles transferred to adult court.* If juvenile sentences are imposed, the court shall, under this paragraph, adjudge the child to have committed a delinquent act. Adjudication of delinquency shall not be deemed a conviction, nor shall it operate to impose any of the civil disabilities ordinarily resulting from a conviction. The court shall impose an adult sanction or a juvenile sanction and may not sentence the child to a combination of adult and juvenile punishments. An adult sanction or a juvenile sanction may include enforcement of an order of restitution or probation previously ordered in any juvenile proceeding. However, if the court imposes a juvenile sanction and the department determines that the sanction is unsuitable for the child, the department shall return custody of the child to the sentencing court for further proceedings, including the imposition of adult sanctions. Upon adjudicating a child delinquent under subsection (1), the court may:

1. Place the child in a probation program under the supervision of the department for an indeterminate period of time until the child reaches the age of 19 years or sooner if discharged by order of the court.

2. Commit the child to the department for treatment in an appropriate program for children for an indeterminate period of time until the child is 21 or sooner if discharged by the department. The department shall notify the court of its intent to discharge no later than 14 days prior to discharge. Failure of the court to timely respond to the department's notice shall be considered approval for discharge.

3. Order disposition under ss. 985.435, 985.437, 985.439, 985.441, 985.45, and 985.455 as an alternative to youthful offender or adult sentencing if the court determines not to impose youthful offender or adult sanctions.

It is the intent of the Legislature that the criteria and guidelines in this subsection are mandatory and that a determination of disposition under this subsection is subject to the right of the child to appellate review under s. 985.534.

Section 7. For the purpose of incorporating the amendment made by this act to sections 985.556 and 985.557, Florida Statutes, in a reference thereto, subsection (5) of section 985.265, Florida Statutes, is reenacted to read:

985.265 Detention transfer and release; education; adult jails.—

(5) The court shall order the delivery of a child to a jail or other facility intended or used for the detention of adults:

(a) When the child has been transferred or indicted for criminal prosecution as an adult under part X, except that the court may not order or allow a child alleged to have committed a misdemeanor who is being transferred for criminal prosecution pursuant to either s. 985.556 or s. 985.557 to be detained or held in a jail or other facility intended or used for the detention of adults; however, such child may be held temporarily in a detention facility; or

(b) When a child taken into custody in this state is wanted by another jurisdiction for prosecution as an adult.

The child shall be housed separately from adult inmates to prohibit a child from having regular contact with incarcerated adults, including trustees. "Regular contact" means sight and sound contact. Separation of children from adults shall permit no more than haphazard or accidental contact. The receiving jail or other facility shall contain a separate section for children and shall have an adequate staff to supervise and monitor the child's activities at all times. Supervision and monitoring of children includes physical observation and documented checks by jail or receiving facility supervisory personnel at intervals not to exceed 10 minutes. This subsection does not prohibit placing two or more children in the same cell. Under no circumstances shall a child be placed in the same cell with an adult.

Section 8. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to direct filing of juveniles; amending s. 985.556, F.S.; deleting provisions relating to the involuntary mandatory waiver of children by a state attorney; amending s. 985.557, F.S.; requiring a state attorney to document in writing specified information; requiring the state attorney to submit specified collected information to the Department of Juvenile Justice; deleting provisions relating to the mandatory direct filing of children to adult court; prohibiting the transfer to adult court of a child found to be incompetent under certain circumstances; requiring the department to collect specified information beginning on a certain date; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to generate a report of specified information; requiring the department to submit reports to the Governor and the Legislature by specified dates; amending ss. 985.03, 985.04, 985.15, and 985.565, F.S.; conforming provisions to changes made by the act; reenacting s. 985.265(5), F.S., relating to juvenile detention transfer and release and education, and adult jails, to incorporate the amendments made to ss. 985.556 and 985.557, F.S., in a reference thereto; providing an effective date.

Pursuant to Rule 4.19, **SB 314**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 434—A bill to be entitled An act relating to the Principal Autonomy Pilot Program Initiative; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a procedure for a school district to participate in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to complete a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 434**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 287** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Garcia—

CS for CS for CS for HB 287—A bill to be entitled An act relating to the Principal Autonomy Pilot Program Initiative; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a procedure for certain district school boards to participate in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to participate in a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, eligibility requirements for certain funding, and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; providing appropriations; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 434** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 287** was placed on the calendar of Bills on Third Reading.

SB 806—A bill to be entitled An act relating to instruction for homebound and hospitalized students; amending s. 1003.57, F.S.; requiring school districts to provide instruction to homebound or hospitalized students; requiring the State Board of Education to adopt rules related to student eligibility, methods of providing instruction to homebound or hospitalized students, and the initiation of services; requiring the department to develop a standard agreement for school districts; requiring each school district to enter into an agreement with certain hospitals within its district by a specified date; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 806**, pursuant to Rule 3.11(3), there being no objection, **HB 585** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Legg—

HB 585—A bill to be entitled An act relating to instruction for homebound and hospitalized students; amending s. 1003.57, F.S.; requiring school districts to provide instruction to homebound or hospitalized students; requiring the State Board of Education to adopt rules

for student eligibility, methods of providing instruction to homebound or hospitalized students, and the initiation of services; requiring certain school districts to enter into an agreement with certain children's specialty hospitals to establish certain processes and timelines relating to the instruction of homebound or hospitalized students; providing an effective date.

—a companion measure, was substituted for **SB 806** and read the second time by title.

Pursuant to Rule 4.19, **HB 585** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1168—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified amount of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce harmful discharges to the St. Lucie Estuary and the Caloosahatchee Estuary; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; requiring a minimum specified amount of funds within the Land Acquisition Trust Fund to be appropriated for spring restoration, protection, and management projects; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; requiring a specified appropriation for projects dedicated to the restoration of Lake Apopka; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; requiring a specified appropriation for projects dedicated to the restoration of Kings Bay or Crystal River; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; deleting an obsolete provision; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1168**, pursuant to Rule 3.11(3), there being no objection, **HB 989** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Negron—

HB 989—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce discharges to the St. Lucie and Caloosahatchee estuaries; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1168** and read the second time by title.

Senator Negron moved the following amendment:

Amendment 1 (753356) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *As reflected in the 2016-2017 General Appropriations Act, HB 5001, and this act, the Legislature recognizes the critical importance of restoring and preserving our water and natural resources and is committed to long-term funding for the Everglades and Florida's springs.*

Section 2. Subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:

(a) First, to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued under s. 215.618; and pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to Everglades restoration bonds issued under s. 215.619;

(b) *Beginning with the 2017-2018 fiscal year, of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:*

1. *A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2017, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth under this subparagraph.*

2. *A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2017, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth under this subparagraph.*

3. *The sum of \$5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph. ~~Then, to pay the debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to former s. 373.59, Florida Statutes 2014, or which are necessary to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds. This paragraph expires July 1, 2016; and~~*

(c) *Then, to distribute \$32 million each fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). This paragraph expires July 1, 2017 ~~2024~~.*

Section 3. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; providing legislative intent; amending s. 375.041, F.S.; requiring specified amounts of funds within the Land Acquisition Trust Fund, beginning at a specified time, to be appropriated for certain projects; providing a preference in the use of funds distributed for Everglades restoration projects for projects that reduce harmful discharges to the St. Lucie estuary and the Caloosahatchee estuary; requiring such appropriations to be reduced by an amount equal to the debt service paid on bonds issued for specified purposes; deleting an obsolete provision; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following substitute amendment which was adopted:

Amendment 2 (153680) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *As reflected in the 2016-2017 General Appropriations Act, HB 5001, and this act, the Legislature recognizes the critical importance of restoring and preserving Florida's water and natural resources and is committed to long-term funding for the Everglades and Florida's springs.*

Section 2. Subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:

(a) First, to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued under s. 215.618; and pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to Everglades restoration bonds issued under s. 215.619; and

(b) *Of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:*

1. *A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.*

2. *A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.*

3. *The sum of \$5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1,*

~~2016, for the purposes set forth in this subparagraph. Then, to pay the debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to former s. 373.59, Florida Statutes 2014, or which are necessary to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds. This paragraph expires July 1, 2016; and~~

~~(e) Then, to distribute \$32 million each fiscal year to the South Florida Water Management District for the Long Term Plan as defined in s. 373.4592(2). This paragraph expires July 1, 2024.~~

Section 3. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; providing legislative intent; amending s. 375.041, F.S.; requiring specified amounts of funds within the Land Acquisition Trust Fund to be appropriated for certain projects; providing a preference in the use of funds distributed for Everglades restoration projects for projects that reduce harmful discharges to the St. Lucie estuary and the Caloosahatchee estuary; requiring such appropriations to be reduced by an amount equal to the debt service paid on bonds issued for specified purposes; deleting an obsolete provision; providing an effective date.

Pursuant to Rule 4.19, **HB 989**, as amended, was placed on the calendar of Bills on Third Reading.

SB 1226—A bill to be entitled An act relating to administrative procedures; amending s. 120.541, F.S.; providing additional requirements for the calculation of estimated adverse impacts and regulatory costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1226**, pursuant to Rule 3.11(3), there being no objection, **HB 981** was withdrawn from the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Ring—

HB 981—A bill to be entitled An act relating to administrative procedures; amending s. 120.541, F.S.; providing additional requirements for the calculation of estimated adverse impacts and regulatory costs; providing an effective date.

—a companion measure, was substituted for **SB 1226** and read the second time by title.

Pursuant to Rule 4.19, **HB 981** was placed on the calendar of Bills on Third Reading.

CS for SB 1290—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions; providing that title to certain acquired lands are vested in the board; providing for the administration of such lands; authorizing the board to adopt specified rules; revising requirements for the appraisal of lands proposed for acquisition; requiring an agency proposing an acquisition to pay the associated costs; deleting provisions directing the board to approve qualified fee appraisal organizations; requiring fee appraisers to submit certain affidavits to an agency before contracting with a participant in a multiparty agreement; prohibiting fee appraisers from negotiating with property owners; revising the minimum survey standards incorporated by reference for conducting certified surveys; authorizing the disclosure of confidential appraisal reports under certain conditions; providing for public agencies and nonprofit organizations to enter into written agreements with the Department of Environmental Protection, rather than the Division of State Lands, to purchase and hold property for subsequent resale to the

board, rather than the division; revising the definition of the term “nonprofit organization”; directing the board to adopt by rule the method for determining the value of parcels sought to be acquired by state agencies; providing requirements for such acquisitions; expanding the scope of real estate acquisition services for which the board and state agencies may contract; authorizing the Department of Environmental Protection to use outside counsel to review any agreements or documents or to perform acquisition closings under certain conditions; requiring state agencies to furnish the Department of Environmental Protection rather than the Division of State Lands with specified acquisition documents; providing that the purchase price of certain parcels is not subject to an increase or a decrease as a result of certain circumstances; authorizing the board of trustees to direct the Department of Environmental Protection to exercise eminent domain for the acquisition of certain conservation parcels under certain circumstances; authorizing the department to exercise condemnation authority directly or by contracting with the Department of Transportation or a water management district to provide such service; authorizing the board of trustees to direct the Department of Environmental Protection to purchase lands on an immediate basis using specified funds; authorizing the board of trustees to waive or modify all procedures required for such land acquisition; providing that title to certain lands held jointly by the board of trustees and a water management district meet the standards necessary for ownership by the board; creating s. 253.0251, F.S.; providing for the use of alternatives to fee simple acquisition for land purchases by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and water management districts; amending s. 253.03, F.S.; deleting provisions directing the board of trustees to adopt by rule an annual administrative fee for certain leases and similar instruments; revising the criteria by which specified structures have the right to continue submerged land leases; directing the board of trustees to adopt by rule an annual administrative fee for certain leases and instruments; authorizing nonwater-dependent uses for submerged lands; amending s. 253.031, F.S.; providing for the Department of Environmental Protection to maintain documents concerning all state lands; deleting an obsolete provision; amending s. 253.034, F.S.; authorizing the department to submit certain state-owned lands to the Acquisition and Restoration Council or board of trustees for review and consideration; requiring that all nonconservation land use plans are managed to provide the greatest benefit to the state; deleting provisions requiring an analysis of natural or cultural resources as part of a nonconservation land use plan; specifying that certain management and short-term and long-term goals for the conservation of plant and animal species apply to conservation lands; providing conditions under which the Secretary of Environmental Protection, the Commissioner of Agriculture, or the executive director of the Fish and Wildlife Conservation Commission or their designees are required to submit land management plans to the board of trustees; requiring that updated land management plans identify conservation lands that are no longer needed for conservation purposes; deleting provisions directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; deleting provisions requiring that buildings and parcels of land be offered for lease to state agencies, state universities, and Florida College System institutions before being offered for lease or sale to a local or federal unit of government or a private party; amending s. 253.0341, F.S.; deleting provisions authorizing counties and local governments to submit requests for the surplus of state-owned lands and requiring that such requests be expedited; directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; providing that lands acquired before a certain date using specified proceeds are deemed to have been acquired for conservation purposes; providing that certain lands used by the Department of Corrections, the Department of Management Services, and the Department of Transportation may not be designated as lands acquired for conservation purposes; requiring updated land management plans to identify conservation and nonconservation lands that are no longer used for the purposes for which they were originally leased and that could be disposed of; deleting an obsolete provision; requiring that facilities and nonconservation parcels of land be offered for lease to state agencies before being offered for lease to a local or federal unit of government, state university, Florida College System institution, or private party; providing for the valuation and disposition of surplus lands; providing for the deposit of proceeds from the sale of such lands; authorizing the board of trustees to adopt rules; requiring surplus lands conveyed to a local government for affordable housing to be disposed of by the local government; amending s. 253.111, F.S.; deleting provisions requiring

the board of trustees to afford an opportunity to local governments to purchase certain state-owned lands; revising provisions relating to the rights of riparian owners to secure certain state-owned lands; amending s. 253.42, F.S.; authorizing individuals or entities to submit requests to the Division of State Lands to exchange state-owned land for privately held land; requiring the state to retain permanent conservation easements over the state-owned land and all or a portion of the privately held land; requiring the division, under certain circumstances, to submit requests to the Acquisition and Restoration Council for review and recommendation and to the board of trustees with recommendations from the division and the council; providing applicability; directing the board of trustees to consider a request if certain conditions are met; providing special consideration for certain requests; providing that such lands are subject to inspection; amending s. 253.782, F.S.; deleting a provision directing the Department of Environmental Protection to retain ownership of and maintain lands or interests in land owned by the board of trustees; amending s. 253.7821, F.S.; assigning the Cross Florida Greenways State Recreation and Conservation Area to the Department of Environmental Protection rather than the Office of Greenways Management within the Office of the Secretary; creating s. 253.87, F.S.; directing the Department of Environmental Protection to include certain county, municipal, state, and federal lands in the Florida State-Owned Lands and Records Information System (FL-SOLARIS) database and to update the database at specified intervals; requiring counties, municipalities, and financially disadvantaged small communities to submit a list of certain lands to the department by a specified date and at specified intervals; directing the department to conduct a study and submit a report to the Governor and the Legislature on the technical and economic feasibility of including certain lands in the database or a similar public lands inventory; amending s. 259.01, F.S.; renaming the "Land Conservation Act of 1972" as the "Land Conservation Program"; repealing s. 259.02, F.S., relating to issuance of state bonds for certain land projects; amending s. 259.032, F.S.; conforming cross-references; revising provisions relating to the management of conservation and recreation lands to conform with changes made by the act; revising duties of the Acquisition and Restoration Council; amending s. 259.035, F.S.; requiring recipients of funds from the Land Acquisition Trust Fund to annually report certain performance measures to the Department of Environmental Protection rather than the Division of State Lands; amending s. 259.036, F.S.; revising the composition of the regional land management review team; providing for the Department of Environmental Protection rather than the Division of State Lands to act as the review team coordinator; revising requirements for conservation and recreation land management reviews and plans; amending s. 259.037, F.S.; removing the director of the Office of Greenways and Trails from the Land Management Uniform Accounting Council; repealing s. 259.041(1)-(6) and (8)-(19), F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.047, F.S.; revising provisions relating to the acquisition of land on which an agricultural lease exists to conform with changes made by the act; amending s. 259.101, F.S.; conforming cross-references; revising provisions relating to alternate use of lands acquired under the Florida Preservation 2000 Act to conform with changes made by the act; deleting provisions for alternatives to fee simple acquisition of such lands to conform with changes made by the act; amending s. 259.105, F.S.; deleting provisions requiring the advancement of certain goals and objectives of imperiled species management on state lands to conform with changes made by the act; conforming cross-references; revising provisions directing the Acquisition and Restoration Council to give increased priority to certain projects when developing proposed rules relating to Florida Forever funding and additions to the Conservation and Recreation Lands list; deleting provisions requiring that such rules be submitted to the Legislature for review; amending s. 259.1052, F.S.; deleting provisions authorizing the Department of Environmental Protection to distribute revenues from the Florida Forever Trust Fund for the acquisition of a portion of Babcock Crescent B Ranch; creating s. 570.715, F.S., and transferring, renumbering, and amending s. 259.04(7), F.S.; providing procedures for the acquisition of conservation easements by the Department of Agriculture and Consumer Services; amending s. 373.089, F.S.; extending the timeframe within which a certified appraisal may be obtained for parcels of land to be sold as surplus; providing an additional exception to the requirement that the governing board first offer title to certain lands; revising the procedures a water management district must follow for publishing a notice of intention to sell surplus lands; providing an exception from such notice requirements if a parcel of land is valued below a certain threshold; authorizing such parcels to

be sold directly to the highest bidder; amending ss. 73.015, 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031, 375.041, 380.05, 380.055, 380.508, 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.; conforming cross-references; providing an appropriation and authorizing positions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1290**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1075** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Simpson—

CS for CS for HB 1075—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions; providing that title to certain acquired lands are vested in the board; providing for the administration of such lands; authorizing the board to adopt specified rules; revising requirements for the appraisal of lands proposed for acquisition; requiring an agency proposing an acquisition to pay the associated costs; deleting provisions directing the board to approve qualified fee appraisal organizations; requiring fee appraisers to submit certain affidavits to an agency before contracting with a participant in a multiparty agreement; prohibiting fee appraisers from negotiating with property owners; revising the minimum survey standards incorporated by reference for conducting certified surveys; authorizing the disclosure of confidential appraisal reports under certain conditions; providing for public agencies and nonprofit organizations to enter into written agreements with the Department of Environmental Protection rather than the Division of State Lands to purchase and hold property for subsequent resale to the board rather than the division; revising the definition of the term "nonprofit organization"; directing the board to adopt by rule the method for determining the value of parcels sought to be acquired by state agencies; providing requirements for such acquisitions; expanding the scope of real estate acquisition services for which the board and state agencies may contract; authorizing the Department of Environmental Protection to use outside counsel to review any agreements or documents or to perform acquisition closings under certain conditions; requiring state agencies to furnish the Department of Environmental Protection rather than the Division of State Lands with specified acquisition documents; providing that the purchase price of certain parcels is not subject to an increase or decrease as a result of certain circumstances; authorizing the board of trustees to direct the Department of Environmental Protection to exercise eminent domain for the acquisition of certain conservation parcels under certain circumstances; authorizing the Department of Environmental Protection to exercise condemnation authority directly or by contracting with the Department of Transportation or a water management district to provide such service; authorizing the board of trustees to direct the Department of Environmental Protection to purchase lands on an immediate basis using specified funds; authorizing the board of trustees to waive or modify all procedures required for such land acquisition; providing that title to certain lands held jointly by the board of trustees and a water management district meet the standards necessary for ownership by the board; creating s. 253.0251, F.S.; providing for the use of alternatives to fee simple acquisition for land purchases by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and water management districts; amending s. 253.03, F.S.; deleting provisions directing the board of trustees to adopt by rule an annual administrative fee for certain leases and similar instruments; revising the criteria by which specified structures have the right to continue submerged land leases; directing the board of trustees to adopt by rule an annual administrative fee for certain leases and instruments; authorizing nonwater-dependent uses for submerged lands; amending s. 253.031, F.S.; providing for the Department of Environmental Protection to maintain documents concerning all state lands; deleting an obsolete provision; amending s. 253.034, F.S.; authorizing the Department of Environmental Protection to submit certain state-owned lands to the Acquisition and Restoration Council or board of trustees for review and consideration; requiring that all nonconservation land use plans are managed to provide the greatest benefit to the state; deleting provisions requiring an analysis of natural or cultural resources as part

of a nonconservation land use plan; specifying that certain management and short-term and long-term goals for the conservation of plant and animal species apply to conservation lands; providing conditions under which the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees are required to submit land management plans to the board of trustees; requiring that updated land management plans identify conservation lands that are no longer needed for conservation purposes; deleting provisions directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; deleting provisions requiring that buildings and parcels of land be offered for lease to state agencies, state universities, and Florida College System institutions before being offered for lease or sale to a local or federal unit of government or a private party; amending s. 253.0341, F.S.; deleting provisions authorizing counties and local governments to submit requests for the surplus of state-owned lands and requiring that such requests be expedited; directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; providing that lands acquired before a certain date using specified proceeds are deemed to have been acquired for conservation purposes; providing that certain lands used by the Department of Corrections, the Department of Management Services, and the Department of Transportation may not be designated as lands acquired for conservation purposes; requiring updated land management plans to identify conservation and nonconservation lands that are no longer used for the purposes for which they were originally leased and that could be disposed of; deleting an obsolete provision; requiring that facilities and nonconservation parcels of land be offered for lease to state agencies before being offered for lease to a local or federal unit of government, state university, Florida College System institution, or private party; providing for the valuation and disposition of surplus lands; providing for the deposit of proceeds from the sale of such lands; authorizing the board of trustees to adopt rules; requiring surplus lands conveyed to a local government for affordable housing to be disposed of by the local government; amending s. 253.111, F.S.; deleting provisions requiring the board of trustees to afford an opportunity to local governments to purchase certain state-owned lands; revising provisions relating to the rights of riparian owners to secure certain state-owned lands; amending s. 253.42, F.S.; authorizing individuals or entities to submit requests to the Division of State Lands to exchange state-owned land for privately held land; requiring the state to retain permanent conservation easements over the state-owned land and all or a portion of the privately held land; requiring the division to submit requests to the Acquisition and Restoration Council for review and recommendation or to the board of trustees with recommendations from the division and the council; review requests and provide recommendations to the Acquisition and Restoration Council; providing applicability; directing the board of trustees to consider a request if certain conditions are met; providing special consideration for certain requests; providing that such lands are subject to inspection; amending s. 253.782, F.S.; deleting a provision directing the Department of Environmental Protection to retain ownership of and maintain lands or interests in land owned by the board of trustees; amending s. 253.7821, F.S.; assigning the Cross Florida Greenways State Recreation and Conservation Area to the Department of Environmental Protection rather than the Office of Greenways Management within the Office of the Secretary; creating s. 253.87, F.S.; directing the Department of Environmental Protection to include certain county, municipal, state, and federal lands in the Florida State-Owned Lands and Records Information System (SOLARIS) database and to update the database at specified intervals; requiring counties, municipalities, and financially disadvantaged small communities to submit a list of certain lands to the department by a specified date and at specified intervals; directing the department to conduct a study and submit a report to the Governor and the Legislature on the technical and economic feasibility of including certain lands in the database or a similar public lands inventory; amending s. 259.01, F.S.; renaming the "Land Conservation Act of 1972" as the "Land Conservation Program"; repealing s. 259.02, F.S., relating to issuance of state bonds for certain land projects; amending s. 259.032, F.S.; conforming cross-references; revising provisions relating to the management of conservation and recreation lands to conform with changes made by the act; revising duties of the Acquisition and Restoration Council; amending s. 259.035, F.S.; requiring recipients of funds from the Land Acquisition Trust Fund to annually report certain performance measures to the Department of Environmental Protection rather than the Division of State Lands; amending s. 259.036, F.S.; revising the composition of the regional land management review team; pro-

viding for the Department of Environmental Protection rather than the Division of State Lands to act as the review team coordinator; revising requirements for conservation and recreation land management reviews and plans; amending s. 259.037, F.S.; removing the director of the Office of Greenways and Trails from the Land Management Uniform Accounting Council; repealing s. 259.041(1)-(6) and (8)-(19), F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.047, F.S.; revising provisions relating to the acquisition of land on which an agricultural lease exists to conform with changes made by the act; amending s. 259.101, F.S.; conforming cross-references; revising provisions relating to alternate use of lands acquired under the Florida Preservation 2000 Act to conform with changes made by the act; deleting provisions for alternatives to fee simple acquisition of such lands to conform with changes made by the act; amending s. 259.105, F.S.; deleting provisions requiring the advancement of certain goals and objectives of imperiled species management on state lands to conform with changes made by the act; conforming cross-references; revising provisions directing the Acquisition and Restoration Council to give increased priority to certain projects when developing proposed rules relating to Florida Forever funding and additions to the Conservation and Recreation Lands list; deleting provisions requiring that such rules be submitted to the Legislature for review; amending s. 259.1052, F.S.; deleting provisions authorizing the Department of Environmental Protection to distribute revenues from the Florida Forever Trust Fund for the acquisition of a portion of Babcock Crescent B Ranch; amending s. 373.089, F.S.; extending the time within which a certified appraisal may be obtained for lands to be sold as surplus; revising the procedures that a water management district must follow for publishing a notice of intention to sell surplus lands; authorizing the governing board of a water management district to sell certain lands acquired with Florida Forever funds without first offering title to the lands to the Board of Trustees of the Internal Improvement Trust Fund; authorizing the governing board of a water management district to sell parcels of land no longer needed for conservation purposes and valued at or below a specified threshold as surplus; requiring certain notice before the sale of such parcels; providing procedures for the sale of such parcels; creating s. 570.715, F.S., and transferring, renumbering, and amending s. 259.04(7), F.S.; providing procedures for the acquisition of conservation easements by the Department of Agriculture and Consumer Services; amending ss. 73.015, 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031, 375.041, 380.05, 380.055, 380.508, 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.; conforming cross-references; providing an appropriation and authorizing positions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1290** and read the second time by title.

Senator Dean moved the following amendment which was adopted:

Amendment 1 (843774) (with title amendment)—Before line 252 insert:

Section 1. Section 327.45, Florida Statutes, is created to read:

327.45 Protection zones for springs.—

(1) *As used in this section, the term "navigable waters of the United States" means the waters of the United States, including the territorial seas, as referenced in the Clean Water Act, 33 U.S.C. ss. 1251 et seq., and the federal rules and regulations promulgated thereunder.*

(2) *The commission may establish by rule protection zones that restrict the speed and operation of vessels to protect and prevent harm to springs. This harm includes negative impacts to water quality, water quantity, hydrology, wetlands, and aquatic and wetland-dependent species.*

(3) *When developing a protection zone, the commission shall do so in consultation and coordination with the water management district, the Department of Environmental Protection, and the governing bodies of the county and municipality, if applicable, in which the zone is located. If the zone includes navigable waters of the United States, the commission shall additionally coordinate with the United States Coast Guard and the United States Army Corps of Engineers.*

(4) Any individual who operates a vessel in violation of a spring protection zone rule adopted pursuant to this section shall be charged on a uniform boating citation as provided in s. 327.74 and is subject to the penalties provided in s. 327.73(1)(y).

(5) Restrictions in a protection zone do not apply:

(a) To law enforcement, firefighting, or rescue personnel operating a vessel in the course of performing their official duties; or

(b) In emergency situations. However, the emergency operation of a vessel must be a reasonable response given the circumstances.

(6) The commission is responsible for the posting and maintenance of regulatory markers identifying protection zones.

(7) The commission may adopt rules to implement this section.

Section 2. Paragraph (y) is added to subsection (1) of section 327.73, Florida Statutes, to read:

327.73 Noncriminal infractions.—

(1) Violations of the following provisions of the vessel laws of this state are noncriminal infractions:

(y) Section 327.45, relating to protection zones for springs, for which the penalty is:

1. For a first offense, \$50.
2. For a second offense occurring within 12 months after a prior conviction, \$250.
3. For a third offense occurring within 36 months after a prior conviction, \$500.
4. For a fourth or subsequent offense occurring within 72 months after a prior conviction, \$1,000.

Any person cited for a violation of any provision of this subsection shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided in this section. Any person who fails to appear or otherwise properly respond to a uniform boating citation shall, in addition to the charge relating to the violation of the boating laws of this state, be charged with the offense of failing to respond to such citation and, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A written warning to this effect shall be provided at the time such uniform boating citation is issued.

Section 3. Subsection (1) of section 327.731, Florida Statutes, is amended to read:

327.731 Mandatory education for violators.—

(1) A person convicted of a criminal violation under this chapter, convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, or convicted of two noncriminal infractions as specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y) ~~(s)-(x)~~, said infractions occurring within a 12-month period, must:

(a) Enroll in, attend, and successfully complete, at his or her own expense, a classroom or online boating safety course that is approved by and meets the minimum standards established by commission rule;

(b) File with the commission within 90 days proof of successful completion of the course; and

(c) Refrain from operating a vessel until he or she has filed proof of successful completion of the course with the commission.

And the title is amended as follows:

Delete line 2 and insert: An act relating to state areas; creating s. 327.45, F.S.; defining a term; authorizing the Fish and Wildlife Conservation Commission to establish certain protection zones; requiring the commission to develop such zones in consultation and coordination with certain entities; requiring the commission to coordinate with ad-

ditional entities under certain circumstances; providing penalties for certain violations; providing applicability; amending s. 327.73, F.S.; providing penalties for violations relating to protection zones for springs; amending s. 327.731, F.S.; conforming provisions to changes made by the act; amending s. 253.025,

THE PRESIDENT PRESIDING

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment:

Amendment 2 (312550) (with title amendment)—Delete lines 1721-1740 and insert:

(7) Before a facility or parcel of nonconservation land is offered for lease to a local or federal unit of government or a private party, it shall first be offered for lease to state agencies, and state research universities designated as preeminent pursuant to s. 1001.7065. Within 45 days after the offer for lease of a surplus building or parcel, a state agency or preeminent state research university that requests the lease must submit a plan to the board of trustees that includes a description of the proposed use, including future use, of the facility or parcel. The board of trustees must review and approve the plan before approving the lease. The plan must, at a minimum, include the proposed use of the facility or parcel, the estimated cost of renovation, a capital improvement plan for the building, evidence that the facility or parcel meets an existing need that cannot otherwise be met, and other criteria adopted by rule of the board of trustees. The board of trustees or its designee shall compare the estimated value of the facility or parcel to any submitted business plan to determine if the lease or sale is in the best interest of the state. The board of trustees shall adopt rules pursuant to chapter 120 to implement this section. A preeminent state research university or state agency that has requested the use of a

And the title is amended as follows:

Delete lines 123-125 and insert: to preeminent state universities and state agencies before being offered for lease to a local or federal unit of government or private party; providing a priority for preeminent state research universities;

On motion by Senator Simpson, further consideration of **CS for CS for HB 1075**, as amended, with pending **Amendment 2 (312550)** was deferred.

CS for SB 1360—A bill to be entitled An act relating to student assessments; creating s. 1008.223, F.S.; providing purposes; authorizing a district school board to choose to implement certain rigorous alternative assessment options by a certain school year; providing requirements for the rigorous alternative assessment options; specifying the types of exams that may be taken and the corresponding substitutions or exemptions that may be earned by certain students; requiring the Commissioner of Education to collaborate with ACT, Inc.; requiring the State Board of Education to adopt such scores in rule by a specified school year; requiring a district school board that chooses to implement rigorous alternative assessment options to notify the commissioner, students, and parents of the decision by a specified date; requiring a parent to annually notify the school district in writing by a certain date if his or her child will take the statewide, standardized assessments; requiring the state board to adopt in rule adjustments to certain scores based on certain recommendations; requiring rigorous alternative assessment options to be available for students in high school beginning in the 2016-2017 school year; specifying the types of industry certifications and assessments that may be taken and the corresponding exemptions and high school credit that may be earned by a student in high school; requiring the commissioner to adopt the schedule for the administration of the rigorous alternative assessment options; requiring student performance results to be made available to district school superintendents annually by a specified date; providing requirements for high school credits; providing proxy values to link student performance on rigorous alternative assessments to certain evaluations and grades; requiring the commissioner to seek legislative approval for any adjustments to the proxy values by a specified time; requiring the commissioner to submit certain recommendations to the Legislature by a specified date; requiring the rigorous alternative assessment options and proxies to be

included in each district school board-approved student progression plan and each district school board-approved educator performance evaluation system by a specified time; requiring the commissioner to coordinate with school districts for the administration of the rigorous alternative assessments; requiring the Department of Education to renegotiate the Florida Standards Assessment contract; specifying that certain requirements do not apply to the renegotiation; requiring the renegotiated contract to be executed by a specified date; authorizing the department to renegotiate other assessment contracts; requiring the department to negotiate and contract with certain entities in order to implement the rigorous alternative assessments; prohibiting the funding for the assessments from causing an increase in a certain appropriation in the General Appropriations Act; requiring each district school board to publish notification of the rigorous alternative assessment and student choice options on its school district website; providing applicability; providing for rulemaking; providing an implementation schedule for the 2016-2017 school year; amending s. 1002.3105, F.S.; specifying that a student who attains a passing score on a rigorous alternative assessment may meet certain requirements; amending s. 1002.33, F.S.; revising compliance requirements for charter schools; amending s. 1003.4282, F.S.; requiring each school district to annually notify students and parents of standard high school diploma requirements by a specified date; revising the online course requirement; authorizing a district school board or a charter school governing board to offer certain additional options to meet the requirement; conforming provisions to changes made by the act; amending ss. 1003.4285, 1003.4295, and 1003.436, F.S.; conforming provisions to changes made by the act; amending s. 1006.28, F.S.; requiring instructional materials to be consistent with the rigorous alternative assessment option; requiring a district school board to make certain certifications at a public meeting; amending s. 1007.27, F.S.; requiring the department to identify the minimum scores, maximum credit, and courses for which credit is awarded for certain examinations; amending ss. 1007.271 and 1011.61, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; deleting certain bonus limits that may be earned for instructing students who receive specified grades on certain examinations; amending s. 1012.34, F.S.; requiring a classroom teacher's performance evaluation to be based on the performance of certain students; amending s. 1001.42, F.S.; revising the duties of a district school board; requiring the commissioner to make certain requests and submit certain documentation regarding the federal Elementary and Secondary Education Act by a specified date; requiring the commissioner to submit a report to the Governor and the Legislature by a specified date; providing an effective date.

—was read the second time by title.

On motion by Senator Gaetz, further consideration of **CS for SB 1360** was deferred.

On motion by Senator Hukill, by unanimous consent—

HB 7099—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; revising uses of certain tourist development taxes; requiring the performance of a return-on-investment or cost-benefit analysis in specified circumstances; authorizing certain entities to file administrative challenges against counties for using tourist development taxes for unauthorized purposes; prohibiting use of those revenues for purposes which are the subject of a challenge; authorizing reasonable attorney fees and costs under specified circumstances; amending s. 159.621, F.S.; exempting from the documentary stamp tax certain notes or mortgages with respect to certain loans by or on behalf of a housing finance authority; providing criteria for such exemption; amending s. 163.387, F.S.; specifying uses of community redevelopment agency redevelopment trust fund moneys for certain community redevelopment agencies that support youth centers; amending s. 195.022, F.S.; revising the county population thresholds for purposes of identifying the governmental entity responsible for payment of aerial photographs and ownership maps; amending s. 196.011, F.S.; exempting certain veterans and surviving spouses from certain annual homestead filing requirements; amending s. 196.012, F.S.; revising definitions related to certain businesses; amending s. 196.081, F.S.; expanding an exemption from ad valorem taxation for certain permanently and totally disabled veterans under specified circumstances; removing the requirement that a deceased veteran have resided in this state on a specified date before the ad valorem tax exemption for homestead property may apply to the veteran's surviving spouse; exempting the unremarried surviving

spouse of certain deceased veterans from payment of ad valorem taxes for certain homestead property in this state, irrespective of the state in which the veteran's homestead was located at the time of death, if certain conditions are met; amending 196.1978, F.S.; providing a property tax discount for certain properties used to provide affordable housing to specified low-income persons and families; amending s. 196.1995, F.S.; revising an economic development ad valorem tax exemption for certain enterprise zone businesses; amending s. 201.15, F.S.; revising a date relating to the payment of debt service for certain bonds; amending s. 206.9825, F.S.; revising eligibility criteria for wholesalers and terminal suppliers to receive aviation fuel tax refunds or credits of previously paid excise taxes; providing for future repeal of such refunds or credits; revising the rate of the excise tax on certain aviation fuels on a specified date; amending s. 210.13, F.S.; providing procedures to be used when a person, other than a dealer, is required but fails to remit certain taxes; amending s. 210.25, F.S.; revising definitions related to tobacco; amending s. 212.031, F.S.; reducing the tax levied on the renting, leasing, letting, or granting of a license for the use of real property; providing applicability; amending s. 212.04, F.S.; authorizing a refund or credit of tax for certain resales of admissions upon the demonstration of specified documentation; amending s. 212.05, F.S.; clarifying the requirements for the exemption from tax on certain sales of aircraft that will be registered in a foreign jurisdiction; amending s. 212.08, F.S.; creating an exemption for certain sales of data center equipment, certain sales of electricity, and certain sales of building materials; providing definitions; exempting the sales of food or drinks by certain qualified veterans' organizations; revising definitions regarding certain industrial machinery and equipment; removing the expiration date on the exemption for purchases of certain machinery and equipment; revising the definition of the term "eligible manufacturing business" for purposes of qualification for the sales and use tax exemption; providing definitions for certain postharvest machinery and equipment, postharvest activities, and eligible postharvest activity businesses; providing an exemption for the purchase of such machinery and equipment; amending s. 220.03, F.S.; adopting the 2016 version of the Internal Revenue Code; providing retroactive applicability; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; revising the treatment by this state of certain depreciation of assets allowed for federal income tax purposes; providing retroactive applicability; authorizing the Department of Revenue to adopt emergency rules; amending s. 220.1845, F.S.; specifying a monetary cap on the grant of contaminated site rehabilitation tax credits available for the year; amending s. 220.192, F.S.; extending by 1 year the renewable energy technology corporate income tax credit; amending s. 220.193, F.S.; authorizing certain nonpublic waste-to-energy facilities to be eligible for the renewable energy production corporate income tax credit; removing the repeal of the tax credit; extending by 1 year a specified amount of available tax credit for eligible taxpayers; amending s. 220.196, F.S.; specifying the amount of research and development tax credits that may be granted to business enterprises in a future year; amending s. 220.222, F.S.; revising due dates for partnership information returns and corporate tax returns; amending s. 220.241, F.S.; revising due dates to file a declaration of estimated corporate income tax; amending s. 220.33, F.S.; revising the due date of estimated payments of corporate income tax; amending 220.34, F.S.; revising the dates for purposes of calculating interest and penalties on underpayments of estimated corporate income tax; amending s. 376.30781, F.S.; revising the total amount of tax credits available for the rehabilitation of dry-cleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas for a specified period; amending s. 561.121, F.S.; requiring that certain taxes related to alcoholic beverages and tobacco products sold on cruise ships be deposited into specified funds; amending s. 564.06, F.S.; specifying the excise tax that is applicable to cider made from pears; amending s. 565.02, F.S.; creating an alternative method of taxation for alcoholic beverages and tobacco products sold on certain cruise ships; requiring the reporting of certain information by each permittee for purposes of determining the base rate applicable to the taxpayers; amending s. 951.22, F.S.; conforming a cross reference; providing an exemption from the sales and use tax for the retail sale of certain clothes, school supplies, and personal computers and related accessories during a specified period; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax for the retail sale of certain items and articles of tangible personal property by certain small businesses during a specified period; providing an exemption from the sales and use tax on the retail sale of certain firearms,

ammunition for firearms, camping tents, and fishing supplies during a specified period; providing exceptions; authorizing the department to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax for certain personal computers and related accessories during a specified period; providing exceptions; authorizing the department to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax on the sale of certain books and other reading materials at book fairs; authorizing the department to adopt emergency rules; amending chapter 2015-221, Laws of Florida; extending the exemption from the sales and use tax on the retail sale of certain textbooks for 1 year; providing an appropriation to the department to implement certain tax exemptions on rental or license fees; providing an appropriation to the department to assist certain counties in furnishing aerial photographs and maps; specifying that specified amendments related to certain businesses located in areas that were designated as enterprise zones are remedial in nature; creating s. 196.1955, F.S.; consolidating provisions relating to obtaining an ad valorem exemption for property owned by exempt organizations; requiring the owner of an exempt organization to take affirmative steps to demonstrate the property's exempt use; authorizing the property appraiser to serve a notice of tax lien on exempt property that is not in actual exempt use after a specified time; providing that the lien attaches to any property owned by the organization identified in the notice of lien; prohibiting a property appraiser from serving a notice of tax lien on certain property being prepared for use as a house of public worship; defining the terms "charitable use," "affirmative steps," and "public worship"; amending s. 196.196, F.S.; deleting provisions relating to the exemption as it applies to public worship and affordable housing and provisions that have been moved to s. 196.1955, F.S.; amending s. 196.198, F.S.; deleting provisions that have been moved to s. 196.1955, F.S., relating to property owned by an educational institution and used for an educational purpose; providing a finding of important state interest; providing effective dates.

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

The Committee on Appropriations recommended the following amendment which was moved by Senator Hukill:

Amendment 1 (673118) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (5) of section 125.0104, Florida Statutes, is redesignated as paragraph (d), present paragraph (d) of that subsection is amended, and a new paragraph (c) is added to that subsection, to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(c) A county located adjacent to the Gulf of Mexico or the Atlantic Ocean, except a county that receives revenue from taxes levied pursuant to s. 125.0108, which meets the following criteria may use up to 10 percent of the tax revenue received pursuant to this section to reimburse expenses incurred in providing public safety services, including emergency medical services as defined in s. 401.107(3), and law enforcement services, which are needed to address impacts related to increased tourism and visitors to an area. However, if taxes collected pursuant to this section are used to reimburse emergency medical services or public safety services for tourism or special events, the governing board of a county or municipality may not use such taxes to supplant the normal operating expenses of an emergency medical services department, a fire department, a sheriff's office, or a police department. To receive reimbursement, the county must:

1. Generate a minimum of \$10 million in annual proceeds from any tax, or any combination of taxes, authorized to be levied pursuant to this section;
2. Have at least three municipalities; and
3. Have an estimated population of less than 225,000, according to the most recent population estimate prepared pursuant to s. 186.901, excluding the inmate population.

The board of county commissioners must by majority vote approve reimbursement made pursuant to this paragraph upon receipt of a recommendation from the tourist development council.

(e)(d) Any use of the local option tourist development tax revenues collected pursuant to this section for a purpose not expressly authorized by paragraph (3)(l) or paragraph (3)(n) or paragraphs (a)-(d) paragraph (a), paragraph (b), or paragraph (c) of this subsection is expressly prohibited.

Section 2. Effective upon this act becoming a law, paragraph (b) of subsection (14) and paragraph (b) of subsection (15) of section 196.012, Florida Statutes, are amended to read:

196.012 Definitions.—For the purpose of this chapter, the following terms are defined as follows, except where the context clearly indicates otherwise:

(14) "New business" means:

(b) Any business or organization located in an area that was designated as an enterprise zone pursuant to chapter 290 as of December 30, 2015, or brownfield area that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business or organization.

(15) "Expansion of an existing business" means:

(b) Any business or organization located in an area that was designated as an enterprise zone pursuant to chapter 290 as of December 30, 2015, or brownfield area that increases operations on a site located within the same zone or area collocated with a commercial or industrial operation owned by the same business or organization under common control with the same business or organization.

Section 3. Effective upon this act becoming a law, subsections (5) and (11) of section 196.1995, Florida Statutes, are amended to read:

196.1995 Economic development ad valorem tax exemption.—

(5) Upon a majority vote in favor of such authority, the board of county commissioners or the governing authority of the municipality, at its discretion, by ordinance may exempt from ad valorem taxation up to 100 percent of the assessed value of all improvements to real property made by or for the use of a new business and of all tangible personal property of such new business, or up to 100 percent of the assessed value of all added improvements to real property made to facilitate the expansion of an existing business and of the net increase in all tangible personal property acquired to facilitate such expansion of an existing business. To qualify for this exemption, the improvements to real property must be made or the tangible personal property must be added or increased after approval by motion or resolution of the local governing body, subject to ordinance adoption or on or after the day the ordinance is adopted. However, if the authority to grant exemptions is approved in a referendum in which the ballot question contained in subsection (3) appears on the ballot, the authority of the board of county commissioners or the governing authority of the municipality to grant exemptions is limited solely to new businesses and expansions of existing businesses that are located in an area which was designated as an enterprise zone pursuant to chapter 290 as of December 30, 2015, or in a brownfield area. New businesses and expansions of existing businesses located in an area that was designated as an enterprise zone pursuant to chapter 290 as of December 30, 2015, but is not in a brownfield area, may qualify for the ad valorem tax exemption only if approved by motion or resolution of the local governing body, subject to ordinance adoption, or by ordinance, enacted before December 31, 2015. Property acquired to replace existing property shall not be considered to facilitate a business expansion. All data center equipment for a data center shall be exempt from ad valorem taxation for the term of the approved exemption. The exemption applies only to taxes levied by the respective unit of government granting the exemption. The exemption does not apply, however, to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to s. 9(b) or s. 12, Art. VII of the State Constitution. Any such exemption shall remain in effect for up to 10 years with respect to any particular facility, or up to 20 years for a data center, regardless of any change in the authority of the county or municipality to grant such exemptions or the expiration of the Enterprise Zone Act pursuant to chapter 290. The exemption shall not be prolonged

or extended by granting exemptions from additional taxes or by virtue of any reorganization or sale of the business receiving the exemption.

(11) An ordinance granting an exemption under this section shall be adopted in the same manner as any other ordinance of the county or municipality and shall include the following:

(a) The name and address of the new business or expansion of an existing business to which the exemption is granted;

(b) The total amount of revenue available to the county or municipality from ad valorem tax sources for the current fiscal year, the total amount of revenue lost to the county or municipality for the current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect, and the estimated revenue loss to the county or municipality for the current fiscal year attributable to the exemption of the business named in the ordinance;

(c) The period of time for which the exemption will remain in effect and the expiration date of the exemption, which may be any period of time up to 10 years, or up to 20 years for a data center; and

(d) A finding that the business named in the ordinance meets the requirements of s. 196.012(14) or (15).

Section 4. *The amendments made by this act to ss. 196.012 and 196.1995, Florida Statutes, which relate to the ad valorem tax exemption for certain enterprise zone businesses are remedial in nature and apply retroactively to December 31, 2015, and the amendments to s. 196.1995, Florida Statutes, made by this act which relate to the ad valorem tax exemption for data center equipment apply upon this act becoming a law.*

Section 5. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the payment of service charges or costs of collection and enforcement under this section. All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs and service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017 ~~2015~~, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(1) Amounts necessary to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3)(a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds shall be deposited into the Land Acquisition Trust Fund.

(2) If the amounts deposited pursuant to subsection (1) are less than 33 percent of all taxes collected after first deducting the costs of collection, an amount equal to 33 percent of all taxes collected after first deducting the costs of collection, minus the amounts deposited pursuant to subsection (1), shall be deposited into the Land Acquisition Trust Fund.

(3) Amounts on deposit in the Land Acquisition Trust Fund shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to

this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act.

(b) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts due with respect to Everglades restoration bonds issued pursuant to s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2) and deduction of the service charge imposed pursuant to s. 215.20(1), the remainder shall be distributed as follows:

(a) The lesser of 24.18442 percent of the remainder or \$541.75 million in each fiscal year shall be paid into the State Treasury to the credit of the State Transportation Trust Fund. Of such funds, \$75 million for each fiscal year shall be transferred to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. Notwithstanding any other law, the remaining amount credited to the State Transportation Trust Fund shall be used for:

1. Capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, in the amount of 10 percent of the funds;

2. The Small County Outreach Program specified in s. 339.2818, in the amount of 10 percent of the funds;

3. The Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2.; and

4. The Transportation Regional Incentive Program specified in s. 339.2819, in the amount of 25 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2. The first \$60 million of the funds allocated pursuant to this subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

(b) The lesser of 0.1456 percent of the remainder or \$3.25 million in each fiscal year shall be paid into the State Treasury to the credit of the Grants and Donations Trust Fund in the Department of Economic Opportunity to fund technical assistance to local governments.

Moneys distributed pursuant to paragraphs (a) and (b) may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(c) Eleven and twenty-four hundredths percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds, the first \$35 million shall be transferred annually, subject to any distribution required under subsection (5), to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. The remainder shall be used as follows:

1. Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Half of that amount shall be paid into the State Treasury to the credit of the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(d) Twelve and ninety-three hundredths percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds, the first \$40 million shall be transferred annually, subject to any distribution required under subsection (5), to the State Economic Enhancement and Development Trust

Fund within the Department of Economic Opportunity. The remainder shall be used as follows:

1. Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and expended by the Department of Economic Opportunity and the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(e) The lesser of 0.017 percent of the remainder or \$300,000 in each fiscal year shall be paid into the State Treasury to the credit of the General Inspection Trust Fund to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

(5) Distributions to the State Housing Trust Fund pursuant to paragraphs (4)(c) and (d) must be sufficient to cover amounts required to be transferred to the Florida Affordable Housing Guarantee Program's annual debt service reserve and guarantee fund pursuant to s. 420.5092(6)(a) and (b) up to the amount required to be transferred to such reserve and fund based on the percentage distribution of documentary stamp tax revenues to the State Housing Trust Fund which is in effect in the 2004-2005 fiscal year.

(6) After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 6. Paragraph (b) of subsection (1) of section 206.9825, Florida Statutes, is amended to read:

206.9825 Aviation fuel tax.—

(1)

(b) Any licensed wholesaler or terminal supplier that delivers aviation fuel to an air carrier offering transcontinental jet service and that, after January 1, 1996, *but before July 1, 2016*, increases the air carrier's Florida workforce by more than 1,000 percent and by 250 or more full-time equivalent employee positions, may receive a credit or refund as the ultimate vendor of the aviation fuel for the 6.9 cents excise tax previously paid, provided that the air carrier has no facility for fueling highway vehicles from the tank in which the aviation fuel is stored. In calculating the new or additional Florida full-time equivalent employee positions, any full-time equivalent employee positions of parent or subsidiary corporations which existed before January 1, 1996, shall not be counted toward reaching the Florida employment increase thresholds. The refund allowed under this paragraph is in furtherance of the goals and policies of the State Comprehensive Plan set forth in s. 187.201(16)(a), (b)1., 2., (17)(a), (b)1., 4., (19)(a), (b)5., (21)(a), (b)1., 2., 4., 7., 9., and 12.

Section 7. Effective July 1, 2019, section 206.9825, Florida Statutes, as amended by this act, is amended to read:

206.9825 Aviation fuel tax.—

(1)(a) Except as otherwise provided in this part, an excise tax of 4.27 ~~6.9~~ cents per gallon of aviation fuel is imposed upon every gallon of aviation fuel sold in this state, or brought into this state for use, upon which such tax has not been paid or the payment thereof has not been lawfully assumed by some person handling the same in this state. Fuel taxed pursuant to this part ~~is~~ shall not be subject to the taxes imposed by ss. 206.41(1)(d), (e), and (f) and 206.87(1)(b), (c), and (d).

~~(b) Any licensed wholesaler or terminal supplier that delivers aviation fuel to an air carrier offering transcontinental jet service and that, after January 1, 1996, but before July 1, 2016, increases the air carrier's Florida workforce by more than 1,000 percent and by 250 or more full-time equivalent employee positions, may receive a credit or refund as the ultimate vendor of the aviation fuel for the 6.9 cents excise tax previously paid, provided that the air carrier has no facility for fueling highway vehicles from the tank in which the aviation fuel is stored. In calculating the new or additional Florida full-time equivalent~~

~~employee positions, any full-time equivalent employee positions of parent or subsidiary corporations which existed before January 1, 1996, shall not be counted toward reaching the Florida employment increase thresholds. The refund allowed under this paragraph is in furtherance of the goals and policies of the State Comprehensive Plan set forth in s. 187.201(16)(a), (b)1., 2., (17)(a), (b)1., 4., (19)(a), (b)5., (21)(a), (b)1., 2., 4., 7., 9., and 12.~~

~~(e) If, before July 1, 2001, the number of full-time equivalent employee positions created or added to the air carrier's Florida workforce falls below 250, the exemption granted pursuant to this section shall not apply during the period in which the air carrier has fewer than the 250 additional employees.~~

~~(d) The exemption taken by credit or refund pursuant to paragraph (b) shall apply only under the terms and conditions set forth therein. If any part of that paragraph is judicially declared to be unconstitutional or invalid, the validity of any provisions taxing aviation fuel shall not be affected and all fuel exempted pursuant to paragraph (b) shall be subject to tax as if the exemption was never enacted. Every person benefiting from such exemption shall be liable for and make payment of all taxes for which a credit or refund was granted.~~

(b)(~~e~~)1. Sales of aviation fuel to, and exclusively used for flight training through a school of aeronautics or college of aviation by, a college based in this state which is a tax-exempt organization under s. 501(c)(3) of the Internal Revenue Code or a university based in this state are exempt from the tax imposed by this part if the college or university:

a. Is accredited by or has applied for accreditation by the Aviation Accreditation Board International; and

b. Offers a graduate program in aeronautical or aerospace engineering or offers flight training through a school of aeronautics or college of aviation.

2. A licensed wholesaler or terminal supplier that sells aviation fuel to a college or university qualified under this paragraph and that does not collect the aviation fuel tax from the college or university on such sale may receive an ultimate vendor credit for the 4.27-cent ~~6.9-cent~~ excise tax previously paid on the aviation fuel delivered to such college or university.

3. A college or university qualified under this paragraph which purchases aviation fuel from a retail supplier, including a fixed-base operator, and pays the 4.27-cent ~~6.9-cent~~ excise tax on the purchase may apply for and receive a refund of the aviation fuel tax paid.

(2)(a) An excise tax of 4.27 ~~6.9~~ cents per gallon is imposed on each gallon of kerosene in the same manner as prescribed for diesel fuel under ss. 206.87(2) and 206.872.

(b) The exemptions provided by s. 206.874 shall apply to kerosene if the dyeing and marking requirements of s. 206.8741 are met.

(c) Kerosene prepackaged in containers of 5 gallons or less and labeled "Not for Use in a Motor Vehicle" is exempt from the taxes imposed by this part when sold for home heating and cooking. Packagers may qualify for a refund of taxes previously paid, as prescribed by the department.

(d) Sales of kerosene in quantities of 5 gallons or less by a person not licensed under this chapter who has no facilities for placing kerosene in the fuel supply system of a motor vehicle may qualify for a refund of taxes paid. Refunds of taxes paid shall be limited to sales for use in home heating or cooking and shall be documented as prescribed by the department.

(3) An excise tax of 4.27 ~~6.9~~ cents per gallon is imposed on each gallon of aviation gasoline in the manner prescribed by paragraph (2)(a). However, the exemptions allowed by paragraph (2)(b) do not apply to aviation gasoline.

(4) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a residence for home heating or cooking may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent ~~6.9-cent~~ excise tax previously paid.

(5) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a retail dealer not licensed as a wholesaler or terminal supplier for sale as a home heating or cooking fuel may receive a credit or refund as the ultimate vendor of the kerosene for the ~~4.27-cent 6.9 cents~~ excise tax previously paid, provided the retail dealer has no facility for fueling highway vehicles from the tank in which the kerosene is stored.

(6) Any person who fails to meet the requirements of this section is subject to a backup tax as provided by s. 206.873.

Section 8. Section 210.13, Florida Statutes, is amended to read:

210.13 Determination of tax on failure to file a return.—If a dealer or other person required to remit the tax under this part fails to file any return required under this part; or, having filed an incorrect or insufficient return, fails to file a correct or sufficient return, as the case may require, within 10 days after the giving of notice to the dealer or other person by the Division of Alcoholic Beverages and Tobacco that such return or corrected or sufficient return is required, the division shall determine the amount of tax due by such dealer or other person any time within 3 years after the making of the earliest sale included in such determination and give written notice of such determination to such dealer or other person. Such a determination shall finally and irrevocably fix the tax unless the dealer or other person against whom it is assessed ~~shall~~, within 30 days after the giving of notice of such determination, ~~applies apply~~ to the division for a hearing. Judicial review shall not be granted unless the amount of tax stated in the decision, with penalties thereon, if any, ~~is shall have been~~ first deposited with the division, and an undertaking or bond filed in the court in which such cause may be pending in such amount and with such sureties as the court shall approve, conditioned that if such proceeding be dismissed or the decision of the division confirmed, the applicant for review will pay all costs and charges which may accrue against the applicant in the prosecution of the proceeding. At the option of the applicant, such undertaking or bond may be in an additional sum sufficient to cover the tax, penalties, costs, and charges aforesaid, in which event the applicant shall not be required to pay such tax and penalties precedent to the granting of such review by such court.

Section 9. Subsections (1) through (13) of section 210.25, Florida Statutes, are renumbered as subsections (2) through (14), respectively, a new subsection (1) is added to that section, and present subsection (13) of that section is amended, to read:

210.25 Definitions.—As used in this part:

(1) “Affiliate” means a manufacturer or other person that directly or indirectly, through one or more intermediaries, controls or is controlled by a distributor or that is under common control with a distributor.

(14)~~(13)~~ “Wholesale sales price” means the sum of:

(a) The full price paid by the distributor to acquire the tobacco products, including charges by the seller for the cost of materials, the cost of labor and service, charges for transportation and delivery, the federal excise tax, and any other charge, even if the charge is listed as a separate item on the invoice paid by the ~~established price for which a manufacturer sells a tobacco product to a distributor~~, exclusive of any diminution by volume or other discounts, including a discount provided to a distributor by an affiliate; and

(b) The federal excise tax paid by the distributor on the tobacco products if the tax is not included in the full price under paragraph (a).

Section 10. Paragraph (a) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

(II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term “foreign jurisdiction” means any jurisdiction outside of the United States or any of its territories;

b. The purchaser, within 30 days from the date of departure, ~~provides shall provide~~ the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within 30 days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The purchaser, within 10 days of removing the boat or aircraft from Florida, ~~furnishes shall furnish~~ the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hanging from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within 5 days of the date of sale, ~~provides shall provide~~ to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions of this section;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser ~~applies shall apply~~ to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, ~~before prior to~~ delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost \$425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal ~~before prior to~~ permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date ~~before prior to~~ its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to

this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

Section 11. Paragraph (c) of subsection (1) of section 212.06, Florida Statutes, is amended to read:

212.06 Sales, storage, use tax; collectible from dealers; "dealer" defined; dealers to collect from purchasers; legislative intent as to scope of tax.—

(1)

(c)1. Notwithstanding the provisions of paragraph (b), the use tax on asphalt manufactured for one's own use shall be calculated with respect to paragraph (b) only upon the cost of materials which become a component part or which are an ingredient of the finished asphalt and upon the cost of the transportation of such components and ingredients. In addition, an indexed tax of 38 cents per ton of such manufactured asphalt shall be due at the same time and in the same manner as taxes due pursuant to paragraph (b). Beginning July 1, 1989, the indexed tax shall be adjusted each July 1 to an amount, rounded to the nearest cent, equal to the product of 38 cents multiplied by a fraction, the numerator of which is the annual average of the "materials and components for construction" series of the producer price index, as calculated and published by the United States Department of Labor, Bureau of Statistics, for the previous calendar year, and the denominator of which is the annual average of said series for calendar year 1988.

2.a. Beginning July 1, 1999, the indexed tax imposed by this paragraph on manufactured asphalt which is used for any federal, state, or local government public works project shall be reduced by 20 percent.

b. Beginning July 1, 2000, the indexed tax imposed by this paragraph on manufactured asphalt which is used for any federal, state, or local government public works project shall be reduced by 40 percent.

c. *Beginning July 1, 2016, the indexed tax imposed by this paragraph on manufactured asphalt which is used for any federal, state, or local government public works project shall be reduced by 60 percent.*

d. *Beginning July 1, 2017, the indexed tax imposed by this paragraph on manufactured asphalt which is used for any federal, state, or local government public works project shall be reduced by 80 percent.*

e. *Beginning July 1, 2018, manufactured asphalt used for any federal, state, or local government public works project shall be exempt from the indexed tax imposed by this paragraph.*

Section 12. Paragraphs (n) and (kkk) of subsection (7) of section 212.08, Florida Statutes, are amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the

rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(n) *Veterans' organizations.*—

1. There are exempt from the tax imposed by this chapter transactions involving sales or leases to qualified veterans' organizations and their auxiliaries when used in carrying on their customary veterans' organization activities or sales of food or drink by qualified veterans' organizations in connection with customary veterans' organization activities to members of qualified veterans' organizations.

2. As used in this paragraph, the term "veterans' organizations" means nationally chartered or recognized veterans' organizations, including, but not limited to, the American Legion, Veterans of Foreign Wars of the United States, Florida chapters of the Paralyzed Veterans of America, Catholic War Veterans of the U.S.A., Jewish War Veterans of the U.S.A., and the Disabled American Veterans, Department of Florida, Inc., which hold current exemptions from federal income tax under s. 501(c)(4) or (19) of the Internal Revenue Code of 1986, as amended.

(kkk) *Certain machinery and equipment.*—

1. Industrial machinery and equipment purchased by eligible manufacturing businesses which is used at a fixed location in ~~within this state, or a mixer drum affixed to a mixer truck which is used at any location within this state to mix, agitate, and transport freshly mixed concrete in a plastic state,~~ for the manufacture, processing, compounding, or production of items of tangible personal property for sale is ~~shall be exempt from the tax imposed by this chapter. Parts and labor required to affix a mixer drum exempt under this paragraph to a mixer truck are also exempt.~~ If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this paragraph, the seller is not required to collect ~~is relieved of the responsibility for collecting the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.~~

2. For purposes of this paragraph, the term:

a. "Eligible manufacturing business" means any business whose primary business activity at the location where the industrial machinery and equipment is located is within the industries classified under NAICS codes 31, 32, ~~and~~ 33, and 423930.

b. "Eligible postharvest activity business" means a business whose primary business activity, at the location where the postharvest machinery and equipment is located, is within the industries classified under NAICS code 115114.

c. ~~As used in this subparagraph,~~ "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

~~d.~~ "Primary business activity" means an activity representing more than 50 percent of the activities conducted at the location where the industrial machinery and equipment or *postharvest machinery and equipment* is located.

~~e.~~ "Industrial machinery and equipment" means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale. *The term includes tangible personal property or other property that has a depreciable life of 3 years or more which is used as an integral part in the recycling of metals for sale.* A building and its structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment are replaced. Heating and air conditioning systems are not industrial machinery and equipment unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonproduction activities. The term includes parts and accessories for industrial machinery and equipment

only to the extent that the parts and accessories are purchased ~~prior to~~ the date the machinery and equipment are placed in service.

f. "Postharvest activities" means services performed on crops, after their harvest, with the intent of preparing them for market or further processing. *Postharvest activities include, but are not limited to, crop cleaning, sun drying, shelling, fumigating, curing, sorting, grading, packing, and cooling.*

g. "Postharvest machinery and equipment" means tangible personal property or other property with a depreciable life of 3 years or more which is used primarily for postharvest activities. A building and its structural components are not postharvest industrial machinery and equipment unless the building or structural component is so closely related to the postharvest machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the postharvest machinery and equipment is replaced. Heating and air conditioning systems are not postharvest machinery and equipment unless the sole justification for their installation is to meet the requirements of the postharvest activities process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonpostharvest activities.

3. *Postharvest machinery and equipment purchased by an eligible postharvest activity business which is used at a fixed location in this state is exempt from the tax imposed by this chapter. All labor charges for the repair of, and parts and materials used in the repair of and incorporated into, such postharvest machinery and equipment are also exempt. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this subparagraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.*

~~4.~~ *A mixer drum affixed to a mixer truck which is used at any location in this state to mix, agitate, and transport freshly mixed concrete in a plastic state for sale is exempt from the tax imposed by this chapter. Parts and labor required to affix a mixer drum exempt under this subparagraph to a mixer truck are also exempt. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this subparagraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption. This subparagraph ~~paragraph~~ is repealed April 30, 2017.*

Section 13. Effective upon this act becoming a law and operating retroactively to January 1, 2016, paragraph (n) of subsection (1) and paragraph (c) of subsection (2) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, 2016 ~~2015~~, except as provided in subsection (3).

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(c) Any term used in this code has the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, 2016 ~~2015~~. However, if subsection (3) is implemented, the meaning of a term shall be taken at the time the term is applied under this code.

Section 14. Effective upon this act becoming a law and operating retroactively to January 1, 2016, paragraph (e) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(e) *Adjustments related to federal acts.*—Taxpayers shall be required to make the adjustments prescribed in this paragraph for Florida tax purposes with respect to certain tax benefits received pursuant to the Economic Stimulus Act of 2008, the American Recovery and Reinvestment Act of 2009, the Small Business Jobs Act of 2010, the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, the American Taxpayer Relief Act of 2012, and the Tax Increase Prevention Act of 2014, and the Consolidated Appropriations Act, 2016.

1. There shall be added to such taxable income an amount equal to 100 percent of any amount deducted for federal income tax purposes as bonus depreciation for the taxable year pursuant to ss. 167 and 168(k) of the Internal Revenue Code of 1986, as amended by s. 103 of Pub. L. No. 110-185, s. 1201 of Pub. L. No. 111-5, s. 2022 of Pub. L. No. 111-240, s. 401 of Pub. L. No. 111-312, s. 331 of Pub. L. No. 112-240, and s. 125 of Pub. L. No. 113-295, and s. 143 of Division Q of Pub. L. No. 114-113, for property placed in service after December 31, 2007, and before January 1, 2021 ~~2015~~. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income an amount equal to one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

2. There shall be added to such taxable income an amount equal to 100 percent of any amount in excess of \$128,000 deducted for federal income tax purposes for the taxable year pursuant to s. 179 of the Internal Revenue Code of 1986, as amended by s. 102 of Pub. L. No. 110-185, s. 1202 of Pub. L. No. 111-5, s. 2021 of Pub. L. No. 111-240, s. 402 of Pub. L. No. 111-312, s. 315 of Pub. L. No. 112-240, and s. 127 of Pub. L. No. 113-295, for taxable years beginning after December 31, 2007, and before January 1, 2015. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

3. There shall be added to such taxable income an amount equal to the amount of deferred income not included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5. There shall be subtracted from such taxable income an amount equal to the amount of deferred income included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5.

4. Subtractions available under this paragraph may be transferred to the surviving or acquiring entity following a merger or acquisition and used in the same manner and with the same limitations as specified by this paragraph.

5. The additions and subtractions specified in this paragraph are intended to adjust taxable income for Florida tax purposes, and, notwithstanding any other provision of this code, such additions and subtractions shall be permitted to change a taxpayer’s net operating loss for Florida tax purposes.

Section 15. (1) *The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the amendments made by this act to s. 220.03(1)(n) and (2)(c), Florida Statutes, and s. 220.13(1)(e), Florida Statutes.*

(2) *Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

(3) *This section expires January 1, 2020.*

Section 16. Effective upon this act becoming a law and applicable to taxable years beginning on or after January 1, 2016, section 220.222, Florida Statutes, is amended to read:

220.222 Returns; time and place for filing.—

(1)(a) Returns required by this code shall be filed with the office of the department in Leon County or at such other place as the department may by regulation prescribe. All returns required for a DISC (Domestic International Sales Corporation) under paragraph 6011(c)(2) of the Internal Revenue Code shall be filed on or before the 1st day of the 10th month ~~after following~~ the close of the taxable year; all partnership information returns shall be filed on or before the 1st day of the 4th ~~5th~~ month ~~after following~~ the close of the taxable year; and all other returns shall be filed on or before the 1st day of the 5th ~~4th~~ month ~~after following~~ the close of the taxable year or the 15th day ~~after following~~ the due date, without extension, for the filing of the related federal return for the taxable year, unless under subsection (2) one or more extensions of time, not to exceed 6 months in the aggregate, for any such filing is granted.

(b) *Notwithstanding paragraph (a), for taxable years beginning before January 1, 2026, returns of taxpayers with a taxable year ending on June 30 shall be filed on or before the 1st day of the 4th month after the close of the taxable year or the 15th day after the due date, without extension, for the filing of the related federal return for the taxable year, unless under subsection (2) one or more extensions of time for any such filing is granted.*

(2)(a) When a taxpayer has been granted an extension or extensions of time within which to file its federal income tax return for any taxable year, and if the requirements of s. 220.32 are met, the filing of a request for such extension or extensions with the department shall automatically extend the due date of the return required under this code until ~~15 days after the expiration of the federal extension or until~~ the expiration of 6 months from the original due date, ~~whichever first occurs.~~

(b) The department may grant an extension or extensions of time for the filing of any return required under this code upon receiving a prior request therefor if good cause for an extension is shown. However, the aggregate extensions of time under ~~paragraph~~ paragraphs (a) and ~~this paragraph must (b) shall~~ not exceed 6 months. ~~An No~~ extension granted under this paragraph ~~is not shall~~ be valid unless the taxpayer complies with the requirements of s. 220.32.

(c) For purposes of this subsection, a taxpayer is not in compliance with the requirements of s. 220.32 if the taxpayer underpays the required payment by more than the greater of \$2,000 or 30 percent of the tax shown on the return when filed.

(d) *For taxable years beginning before January 1, 2026, the 6-month time period in paragraphs (a) and (b) shall be 7 months for taxpayers with a taxable year ending June 30 and shall be 5 months for taxpayers with a taxable year ending December 31.*

Section 17. Effective upon this act becoming a law and applicable to taxable years beginning on or after January 1, 2017, section 220.241, Florida Statutes, is amended to read:

220.241 Declaration; time for filing.—

(1) A declaration of estimated tax under this code shall be filed before the 1st day of the 6th ~~5th~~ month of each taxable year, except that if the minimum tax requirement of s. 220.24(1) is first met:

(a)(~~1~~) After the 3rd month and before the 6th month of the taxable year, the declaration shall be filed before the 1st day of the 7th month;

(b)(~~2~~) After the 5th month and before the 9th month of the taxable year, the declaration shall be filed before the 1st day of the 10th month; or

(c)(~~3~~) After the 8th month and before the 12th month of the taxable year, the declaration shall be filed for the taxable year before the 1st day of the succeeding taxable year.

(2) *Notwithstanding subsection (1), for taxable years beginning before January 1, 2026, taxpayers with a taxable year ending on June 30*

shall file declarations before the 1st day of the 5th month of each taxable year, unless paragraph (1)(a), paragraph (1)(b), or paragraph (1)(c) applies.

Section 18. Effective upon this act becoming a law and applicable to taxable years beginning on or after January 1, 2017, subsection (1) of section 220.33, Florida Statutes, is amended to read:

220.33 Payments of estimated tax.—A taxpayer required to file a declaration of estimated tax pursuant to s. 220.24 shall pay such estimated tax as follows:

(1) If the declaration is required to be filed before the 1st day of the 6th month of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the required filing of the declaration; the second and third installments shall be paid before the 1st day of the 7th month and before the 1st day of the 10th month of the taxable year, respectively; and the fourth installment shall be paid before the 1st day of the next taxable year.

Section 19. Effective upon this act becoming a law and applicable to taxable years beginning on or after January 1, 2017, paragraph (c) of subsection (2) of section 220.34, Florida Statutes, is amended to read:

220.34 Special rules relating to estimated tax.—

(2) No interest or penalty shall be due or paid with respect to a failure to pay estimated taxes except the following:

(c) The period of the underpayment for which interest and penalties apply shall commence on the date the installment was required to be paid, determined without regard to any extensions of time, and shall terminate on the earlier of the following dates:

1. The 1st first day of the 5th fourth month after following the close of the taxable year;

2. For taxable years beginning before January 1, 2026, for taxpayers with a taxable year ending June 30, the 1st day of the 4th month after the close of the taxable year; or

3. With respect to any portion of the underpayment, the date on which such portion is paid.

For purposes of this paragraph, a payment of estimated tax on any installment date shall be considered a payment of any previous underpayment only to the extent such payment exceeds the amount of the installment determined under subparagraph (b)1. for such installment date.

Section 20. Subsections (1) and (2) of section 561.121, Florida Statutes, are amended to read:

561.121 Deposit of revenue.—

(1) All state funds collected pursuant to ss. 563.05, 564.06, 565.02(9), and 565.12 shall be paid into the State Treasury and disbursed in the following manner:

(a) Two percent of monthly collections of the excise taxes on alcoholic beverages established in ss. 563.05, 564.06, and 565.12 and the tax on alcoholic beverages, cigarettes, and other tobacco products established in s. 565.02(9) shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund to meet the division's appropriation for the state fiscal year.

(b) The remainder of the funds collected pursuant to ss. 563.05, 564.06, and 565.12 and the tax on alcoholic beverages, cigarettes, and other tobacco products established in s. 565.02(9) shall be credited to the General Revenue Fund.

(2) The unencumbered balance in the Alcoholic Beverage and Tobacco Trust Fund at the close of each fiscal year may not exceed \$2 million. These funds shall be held in reserve for use in the event that trust fund revenues are unable to meet the division's appropriation for the next fiscal year. In the event of a revenue shortfall, these funds shall be spent pursuant to subsection (3). Notwithstanding subsection (1), if the unencumbered balance on June 30 in any fiscal year is less than \$2

million, the department is authorized to retain the difference between the June 30 unencumbered balance in the trust fund and \$2 million from the July collections of state funds collected pursuant to ss. 563.05, 564.06, and 565.12 and the tax on alcoholic beverages, cigarettes, and other tobacco products established in s. 565.02(9). Any unencumbered funds in excess of reserve funds shall be transferred unallocated to the General Revenue Fund by August 31 of the next fiscal year.

Section 21. Subsection (4) of section 564.06, Florida Statutes, is amended to read:

564.06 Excise taxes on wines and beverages.—

(4) As to cider, which is made from the normal alcoholic fermentation of the juice of sound, ripe apples or pears, including but not limited to flavored, sparkling, or carbonated cider and cider made from condensed apple or pear must, that contain not less than one-half of 1 percent of alcohol by volume and not more than 7 percent of alcohol by volume, there shall be paid by all manufacturers and distributors a tax at the rate of \$.89 per gallon. With the sole exception of the excise tax rate, cider shall be considered wine and shall be subject to the provisions of this chapter.

Section 22. Subsection (9) of section 565.02, Florida Statutes, is amended to read:

565.02 License fees; vendors; clubs; caterers; and others.—

(9)(a) As used in this subsection, the term:

1. "Annual capacity" means an amount equal to the number of lower berths on a vessel multiplied by the number of embarkations of that vessel during a calendar year.

2. "Base rate" means an amount equal to the total taxes and surcharges paid by all permittees pursuant to the Beverage Law and chapter 210 for sales of alcoholic beverages, cigarettes, and other tobacco products taking place between January 1, 2015, and December 31, 2015, inclusive, divided by the sum of the annual capacities of all vessels permitted pursuant to former s. 565.02(9), Florida Statutes 2015, for calendar year 2015.

3. "Embarkation" means an instance in which a vessel departs from a port in this state.

4. "Lower berth" means a bed that is:

a. Affixed to a vessel;

b. Not located above another bed in the same cabin; and

c. Located in a cabin not in use by employees of the operator of the vessel or its contractors.

5. "Quarterly capacity" means an amount equal to the number of lower berths on a vessel multiplied by the number of embarkations of that vessel during a calendar quarter.

(b) It is the finding of the Legislature that passenger vessels engaged exclusively in foreign commerce are susceptible to a distinct and separate classification for purposes of the sale of alcoholic beverages, cigarettes, and other tobacco products under the Beverage Law and chapter 210.

(c) Upon the filing of an application and payment of an annual fee of \$1,100, the director is authorized to issue a permit authorizing the operator, or, if applicable, his or her concessionaire, of a passenger vessel which has cabin-berth capacity for at least 75 passengers, and which is engaged exclusively in foreign commerce, to sell alcoholic beverages, cigarettes, and other tobacco products on the vessel for consumption on board only:

1.(a) For no more than ~~During a period not in excess of~~ 24 hours before ~~prior to~~ departure while the vessel is moored at a dock or wharf in a port of this state; or

2.(b) At any time while the vessel is located in Florida territorial waters and is in transit to or from international waters.

One such permit shall be required for each such vessel and shall name the vessel for which it is issued. No license shall be required or tax levied by any municipality or county for the privilege of selling beverages, cigarettes, or other tobacco products for consumption on board such vessels. The beverages, cigarettes, or other tobacco products so sold may be purchased outside the state by the permittee, and the same shall not be considered as imported for the purposes of s. 561.14(3) solely because of such sale. The permittee is not required to obtain its beverages, cigarettes, or other tobacco products from licensees under the Beverage Law or chapter 210. Each permittee, ~~but it~~ shall keep a strict account of the quarterly capacity of each of its vessels ~~all such beverages sold within this state~~ and shall make ~~quarterly~~ monthly reports to the division on forms prepared and furnished by the division. ~~A permittee who sells on board the vessel beverages withdrawn from United States Bureau of Customs and Border Protection bonded storage on board the vessel may satisfy such accounting requirement by supplying the division with copies of the appropriate United States Bureau of Customs and Border Protection forms evidencing such withdrawals as importations under United States customs laws.~~

(d) ~~Each~~ Such permittee shall pay to the state a ~~an~~ excise tax for beverages, cigarettes, and other tobacco products sold pursuant to this subsection in an amount equal to the base rate multiplied by the permittee's quarterly capacity during the calendar quarter, less any tax or surcharge already paid by a licensed manufacturer or distributor pursuant to the Beverage Law or chapter 210 on beverages, cigarettes, and other tobacco products sold by the permittee pursuant to this subsection during the quarter for which tax is due ~~section, if such excise tax has not previously been paid, in an amount equal to the tax which would be required to be paid on such sales by a licensed manufacturer or distributor.~~

(e) A vendor holding such permit shall pay the tax ~~quarterly~~ monthly to the division at the same time he or she furnishes the required report. Such report shall be filed on or before the 15th day of each calendar quarter ~~month~~ for the quarterly capacity sales occurring during the previous calendar quarter ~~month~~.

(f) No later than August 1, 2016, each permittee shall report the annual capacity for each of its vessels for calendar year 2015 to the division on forms prepared and furnished by the division. No later than September 1, 2016, the division shall calculate the base rate and report it to each permittee. The base rate shall also be published in the Florida Administrative Register and on the department's website. The division may verify independently the information provided under this paragraph.

(g) Revenues collected pursuant to this subsection shall be distributed pursuant to s. 561.121(1).

Section 23. Subsection (1) of section 951.22, Florida Statutes, is amended to read:

951.22 County detention facilities; contraband articles.—

(1) It is unlawful, except through regular channels as duly authorized by the sheriff or officer in charge, to introduce into or possess upon the grounds of any county detention facility as defined in s. 951.23 or to give to or receive from any inmate of any such facility wherever said inmate is located at the time or to take or to attempt to take or send therefrom any of the following articles which are hereby declared to be contraband for the purposes of this act, to wit: Any written or recorded communication; any currency or coin; any article of food or clothing; any tobacco products as defined in s. 210.25(12) ~~210.25(11)~~; any cigarette as defined in s. 210.01(1); any cigar; any intoxicating beverage or beverage which causes or may cause an intoxicating effect; any narcotic, hypnotic, or excitative drug or drug of any kind or nature, including nasal inhalators, sleeping pills, barbiturates, and controlled substances as defined in s. 893.02(4); any firearm or any instrumentality customarily used or which is intended to be used as a dangerous weapon; and any instrumentality of any nature that may be or is intended to be used as an aid in effecting or attempting to effect an escape from a county facility.

Section 24. *Clothing and school supplies; sales tax holiday.*—

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on August 5, 2016, through 11:59 p.m. on August 7, 2016, on the retail sale of:*

(a) *Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$60 or less per item. As used in this paragraph, the term "clothing" means:*

1. *Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and*

2. *All footwear, excluding skis, swim fins, roller blades, and skates.*

(b) *School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, protractors, compasses, and calculators.*

(2) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(3) *The tax exemptions provided in this section apply at the option of a dealer if less than 5 percent of the dealer's gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by August 1, 2016, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.*

(4) *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.*

(5) *For the 2016-2017 fiscal year, the sum of \$229,982 in non-recurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section.*

Section 25. *For the 2016-2017 fiscal year, the sum of \$100,374 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing ss. 220.03, 220.13, 220.222, 220.241, 220.33, and 220.34, as amended by this act.*

Section 26. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; specifying additional uses for revenues received from tourist development taxes for certain coastal counties; conforming a cross-reference; amending s. 196.012, F.S.; revising definitions related to certain businesses; amending s. 196.1995, F.S.; revising an economic development ad valorem tax exemption for certain enterprise zone businesses; providing applicability of the exemption to data centers; providing retroactive applicability for certain provisions; amending s. 201.15, F.S.; revising a date relating to the payment of debt service for certain bonds; amending s. 206.9825, F.S.; revising eligibility criteria for wholesalers and terminal suppliers to receive aviation fuel tax refunds or credits of previously paid excise taxes; providing for future repeal of such refunds or credits; revising the rate of the excise tax on certain aviation fuels on a specified date; amending s. 210.13, F.S.; providing procedures to be used when a person, other than a dealer, is required but fails to remit certain taxes; amending s. 210.25, F.S.; revising definitions related to tobacco; amending s. 212.05, F.S.; clarifying the requirements for the exemption from tax on certain sales of aircraft that will be registered in a foreign jurisdiction; amending s. 212.06, F.S.; reducing by a specified percentage over time an indexed tax on manufactured asphalt used for a government public works project; exempting such manufactured asphalt from the indexed tax beginning on a specified date; amending s.

212.08, F.S.; exempting the sales of food or drinks by certain qualified veterans' organizations; revising definitions regarding certain industrial machinery and equipment; removing the expiration date on the exemption for purchases of certain machinery and equipment; revising the definition of the term "eligible manufacturing business" for purposes of qualification for the sales and use tax exemption; providing definitions for certain postharvest machinery and equipment, postharvest activities, and eligible postharvest activity businesses; providing an exemption for the purchase of such machinery and equipment; amending s. 220.03, F.S.; adopting the 2016 version of the Internal Revenue Code; providing retroactive applicability; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; revising the treatment by this state of certain depreciation of assets allowed for federal income tax purposes; providing retroactive applicability; authorizing the Department of Revenue to adopt emergency rules; providing for expiration; amending s. 220.222, F.S.; revising due dates for partnership information returns and corporate tax returns; amending s. 220.241, F.S.; revising due dates to file a declaration of estimated corporate income tax; amending s. 220.33, F.S.; revising the due date of estimated payments of corporate income tax; amending s. 220.34, F.S.; revising the dates for purposes of calculating interest and penalties on underpayments of estimated corporate income tax; amending s. 561.121, F.S.; requiring that certain taxes related to alcoholic beverages and tobacco products sold on cruise ships be deposited into specified funds; amending s. 564.06, F.S.; specifying the excise tax that is applicable to cider made from pears; amending s. 565.02, F.S.; creating an alternative method of taxation for alcoholic beverages and tobacco products sold on certain cruise ships; requiring the reporting of certain information by each permittee for purposes of determining the base rate applicable to the taxpayers; authorizing the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation to independently verify certain reported information; amending s. 951.22, F.S.; conforming a cross-reference; providing an exemption from the sales and use tax for the retail sale of certain clothes and school supplies during a specified period; providing exceptions; authorizing certain dealers to elect not to participate in such tax exemptions; providing requirements for such dealers; authorizing the Department of Revenue to adopt emergency rules; providing appropriations; providing effective dates.

Senator Detert moved the following amendment to **Amendment 1 (673118)** which failed:

Amendment 1A (966180) (with title amendment)—Between lines 4 and 5 insert:

Section 1. Effective upon becoming a law, subsection (11) of section 288.1254, Florida Statutes, is amended to read:

288.1254 Entertainment industry financial incentive program.—

(11) REPEAL.—This section is repealed April ~~July~~ 1, 2016, except that:

(a) Tax credits certified under paragraph (3)(d) before April ~~July~~ 1, 2016, may be awarded under paragraph (3)(f) on or after April ~~July~~ 1, 2016, if the other requirements of this section are met.

1. A qualified production must facilitate the submittal of all required information under subparagraph (3)(f)1. to the department by December 31, 2016. A production that does not meet this requirement may not be awarded tax credits. This deadline may not be waived.

2. The department must complete the review of the accountant's submittal, report the final verified amount of actual qualified expenditures, and determine and approve the final tax credit award amount to each certified applicant based on the final verified amount of actual qualified expenditures as required in subparagraph (3)(f)2. by December 31, 2017. This deadline may not be waived.

(b) Upon approval of the final tax credit award amount pursuant to subparagraph (a)2., an amount equal to the difference between the maximum tax credit award amount previously certified under paragraph (3)(d) and the approved final tax credit award amount shall immediately be available for recertification to a high-impact digital media project or a high-impact television series for a subsequent season, or to a new production that submits a new application on or after April 1, 2016

and that starts principal photography on or after April 1, 2016. For any production under this paragraph, principal photography must begin before July 1, 2017.

1. A qualified production that is certified for tax credits under this paragraph must facilitate the submittal of all required information under subparagraph (3)(f)1. to the department by December 31, 2017. A qualified production that does not meet this requirement may not be awarded tax credits. This deadline may not be waived.

2. The department must complete the review of the accountant's submittal, report the final verified amount of actual qualified expenditures, and determine and approve the final tax credit award amount to each certified applicant under this paragraph based on the final verified amount of actual qualified expenditures as required in subparagraph (3)(f)2. by December 31, 2018. This deadline may not be waived.

(c) The Department of Revenue shall deny any credit claimed on a tax return if such credit is awarded on or after January 1, 2019.

(d) The department may not conditionally certify applications under this section.

(e) Tax credits carried forward under paragraph (4)(e) remain valid for the period specified.

(f) Subsections (5), (8), and (9) shall remain in effect until December 31, 2023 ~~July 1, 2021~~.

And the title is amended as follows:

Delete line 1288 and insert: An act relating to taxation; amending s. 288.1254, F.S.; revising the date of repeal of certain provisions of the entertainment industry financial incentive program; requiring a qualified production that seeks certain tax credits to facilitate the submittal of specified information to the Department of Economic Opportunity by a specified date; requiring the department to complete certain requirements for verification of actual qualified expenditures by a specified date; providing for a specified tax credit award amount to be immediately available, upon a certain approval by the department, for recertification to certain entities; providing for procedures and requirements for recertification; requiring the Department of Revenue to deny certain credits claimed on a tax return under certain circumstances; prohibiting the Department of Economic Opportunity from conditionally certifying applications under the section; revising the date of repeal of certain provisions; amending s. 125.0104,

The question recurred on **Amendment 1 (673118)** which was adopted.

Pursuant to Rule 4.19, **HB 7099**, as amended, was placed on the calendar of Bills on Third Reading.

RECESS

The President declared the Senate in recess at 12:18 p.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:30 p.m. A quorum present—35:

Mr. President	Gaetz	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Flores	Legg	

BILLS ON THIRD READING, continued

CS for CS for HB 1175—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under chapter 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; requiring a licensed facility to post certain payment information regarding defined bundles of services and procedures and other specified consumer information and notifications on its website; requiring a facility to provide a good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding its financial assistance policy to a patient or a prospective patient; providing a penalty for failing to provide such estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; amending s. 395.107, F.S.; defining the term "facility" to mean an urgent care center or a diagnostic-imaging center operated by a licensed hospital but not located on the hospital premises; requiring a facility to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the facility's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis; revising requirements for the collection and use of health-related data by the Agency for Health Care Administration; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes and a state-specific data set available to the public; providing vendor qualifications; requiring the agency to design a patient safety culture survey for hospitals and ambulatory surgical centers licensed under chapter 395, F.S.; requiring the survey to measure certain aspects of a facility's patient safety practices; exempting certain licensed facilities from survey requirements; prohibiting the agency from establishing a certain database without express legislative authority; revising the duties of the members of the State Consumer Health Information and Policy Advisory Council; revising provisions relating to the use of certain fees; revising the agency's rulemaking authority; deleting an obsolete provision; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; amending s. 408.810, F.S.; requiring certain licensed hospitals and ambulatory surgical centers to submit a facility patient safety culture survey to the agency; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a good faith estimate of anticipated charges to a patient upon request within a certain timeframe; providing for disciplinary action and a fine for failure to comply; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain information and a method for policyholders to estimate certain health care services costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to provide notice in insurance policies that certain information is available on its website; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health insurers; requiring that an insurer and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 641.54, F.S.; requiring a health maintenance organization to make certain information available to its subscribers on its website; requiring a health insurer to provide a hyperlink to certain health information on its website; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health maintenance organizations; requiring that a health maintenance organization and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 409.967, F.S.; requiring managed care plans to contribute all Florida claims data to the contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to contribute certain data to the vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to contribute Florida claims data to the contracted vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 400.991, 408.07, 408.18, 408.8065, 408.820, 465.0244, and 627.6499, F.S.; conforming cross-references and provisions to changes made by the act; providing intent of

the act; declaring all persons or entities required to submit, receive, or publish data under the act to be acting pursuant to state requirements contained therein; exempting such persons or entities from state anti-trust laws; providing an appropriation and authorizing a position; providing an effective date.

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

RECONSIDERATION OF AMENDMENT

On motion by Senator Bradley, the Senate reconsidered the vote by which **Amendment 1 (206420)** was adopted on March 8.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Bradley moved the following amendments to **Amendment 1 (206420)** which were adopted by two-thirds vote:

Amendment 1B (464504) (with title amendment)—Between lines 1330 and 1331 insert:

Section 19. *For the 2016-2017 fiscal year, the sums of \$952,919 in recurring funds and \$3.1 million in nonrecurring funds from the Health Care Trust Fund are appropriated to the Agency for Health Care Administration, and one full-time equivalent position with associated salary rate of 41,106 is authorized, for the purpose of implementing this act.*

Section 20. *For the 2016-2017 fiscal year, the sums of \$893,994 in recurring funds and \$402,560 in nonrecurring funds from the Insurance Regulatory Trust Fund are appropriated to the Department of Financial Services and 11 positions with associated salary rate of 820,176 are authorized for the purpose of implementing this act.*

And the title is amended as follows:

Delete lines 1436-1437 and insert: by the act; providing legislative intent; providing appropriations; authorizing the creation of positions with associated salary rate; providing an effective date.

Amendment 1C (895330)—Delete lines 396-400 and insert: *to ensure compliance with state law. The vendor may not be owned or operated by any health plan, health insurer, health maintenance organization, or any entity authorized to provide health care coverage in any state or any director, employee, or other person who has the ability to direct or control a health plan, health insurer, health maintenance organization, or any entity authorized to provide health care coverage in any state. The vendor must be qualified under s. 1874 of the Social Security Act, 42 U.S.C. 1395kk, to receive Medicare claims data and receive claims, payment, and patient cost-share data from multiple private insurers nationwide. The agency*

Amendment 1 (206420), as amended, was adopted by two-thirds vote.

On motion by Senator Bradley, **CS for CS for HB 1175**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Gaetz	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Lee	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—1

Gibson

Vote after roll call:

Yea—Latvala, Stargel

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 540, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for CS for SB 540—A bill to be entitled An act relating to estates; creating s. 731.1055, F.S.; providing that the validity and the effect of a specified disposition of real property be determined by Florida law; amending s. 731.106, F.S.; conforming provisions to changes made by the act; amending s. 736.0802, F.S.; defining the term "pleading"; authorizing a trustee to pay attorney fees and costs from the assets of the trust without specified approval or court authorization in certain circumstances; requiring the trustee to serve a written notice of intent upon each qualified beneficiary of the trust before the payment is made; requiring the notice of intent to contain specified information and to be served in a specified manner; providing that specified qualified beneficiaries may be entitled to an order compelling the refund of a specified payment to the trust; requiring the court to award specified attorney fees and costs in certain circumstances; authorizing the court to prohibit a trustee from using trust assets to make a specified payment; authorizing the court to enter an order compelling the return of specified attorney fees and costs to the trust with interest at the statutory rate; requiring the court to deny a specified motion unless the court finds a reasonable basis to conclude that there has been a breach of the trust; authorizing a court to deny the motion if it finds good cause to do so; authorizing the movant to show that a reasonable basis exists, and a trustee to rebut the showing, through specified means; authorizing the court to impose such remedies or sanctions as it deems appropriate; providing that a trustee is authorized to use trust assets in a specified manner if a claim or defense of breach of trust is withdrawn, dismissed, or judicially resolved in a trial court without a determination that the trustee has committed a breach of trust; providing that specified proceedings, remedies, and rights are not limited; amending ss. 736.0816 and 736.1007, F.S.; conforming provisions to changes made by the act; providing an effective date.

House Amendment 1 (065027) (with title amendment)—Between lines 66 and 67, insert:

Section 3. Section 732.201, Florida Statutes, is amended to read:

732.201 Right to elective share.—The surviving spouse of a person who dies domiciled in Florida has the right to a share of the elective estate of the decedent as provided in this part, to be designated the elective share. The election does not reduce what the spouse receives if the election were not made and the spouse is not treated as having predeceased the decedent.

Section 4. It is the intent of the Legislature that the amendment to s. 732.201, Florida Statutes, made by this act is to clarify existing law.

And the title is amended as follows:

Remove line 7 and insert: 732.201, F.S.; revising the right to elective share for a surviving spouse; providing legislative intent; amending s. 736.0802, F.S.; defining the term "pleading";

On motion by Senator Hukill, the Senate concurred in the House amendment.

CS for CS for CS for SB 540 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President Altman Benacquisto
Abruzzo Bean Bradley

Brandes Gibson Richter
Bullard Grimsley Ring
Clemens Hays Sachs
Dean Hukill Simmons
Detert Hutson Simpson
Diaz de la Portilla Joyner Smith
Evers Lee Sobel
Flores Legg Soto
Gaetz Margolis Stargel
Galvano Montford Thompson
Garcia Negron

Nays—None

Vote after roll call:

Yea—Latvala

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 230, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 230—A bill to be entitled An act relating to missing persons with special needs; creating s. 937.041, F.S.; creating pilot projects in specified counties to provide personal devices to aid search-and-rescue efforts for persons with special needs; providing for administration of the project; requiring reports; providing for expiration; providing an appropriation; providing an effective date.

House Amendment 1 (930249) (with title amendment)—Remove lines 14-64 and insert: 937.041 Missing persons with special needs pilot projects.—

(1)(a) There is created a pilot project in Alachua, Baker, Columbia, Hamilton, and Suwannee Counties, to be known as "Project Leo," to provide personal devices to aid search-and-rescue efforts for persons with special needs in the case of elopement.

(b) There is created an additional pilot project in Palm Beach County to provide personal devices to aid search-and-rescue efforts for persons with special needs in the case of elopement.

(c) There is created an additional pilot project in Hillsborough County to provide personal devices to aid search-and-rescue efforts for persons with special needs in the case of elopement.

(2)(a)1. Participants for the pilot project specified in paragraph (1)(a) shall be selected based on criteria developed by the Center for Autism and Related Disabilities at the University of Florida.

2. Participants for the pilot project specified in paragraph (1)(b) shall be selected based on criteria developed by the Center for Autism and Related Disabilities at Florida Atlantic University.

3. Participants for the pilot project specified in paragraph (1)(c) shall be selected based on criteria developed by the Center for Autism and Related Disabilities at the University of South Florida.

(b) Criteria for participation in the pilot projects must include, at a minimum, the person's risk of elopement. The qualifying participants shall be selected on a first-come, first-served basis by the respective centers to the extent of available funding within their existing resources. Each project must be voluntary and free of charge to participants.

(3) Under each pilot project, personal devices to aid search-and-rescue efforts which are attachable to clothing or otherwise worn shall be provided by the respective center to the sheriff's offices of the participating counties. The devices shall be distributed to project participants by the county sheriff's offices in conjunction with the respective center. The respective center shall fund any costs associated with monitoring the devices.

(4) Each center shall submit a preliminary report by December 1, 2016, and a final report by December 15, 2017, to the Governor, the President of the Senate, and the Speaker of the House of Representatives describing the implementation and operation of its pilot project. At a minimum, each report must include the criteria used to select participants, the number of participants, the nature of the participants' special needs, the number of participants who elope, the amount of time taken to rescue such participants following elopement, and the outcome of any rescue attempts. Each final report shall also provide recommendations for modification or continued implementation of the project.

(5) Each project shall operate to the extent of available funding within the respective center's existing resources.

(6) This section expires June 30, 2018.

Section 2. For the 2016-2017 fiscal year, the sum of \$100,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at the University of Florida, the sum of \$100,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at Florida Atlantic University, and the sum of \$100,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at the University of South Florida. The funds provided to each center shall be used for the purchase of personal devices to aid search-and-rescue efforts for persons with special needs in the case of elopement.

And the title is amended as follows:

Remove lines 6-8 and insert: needs; providing for administration of the projects; requiring reports; providing for expiration; providing appropriations; providing an effective date.

On motion by Senator Dean, the Senate concurred in the House amendment.

CS for SB 230 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 100, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 100—A bill to be entitled An act relating to the Petroleum Restoration Program; amending s. 376.305, F.S.; revising the eligibility requirements of the Abandoned Tank Restoration Program; deleting provisions prohibiting the relief of liability for persons who acquired title after a certain date; amending s. 376.3071, F.S.; revising legislative intent and purpose; deleting an expiration date; revising the criteria for determining what constitutes certain rehabilitation program tasks; revising the conditions for eligibility and methods for payment of costs for

the low-scored site initiative; revising the eligibility requirements for receiving rehabilitation funding; specifying that the issuance of a site rehabilitation completion order does not alter eligibility for state-funded remediation under certain circumstances; clarifying that a change in ownership does not preclude a site from entering into the program; providing additional funding for remediation and monitoring under certain circumstances; amending s. 376.30713, F.S.; revising advanced cleanup application requirements; increasing the total amount for which the department may contract for advanced cleanup work in a fiscal year; authorizing property owners and responsible parties to enter into voluntary cost-share agreements under certain circumstances; providing an effective date.

House Amendment 1 (594423) (with title amendment)—Between lines 30 and 31, insert:

Section 1. Present subsections (4) through (22) of section 376.301, Florida Statutes, are redesignated as subsections (5) through (23), respectively, present subsections (23) through (48) of that section are redesignated as subsections (25) through (50), respectively, and new subsections (4) and (24) are added to that section, to read:

376.301 Definitions of terms used in ss. 376.30-376.317, 376.70, and 376.75.—When used in ss. 376.30-376.317, 376.70, and 376.75, unless the context clearly requires otherwise, the term:

(4) “Background concentration” means the concentration of contaminants naturally occurring or resulting from anthropogenic impacts unrelated to the discharge of pollutants or hazardous substances at a contaminated site undergoing site rehabilitation.

(24) “Long-term natural attenuation” means natural attenuation approved by the department as a site rehabilitation program task for a period of more than 5 years.

Section 2. Paragraph (b) of subsection (1) and subsection (2) of section 376.30701, Florida Statutes, are amended to read:

376.30701 Application of risk-based corrective action principles to contaminated sites; applicability; legislative intent; rulemaking authority; contamination cleanup criteria; limitations; reopeners.—

(1) APPLICABILITY.—

(b) This section shall apply to all contaminated sites resulting from a discharge of pollutants or hazardous substances where legal responsibility for site rehabilitation exists pursuant to other provisions of this chapter or chapter 403, except for those contaminated sites subject to the risk-based corrective action cleanup criteria established for the petroleum, brownfields, and drycleaning programs pursuant to ss. 376.3071, 376.81, and 376.3078, respectively. *This section does not apply to nonprogram petroleum-contaminated sites unless application of this section is requested by the person responsible for site rehabilitation.*

(2) INTENT; RULEMAKING AUTHORITY; CLEANUP CRITERIA.—It is the intent of the Legislature to protect the health of all people under actual circumstances of exposure. By July 1, 2004, the secretary of the department shall establish criteria by rule for the purpose of determining, on a site-specific basis, the rehabilitation program tasks that comprise a site rehabilitation program, including a voluntary site rehabilitation program, and the level at which a rehabilitation program task and a site rehabilitation program may be deemed completed. In establishing these rules, the department shall apply, to the maximum extent feasible, a risk-based corrective action process to achieve protection of human health and safety and the environment in a cost-effective manner based on the principles set forth in this subsection. These rules shall prescribe a phased risk-based corrective action process that is iterative and that tailors site rehabilitation tasks to site-specific conditions and risks. The department and the person responsible for site rehabilitation are encouraged to establish decision points at which risk management decisions will be made. The department shall provide an early decision, when requested, regarding applicable exposure factors and a risk management approach based on the current and future land use at the site. These rules ~~must~~ ~~shall~~ ~~also~~ include protocols for the use of natural attenuation, *including long-term natural attenuation where site conditions warrant*, the use of institutional and engineering controls, and the issuance of “No Further Action” orders. The criteria for determining what constitutes a rehabilitation program task or com-

pletion of a site rehabilitation program task or site rehabilitation program, including a voluntary site rehabilitation program, must:

(a) Consider the current exposure and potential risk of exposure to humans and the environment, including multiple pathways of exposure. The physical, chemical, and biological characteristics of each contaminant must be considered in order to determine the feasibility of a risk-based corrective action assessment.

(b) Establish the point of compliance at the source of the contamination. However, the department ~~may be authorized to~~ temporarily move the point of compliance to the boundary of the property, or to the edge of the plume when the plume is within the property boundary, while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding. The department ~~may also be authorized,~~ pursuant to criteria provided in this section, ~~to~~ temporarily extend the point of compliance beyond the property boundary with appropriate monitoring, if such extension is needed to facilitate natural attenuation or to address the current conditions of the plume, provided human health, public safety, and the environment are protected. When temporarily extending the point of compliance beyond the property boundary, it cannot be extended further than the lateral extent of the plume, if known, at the time of execution of a cleanup agreement, if required, or the lateral extent of the plume as defined at the time of site assessment. Temporary extension of the point of compliance beyond the property boundary, as provided in this paragraph, must include actual notice by the person responsible for site rehabilitation to local governments and the owners of any property into which the point of compliance is allowed to extend and constructive notice to residents and business tenants of the property into which the point of compliance is allowed to extend. Persons receiving notice pursuant to this paragraph shall have the opportunity to comment within 30 days after receipt of the notice. Additional notice concerning the status of natural attenuation processes shall be similarly provided to persons receiving notice pursuant to this paragraph every 5 years.

(c) Ensure that the site-specific cleanup goal is that all contaminated sites being cleaned up pursuant to this section ultimately achieve the applicable cleanup target levels provided in this subsection. In the circumstances provided in this subsection, and after constructive notice and opportunity to comment within 30 days after receipt of the notice to local government, owners of any property into which the point of compliance is allowed to extend, and residents of any property into which the point of compliance is allowed to extend, the department may allow concentrations of contaminants to temporarily exceed the applicable cleanup target levels while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding, if human health, public safety, and the environment are protected.

(d) Allow the use of institutional or engineering controls at contaminated sites being cleaned up pursuant to this section, where appropriate, to eliminate or control the potential exposure to contaminants of humans or the environment. The use of controls must be preapproved by the department and only after constructive notice and opportunity to comment within 30 days after receipt of notice is provided to local governments, owners of any property into which the point of compliance is allowed to extend, and residents on any property into which the point of compliance is allowed to extend. When institutional or engineering controls are implemented to control exposure, the removal of the controls must have prior department approval and must be accompanied by the resumption of active cleanup, or other approved controls, unless cleanup target levels under this section have been achieved.

(e) Consider the ~~interactive additive~~ effects of contaminants, including additive, synergistic, and antagonistic effects. ~~The synergistic and antagonistic effects shall also be considered when the scientific data become available.~~

(f) Take into consideration individual site characteristics, which shall include, but not be limited to, the current and projected use of the affected groundwater and surface water in the vicinity of the site, current and projected land uses of the area affected by the contamination, the exposed population, the degree and extent of contamination, the rate of contaminant migration, the apparent or potential rate of contaminant degradation through natural attenuation processes, the lo-

cation of the plume, and the potential for further migration in relation to site property boundaries.

(g) Apply state water quality standards as follows:

1. Cleanup target levels for each contaminant found in groundwater shall be the applicable state water quality standards. Where such standards do not exist, the cleanup target levels for groundwater shall be based on the minimum criteria specified in department rule. The department shall apply the following, as appropriate, in establishing the applicable cleanup target levels: calculations using a lifetime cancer risk level of 1.0E-6; a hazard index of 1 or less; the best achievable detection limit; and nuisance, organoleptic, and aesthetic considerations. However, the department ~~may shall~~ not require site rehabilitation to achieve a cleanup target level for any individual contaminant that is more stringent than the site-specific, ~~naturally occurring~~ background concentration for that contaminant.

2. Where surface waters are exposed to contaminated groundwater, the cleanup target levels for the contaminants ~~must shall~~ be based on the more protective of the groundwater or surface water standards as established by department rule, *unless it has been demonstrated that the contaminants do not cause or contribute to the exceedance of applicable surface water quality criteria. In such circumstance,* the point of measuring compliance with the surface water standards shall be in the groundwater immediately adjacent to the surface water body.

3. Using risk-based corrective action principles, the department shall approve alternative cleanup target levels in conjunction with institutional and engineering controls, if needed, based upon an applicant's demonstration, using site-specific or other relevant data and information, risk assessment modeling results, including results from probabilistic risk assessment modeling, risk assessment studies, risk reduction techniques, or a combination thereof, that human health, public safety, and the environment are protected to the same degree as provided in subparagraphs 1. and 2. Where a state water quality standard is applicable, a deviation may not result in the application of cleanup target levels more stringent than the standard. In determining whether it is appropriate to establish alternative cleanup target levels at a site, the department must consider the effectiveness of source removal, if any, that has been completed at the site and the practical likelihood of the use of low yield or poor quality groundwater, the use of groundwater near marine surface water bodies, the current and projected use of the affected groundwater in the vicinity of the site, or the use of groundwater in the immediate vicinity of the contaminated area, where it has been demonstrated that the groundwater contamination is not migrating away from such localized source, provided human health, public safety, and the environment are protected. Groundwater resource protection remains the ultimate goal of cleanup, particularly in light of the state's continued growth and consequent demands for drinking water resources. The Legislature recognizes the need for a protective yet flexible cleanup approach that risk-based corrective action provides. Only where it is appropriate on a site-specific basis, using the criteria in this paragraph and careful evaluation by the department, shall proposed alternative cleanup target levels be approved. *If alternative cleanup target levels are used, institutional controls are not required if:*

a. *The only cleanup target levels exceeded are the groundwater cleanup target levels derived from nuisance, organoleptic, or aesthetic considerations;*

b. *Concentrations of all contaminants meet the state water quality standards or the minimum criteria, based on the protection of human health, public safety, and the environment, as provided in subparagraph 1.;*

c. *All of the groundwater cleanup target levels established pursuant to subparagraph 1. are met at the property boundary;*

d. *The person responsible for site rehabilitation has demonstrated that the contaminants will not migrate beyond the property boundary at concentrations that exceed the groundwater cleanup target levels established pursuant to subparagraph 1.;*

e. *The property has access to and is using an offsite water supply, and an unplugged private well is not used for domestic purposes; and*

f. The real property owner does not object to the “No Further Action” proposal to the department or the local pollution control program.

(h) Provide for the department to issue a “No Further Action” order, with conditions, including, but not limited to, the use of institutional or engineering controls where appropriate, when alternative cleanup target levels established pursuant to subparagraph (g)3. have been achieved or when the person responsible for site rehabilitation can demonstrate that the cleanup target level is unachievable with the use of available technologies. ~~Before~~ ~~Prior to~~ issuing such an order, the department shall consider the feasibility of an alternative site rehabilitation technology at the contaminated site.

(i) Establish appropriate cleanup target levels for soils. Although there are existing state water quality standards, there are no existing state soil quality standards. The Legislature does not intend, through the adoption of this section, to create such soil quality standards. The specific rulemaking authority granted pursuant to this section merely authorizes the department to establish appropriate soil cleanup target levels. These soil cleanup target levels shall be applicable at sites only after a determination as to legal responsibility for site rehabilitation has been made pursuant to other provisions of this chapter or chapter 403.

1. In establishing soil cleanup target levels for human exposure to each contaminant found in soils from the land surface to 2 feet below land surface, the department shall apply the following, as appropriate: calculations using a lifetime cancer risk level of 1.0E-6; a hazard index of 1 or less; and the best achievable detection limit. However, the department ~~may shall~~ not require site rehabilitation to achieve a cleanup target level for an individual contaminant that is more stringent than the site-specific, ~~naturally occurring~~ background concentration for that contaminant. Institutional controls or other methods shall be used to prevent human exposure to contaminated soils more than 2 feet below the land surface. Any removal of such institutional controls shall require such contaminated soils to be remediated.

2. Leachability-based soil cleanup target levels shall be based on protection of the groundwater cleanup target levels or the alternate cleanup target levels for groundwater established pursuant to this paragraph, as appropriate. Source removal and other cost-effective alternatives that are technologically feasible shall be considered in achieving the leachability soil cleanup target levels established by the department. The leachability goals ~~are shall~~ not be applicable if the department determines, based upon individual site characteristics, and in conjunction with institutional and engineering controls, if needed, that contaminants will not leach into the groundwater at levels that pose a threat to human health, public safety, and the environment.

3. Using risk-based corrective action principles, the department shall approve alternative cleanup target levels in conjunction with institutional and engineering controls, if needed, based upon an applicant’s demonstration, using site-specific or other relevant data and information, risk assessment modeling results, including results from probabilistic risk assessment modeling, risk assessment studies, risk reduction techniques, or a combination thereof, that human health, public safety, and the environment are protected to the same degree as provided in subparagraphs 1. and 2.

The department shall require source removal as a risk reduction measure if warranted and cost-effective. Once source removal at a site is complete, the department shall reevaluate the site to determine the degree of active cleanup needed to continue. Further, the department shall determine if the reevaluated site qualifies for monitoring only or if no further action is required to rehabilitate the site. If additional site rehabilitation is necessary to reach “No Further Action” status, the department is encouraged to utilize natural attenuation monitoring, including long-term natural attenuation ~~and~~ monitoring, where site conditions warrant.

Section 3. Present subsections (3) through (11) of section 376.79, Florida Statutes, are redesignated as subsections (4) through (12), respectively, present subsections (12) through (19) are redesignated as subsections (14) through (21), respectively, and new subsections (3) and (13) are added to that section, to read:

376.79 Definitions relating to Brownfields Redevelopment Act.—As used in ss. 376.77-376.85, the term:

(3) “Background concentration” means the concentration of contaminants naturally occurring or resulting from anthropogenic impacts unrelated to the discharge of pollutants or hazardous substances at a contaminated site undergoing site rehabilitation.

(13) “Long-term natural attenuation” means natural attenuation approved by the department as a site rehabilitation program task for a period of more than 5 years.

Section 4. Section 376.81, Florida Statutes, is amended to read:

376.81 Brownfield site and brownfield areas contamination cleanup criteria.—

(1) It is the intent of the Legislature to protect the health of all people under actual circumstances of exposure. By July 1, 2001, the secretary of the department shall establish criteria by rule for the purpose of determining, on a site-specific basis, the rehabilitation program tasks that comprise a site rehabilitation program and the level at which a rehabilitation program task and a site rehabilitation program may be deemed completed. In establishing the rule, the department shall apply, to the maximum extent feasible, a risk-based corrective action process to achieve protection of human health and safety and the environment in a cost-effective manner based on the principles set forth in this subsection. The rule must prescribe a phased risk-based corrective action process that is iterative and that tailors site rehabilitation tasks to site-specific conditions and risks. The department and the person responsible for brownfield site rehabilitation are encouraged to establish decision points at which risk management decisions will be made. The department shall provide an early decision, when requested, regarding applicable exposure factors and a risk management approach based on the current and future land use at the site. The rule ~~must shall~~ ~~also~~ include protocols for the use of natural attenuation, including long-term natural attenuation where site conditions warrant, the use of institutional and engineering controls, and the issuance of “no further action” letters. The criteria for determining what constitutes a rehabilitation program task or completion of a site rehabilitation program task or site rehabilitation program must:

(a) Consider the current exposure and potential risk of exposure to humans and the environment, including multiple pathways of exposure. The physical, chemical, and biological characteristics of each contaminant must be considered in order to determine the feasibility of risk-based corrective action assessment.

(b) Establish the point of compliance at the source of the contamination. However, the department ~~may is authorized to~~ temporarily move the point of compliance to the boundary of the property, or to the edge of the plume when the plume is within the property boundary, while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding. The department ~~may also is authorized,~~ pursuant to criteria provided for in this section, ~~to~~ temporarily extend the point of compliance beyond the property boundary with appropriate monitoring, if such extension is needed to facilitate natural attenuation or to address the current conditions of the plume, provided human health, public safety, and the environment are protected. When temporarily extending the point of compliance beyond the property boundary, it cannot be extended further than the lateral extent of the plume at the time of execution of the brownfield site rehabilitation agreement, if known, or the lateral extent of the plume as defined at the time of site assessment. Temporary extension of the point of compliance beyond the property boundary, as provided in this paragraph, must include actual notice by the person responsible for brownfield site rehabilitation to local governments and the owners of any property into which the point of compliance is allowed to extend and constructive notice to residents and business tenants of the property into which the point of compliance is allowed to extend. Persons receiving notice pursuant to this paragraph shall have the opportunity to comment within 30 days of receipt of the notice.

(c) Ensure that the site-specific cleanup goal is that all contaminated brownfield sites and brownfield areas ultimately achieve the applicable cleanup target levels provided in this section. In the circumstances provided below, and after constructive notice and opportunity to comment within 30 days from receipt of the notice to local government, to owners of any property into which the point of compliance is allowed to extend, and to residents on any property into which the point of compliance is allowed to extend, the department may allow con-

centrations of contaminants to temporarily exceed the applicable cleanup target levels while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding, if human health, public safety, and the environment are protected.

(d) Allow brownfield site and brownfield area rehabilitation programs to include the use of institutional or engineering controls, where appropriate, to eliminate or control the potential exposure to contaminants of humans or the environment. The use of controls must be preapproved by the department and only after constructive notice and opportunity to comment within 30 days from receipt of notice is provided to local governments, to owners of any property into which the point of compliance is allowed to extend, and to residents on any property into which the point of compliance is allowed to extend. When institutional or engineering controls are implemented to control exposure, the removal of the controls must have prior department approval and must be accompanied by the resumption of active cleanup, or other approved controls, unless cleanup target levels under this section have been achieved.

(e) Consider the *interactive additive effects of contaminants, including additive, synergistic, and antagonistic effects*. ~~The synergistic and antagonistic effects shall also be considered when the scientific data become available.~~

(f) Take into consideration individual site characteristics, which shall include, but not be limited to, the current and projected use of the affected groundwater and surface water in the vicinity of the site, current and projected land uses of the area affected by the contamination, the exposed population, the degree and extent of contamination, the rate of contaminant migration, the apparent or potential rate of contaminant degradation through natural attenuation processes, the location of the plume, and the potential for further migration in relation to site property boundaries.

(g) Apply state water quality standards as follows:

1. Cleanup target levels for each contaminant found in groundwater shall be the applicable state water quality standards. Where such standards do not exist, the cleanup target levels for groundwater shall be based on the minimum criteria specified in department rule. The department shall apply the following, as appropriate, in establishing the applicable cleanup target levels: calculations using a lifetime cancer risk level of 1.0E-6; a hazard index of 1 or less; the best achievable detection limit; and nuisance, organoleptic, and aesthetic considerations. However, the department ~~may~~ *shall* not require site rehabilitation to achieve a cleanup target level for any individual contaminant which is more stringent than the site-specific, ~~naturally occurring~~ background concentration for that contaminant.

2. Where surface waters are exposed to contaminated groundwater, the cleanup target levels for the contaminants ~~must~~ *shall* be based on the more protective of the groundwater or surface water standards as established by department rule, *unless it has been demonstrated that the contaminants do not cause or contribute to the exceedance of applicable surface water quality criteria. In such circumstances, the point of measuring compliance with the surface water standards shall be in the groundwater immediately adjacent to the surface water body.*

3. Using risk-based corrective action principles, the department shall approve alternative cleanup target levels in conjunction with institutional and engineering controls, if needed, based upon an applicant's demonstration, using site-specific or other relevant data and information, risk assessment modeling results, including results from probabilistic risk assessment modeling, risk assessment studies, risk reduction techniques, or a combination thereof, that human health, public safety, and the environment are protected to the same degree as provided in subparagraphs 1. and 2. Where a state water quality standard is applicable, a deviation may not result in the application of cleanup target levels more stringent than the standard. In determining whether it is appropriate to establish alternative cleanup target levels at a site, the department must consider the effectiveness of source removal, if any, which has been completed at the site and the practical likelihood of the use of low yield or poor quality groundwater, the use of groundwater near marine surface water bodies, the current and projected use of the affected groundwater in the vicinity of the site, or the use of groundwater in the immediate vicinity of the contaminated area,

where it has been demonstrated that the groundwater contamination is not migrating away from such localized source, provided human health, public safety, and the environment are protected. When using alternative cleanup target levels at a brownfield site, institutional controls ~~are~~ *shall* not be required if:

a. The only cleanup target levels exceeded are the groundwater cleanup target levels derived from nuisance, organoleptic, or aesthetic considerations;

b. Concentrations of all contaminants meet the state water quality standards or *the* minimum criteria, based on *the* protection of human health, provided in subparagraph 1.;

c. All of the groundwater cleanup target levels established pursuant to subparagraph 1. are met at the property boundary;

d. The person responsible for brownfield site rehabilitation has demonstrated that the contaminants will not migrate beyond the property boundary at concentrations exceeding the groundwater cleanup target levels established pursuant to subparagraph 1.;

e. The property has access to and is using an offsite water supply and no unplugged private wells are used for domestic purposes; and

f. The real property owner provides written acceptance of the "no further action" proposal to the department or the local pollution control program.

(h) Provide for the department to issue a "no further action order," with conditions, including, but not limited to, the use of institutional or engineering controls where appropriate, when alternative cleanup target levels established pursuant to subparagraph (g)3. have been achieved, or when the person responsible for brownfield site rehabilitation can demonstrate that the cleanup target level is unachievable within available technologies. ~~Before~~ *Prior to* issuing such an order, the department shall consider the feasibility of an alternative site rehabilitation technology ~~at in the brownfield site area.~~

(i) Establish appropriate cleanup target levels for soils.

1. In establishing soil cleanup target levels for human exposure to each contaminant found in soils from the land surface to 2 feet below land surface, the department shall apply the following, as appropriate: calculations using a lifetime cancer risk level of 1.0E-6; a hazard index of 1 or less; and the best achievable detection limit. However, the department ~~may~~ *shall* not require site rehabilitation to achieve a cleanup target level for an individual contaminant which is more stringent than the site-specific, ~~naturally occurring~~ background concentration for that contaminant. Institutional controls or other methods shall be used to prevent human exposure to contaminated soils more than 2 feet below the land surface. Any removal of such institutional controls shall require such contaminated soils to be remediated.

2. Leachability-based soil *cleanup* target levels shall be based on protection of the groundwater cleanup target levels or the alternate cleanup target levels for groundwater established pursuant to this paragraph, as appropriate. Source removal and other cost-effective alternatives that are technologically feasible shall be considered in achieving the leachability soil *cleanup* target levels established by the department. The leachability goals ~~are~~ *shall* not be applicable if the department determines, based upon individual site characteristics, and in conjunction with institutional and engineering controls, if needed, that contaminants will not leach into the groundwater at levels that pose a threat to human health, public safety, and the environment.

3. Using risk-based corrective action principles, the department shall approve alternative cleanup target levels in conjunction with institutional and engineering controls, if needed, based upon an applicant's demonstration, using site-specific or other relevant data and information, risk assessment modeling results, including results from probabilistic risk assessment modeling, risk assessment studies, risk reduction techniques, or a combination thereof, that human health, public safety, and the environment are protected to the same degree as provided in subparagraphs 1. and 2.

(2) The department shall require source removal, as a risk reduction measure, if warranted and cost-effective. Once source removal at a site is complete, the department shall reevaluate the site to determine the

degree of active cleanup needed to continue. Further, the department shall determine if the reevaluated site qualifies for monitoring only or if no further action is required to rehabilitate the site. If additional site rehabilitation is necessary to reach "no further action" status, the department is encouraged to utilize natural attenuation *monitoring, including long-term natural attenuation and* monitoring, where site conditions warrant.

(3) The cleanup criteria described in this section govern only site rehabilitation activities occurring at the contaminated site. Removal of contaminated media from a site for offsite relocation or treatment must be in accordance with all applicable federal, state, and local laws and regulations.

Section 5. Subsection (3) of section 196.1995, Florida Statutes, is amended to read:

196.1995 Economic development ad valorem tax exemption.—

(3) The board of county commissioners or the governing authority of the municipality that calls a referendum within its total jurisdiction to determine whether its respective jurisdiction may grant economic development ad valorem tax exemptions may vote to limit the effect of the referendum to authority to grant economic development tax exemptions for new businesses and expansions of existing businesses located in an enterprise zone or a brownfield area, as defined in s. 376.79(5) ~~s. 376.79(4)~~. If an area nominated to be an enterprise zone pursuant to s. 290.0055 has not yet been designated pursuant to s. 290.0065, the board of county commissioners or the governing authority of the municipality may call such referendum prior to such designation; however, the authority to grant economic development ad valorem tax exemptions does not apply until such area is designated pursuant to s. 290.0065. The ballot question in such referendum shall be in substantially the following form and shall be used in lieu of the ballot question prescribed in subsection (2):

Shall the board of county commissioners of this county (or the governing authority of this municipality, or both) be authorized to grant, pursuant to s. 3, Art. VII of the State Constitution, property tax exemptions for new businesses and expansions of existing businesses that are located in an enterprise zone or a brownfield area and that are expected to create new, full-time jobs in the county (or municipality, or both)?

....Yes—For authority to grant exemptions.

....No—Against authority to grant exemptions.

Section 6. Paragraph (a) of subsection (1) of section 287.0595, Florida Statutes, is amended to read:

287.0595 Pollution response action contracts; department rules.—

(1) The Department of Environmental Protection shall establish, by adopting administrative rules as provided in chapter 120:

(a) Procedures for determining the qualifications of responsible potential vendors prior to advertisement for and receipt of bids, proposals, or replies for pollution response action contracts, including procedures for the rejection of unqualified vendors. Response actions are those activities described in s. 376.301(39) ~~s. 376.301(37)~~.

Section 7. Paragraph (c) of subsection (5) of section 288.1175, Florida Statutes, is amended to read:

288.1175 Agriculture education and promotion facility.—

(5) The Department of Agriculture and Consumer Services shall competitively evaluate applications for funding of an agriculture education and promotion facility. If the number of applicants exceeds three, the Department of Agriculture and Consumer Services shall rank the applications based upon criteria developed by the Department of Agriculture and Consumer Services, with priority given in descending order to the following items:

(c) The location of the facility in a brownfield site as defined in s. 376.79(4) ~~s. 376.79(3)~~, a rural enterprise zone as defined in s. 290.004, an agriculturally depressed area as defined in s. 570.74, or a county that has lost its agricultural land to environmental restoration projects.

And the title is amended as follows:

Remove line 2 and insert: An act relating to pollution discharge removal and prevention; amending s. 376.301, F.S.; defining the terms "background concentration" and "long-term natural attenuation"; amending s. 376.30701, F.S.; exempting nonprogram petroleum-contaminated sites from the application of risk-based corrective action principles under certain circumstances; requiring the Department of Environmental Protection to include protocols for the use of long-term natural attenuation where site conditions warrant; requiring specified interactive effects of contaminants to be considered as cleanup criteria; revising how cleanup target levels are applied where surface waters are exposed to contaminated groundwater; authorizing the use of relevant data and information when assessing cleanup target levels; providing that institutional controls are not required under certain circumstances if alternative cleanup target levels are used; amending s. 376.79, F.S.; defining the terms "background concentration" and "long-term natural attenuation"; amending s. 376.81, F.S.; providing additional contamination cleanup criteria for brownfield sites and brownfield areas; amending ss. 196.1995, 287.0595, and 288.1175, F.S.; conforming cross-references;

On motion by Senator Simpson, the Senate concurred in the House amendment.

CS for SB 100 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Thompson

Nays—None

Vote after roll call:

Yea—Stargel

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 620, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 620—A bill to be entitled An act relating to medical examiners; amending s. 382.011, F.S.; providing that a member of the public may not be charged for certain examinations, investigations, or autopsies; authorizing a county to charge a medical examiner approval fee under certain circumstances; providing an effective date.

House Amendment 1 (441261) (with title amendment)—Remove lines 24-37 and insert: determination of the cause of death.

Section 2. Subsection (3) of section 406.06, Florida Statutes, is amended to read:

406.06 District medical examiners; associates; suspension of medical examiners.—

(3) District medical examiners and associate medical examiners shall be entitled to compensation and such reasonable salary and fees as

are established by the board of county commissioners in the respective districts. *However, a county or district medical examiner may not charge a fee for the examination, investigation, or autopsy to determine the cause of death involving any of the circumstances listed in 406.11(1) if the decedent is listed in the death record filed with the Department of Health electronic death registration system as a veteran as defined in s. 1.01(14) or a minor. Additionally, a county or district medical examiner may not charge such a fee to a person licensed under chapter 497 or any other member of the public.*

Section 3. This act shall take effect October 1, 2017.

And the title is amended as follows:

Remove lines 3-7 and insert: 382.011, F.S.; specifying circumstances under which a medical examiner must determine the cause of a death or fetal death; amending s. 406.06, F.S.; prohibiting a county or district medical examiner from charging a fee for certain examinations, investigations, or autopsies involving a veteran or minor; providing that persons licensed under chapter 497, F.S., and members of the public may not be charged a fee for certain examinations, investigations, or autopsies; providing an effective date.

On motion by Senator Grimsley, further consideration of **CS for SB 620** with pending **House Amendment 1 (441261)** was deferred.

SPECIAL RECOGNITION OF SENATOR SMITH

The President introduced Senator Smith’s wife, Desiree; mom, Helen Hinton; sons, Christopher and Christian; aunt, Kim McMillan; uncle, Bernis Hinton; cousin, Kerrick Wiggins; along with his district staff, Sharonda Wright-Placide, Diane Randolph, and Shakira Hamilton who were present in the chamber. A video tribute was played honoring Senator Smith. Several Senators were recognized for farewell comments. Senator Smith was recognized for farewell remarks.

Senator Galvano presented Senator Smith with a plaque honoring his years of service to the Senate.

SPECIAL RECOGNITION OF SENATOR THOMPSON

SENATOR JOYNER PRESIDING

The President introduced Senator Thompson’s husband, Judge Emerson Thompson; son, Emerson Thompson III; daughters, Laurise Thomas and Elizabeth Thompson; and grandchildren; along with her district staff, Clifton Addison, Travaris McCurdy, and Charlean Gatlin who were present in the chamber. A video tribute was played honoring Senator Thompson. Several Senators were recognized for farewell comments. Senator Thompson was recognized for farewell remarks.

Senator Galvano presented Senator Thompson with a plaque honoring her years of service to the Senate.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

THE PRESIDENT PRESIDING

The Senate resumed consideration of the returning message on—

CS for SB 620—A bill to be entitled An act relating to medical examiners; amending s. 382.011, F.S.; providing that a member of the public may not be charged for certain examinations, investigations, or autopsies; authorizing a county to charge a medical examiner approval fee under certain circumstances; providing an effective date.

—which was previously considered this day.

On motion by Senator Grimsley, the Senate refused to concur in pending **House Amendment 1 (441261)** to **CS for SB 620** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 1412, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

SB 1412—A bill to be entitled An act relating to conditions of pretrial release; amending s. 903.047, F.S.; requiring that a defendant be notified in writing if a court issues an order of no contact rather than receive a copy of the order; providing an effective date.

House Amendment 1 (179103) (with title amendment)—Remove lines 17-28 and insert:

(b) *If the court issues an order of no contact*, refrain from any contact of any type with the victim, except through pretrial discovery pursuant to the Florida Rules of Criminal Procedure. An order of no contact is effective immediately and enforceable for the duration of the pretrial release or until it is modified by the court. The defendant shall *be informed in writing receive a copy* of the order of no contact, *specifying which specifies* the applicable prohibited acts, before the defendant is released from custody on pretrial release. As used in this section, unless otherwise specified by the court, the term “no contact” includes the following prohibited acts:

And the title is amended as follows:

Remove lines 2-5 and insert: An act relating to orders of no contact; amending s. 903.047, F.S.; revising the requirements for notifying a defendant of a no contact order if issued by the court as a condition of pretrial release;

On motion by Senator Simmons, the Senate concurred in the House amendment.

SB 1412 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (768878), concurred in the same as amended, and passed CS/CS/HB 7087 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for HB 7087—A bill to be entitled An act relating to telehealth; creating s. 456.47, F.S.; providing definitions; establishing certain practice standards for telehealth providers; providing for the maintenance and confidentiality of medical records; providing registration requirements for out-of-state telehealth providers; providing limitations and notification requirements for out-of-state telehealth providers; requiring the Department of Health to publish certain information on its website; authorizing a board or the department if there

is no board, to revoke a telehealth provider's registration under certain circumstances; providing venue; providing exemptions to the registration requirement; providing rulemaking authority; amending s. 636.202, F.S.; revising the definition of the term "discount medical plan" to exclude certain products; requiring the Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation to collect certain information; creating the Telehealth Advisory Council within the agency for specified purposes; specifying council membership; providing for council membership requirements; requiring the council to review certain findings and make recommendations in a report to the Governor and the Legislature by a specified date; requiring the agency to report such information to the Governor and Legislature by a specified date; providing certain enforcement authority to each agency; providing for expiration of the reporting requirement; providing an appropriation and authorizing positions; providing an effective date.

House Amendment 1 (533707) to Senate Amendment 1 (768878) (with title amendment)—Remove lines 5-104 of the amendment and insert:

Section 1. *Telehealth utilization and insurance coverage report.*—

(1) *The Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation shall, within existing resources, survey health care facilities, health maintenance organizations, health care practitioners, and health insurers, respectively, and perform any other research necessary to collect the following information:*

- (a) *The types of health care services provided via telehealth.*
- (b) *The extent to which telehealth is used by health care practitioners and health care facilities nationally and in the state.*
- (c) *The estimated costs and cost savings to health care entities, health care practitioners, and the state associated with using telehealth to provide health care services.*
- (d) *Which health care insurers, health maintenance organizations, and managed care organizations cover health care services provided to patients in Florida via telehealth, whether the coverage is restricted or limited, and how such coverage compares to that insurer's coverage for services provided in person. The comparison shall at a minimum include:*

- 1. *Covered medical or other health care services.*
- 2. *A description of whether payment rates for such services provided via telehealth are less than, equal to, or greater than payment rates for such services provided in person.*
- 3. *Any annual or lifetime dollar maximums on coverage for services provided via telehealth and in person.*
- 4. *Any copayments, coinsurance, or deductible amounts, or policy year, calendar year, lifetime, or other durational benefit limitation or maximum for benefits or services provided via telehealth and in person.*
- 5. *Any conditions imposed for coverage for services provided via telehealth that are not imposed for coverage for the same services provided in person.*

(e) *The barriers to using, implementing the use of, or accessing services via telehealth.*

(2) *The Telehealth Advisory Council is created within the Agency for Health Care Administration for the purpose of making recommendations based on the surveys and research findings required by this section. The agency shall use existing and available resources to administer and support the activities of the council under this section.*

(a) *Members of the council shall serve without compensation and are not entitled to reimbursement for per diem or travel expenses. The council shall consist of 15 members, as follows:*

1. *The Secretary of Health Care Administration, or his or her designee, who shall serve as the chair of the council.*

2. *The State Surgeon General or his or his designee.*

3. *The following members appointed by the Secretary of Health Care Administration:*

- a. *Two representatives of health insurers that offer coverage for telehealth services.*
- b. *Two representatives of organizations that represent health care facilities.*
- c. *Two representatives of entities that create or sell telehealth products.*
- d. *One representative of an organization that represents telehealth stakeholders.*

e. *Two representatives of long-term care services, one of whom shall be a representative of a nursing home and one of whom shall be a representative from a home health agency or community-based health services program.*

4. *The following members appointed by the State Surgeon General:*

- a. *Two health care practitioners, each of whom practices in a different area of medicine.*
- b. *Two representatives of organizations that represent health care practitioners.*

(b) *The council shall review the surveys and research findings required by this section and make recommendations to increase the use and accessibility of services provided via telehealth, including the identification of any barriers to implementing or accessing services provided via telehealth, in a report that shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before December 1, 2018.*

(3) *The Agency for Health Care Administration shall compile the surveys and research findings required by this section and submit a report of such findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before June 30, 2018.*

(4) *The Department of Health shall survey all health care practitioners, as defined in s. 456.001, upon and as a condition of licensure renewal to compile the information required pursuant to this section. The Department of Health and the Office of Insurance Regulation shall submit their survey and research findings to the agency and shall assist the agency in compiling the information to prepare the report.*

(5) *The Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation may assess fines under ss. 408.813(2)(d), 456.072(2)(d), and 624.310(5), Florida Statutes, respectively, against a health care facility, health maintenance organization, health care practitioner, and health insurer for failure to complete the surveys required under this section.*

(6) *This section expires January 1, 2019.*

Section 2. This act shall take effect July 1, 2016.

And the title is amended as follows:

Remove lines 111-129 of the amendment and insert: An act relating to telehealth; requiring the Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation to collect certain information; creating the Telehealth Advisory Council within the agency for specified purposes; specifying council membership; providing for council membership requirements; requiring the council to review certain findings and make recommendations in a report to the Governor and the Legislature by a specified date; requiring the agency to report such information to the Governor and Legislature by a specified date; providing certain enforcement authority to each agency; providing for expiration of the reporting requirement; providing an effective date.

Senator Bean moved the following amendment which was adopted:

Senate Amendment 1 (877884) (with title amendment) to House Amendment 1 (533707) to Senate Amendment 1 (768878)—Delete lines 47-102 and insert:
the council under this section. The council may conduct its meetings via teleconference.

(a) *Members of the council shall serve without compensation and are not entitled to reimbursement for per diem or travel expenses. The council shall consist of 15 members, as follows:*

1. *The Secretary of Health Care Administration, or his or her designee, who shall serve as the chair of the council.*

2. *The State Surgeon General or his or his designee.*

3. *The following members appointed by the Secretary of Health Care Administration:*

a. *Two representatives of health insurers that offer coverage for telehealth services.*

b. *Two representatives of organizations that represent health care facilities, one of whom shall be a representative of a hospital.*

c. *Two representatives of entities that create or sell telehealth products.*

d. *One representative of an organization that represents telehealth stakeholders.*

e. *Two representatives of long-term care services, one of whom shall be a representative of a nursing home and one of whom shall be a representative from a home health agency or community-based health services program.*

4. *The following members appointed by the State Surgeon General:*

a. *Two health care practitioners, each of whom practices in a different area of medicine.*

b. *Two representatives of organizations that represent health care practitioners.*

(b) *The council shall review the surveys and research findings required by this section and make recommendations to increase the use and accessibility of services provided via telehealth, including the identification of any barriers to implementing or accessing services provided via telehealth, in a report that shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before October 31, 2017.*

(3) *The Agency for Health Care Administration shall compile the surveys and research findings required by this section and submit a report of such findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before December 31, 2016.*

(4) *The Department of Health shall survey all health care practitioners, as defined in s. 456.001, upon and as a condition of licensure renewal to compile the information required pursuant to this section. The Department of Health and the Office of Insurance Regulation shall submit their survey and research findings to the agency and shall assist the agency in compiling the information to prepare the report.*

(5) *The Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation may assess fines under ss. 408.813(2)(d), 456.072(2)(d), and 624.310(5), Florida Statutes, respectively, against a health care facility, health maintenance organization, health care practitioner, and health insurer for failure to complete the surveys required under this section.*

(6) *This section expires June 30, 2018.*

Section 2. Subsection (1) of section 636.202, Florida Statutes, is amended to read:

636.202 Definitions.—As used in this part, the term:

(1) “Discount medical plan” means a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. The term “discount medical plan” does not include any product regulated under chapter 627, chapter 641, or part I of this chapter, or any medical services provided through a telecommunications medium that does not offer a discount to the plan member for those medical services.

And the title is amended as follows:

Delete line 121 and insert: the reporting requirement; amending s. 636.202, F.S.; excluding medical services provided through certain telecommunications media from the definition of “discount medical plan”; providing an effective

Senator Garcia moved the following amendment which was adopted:

Senate Amendment 2 (703392) (with title amendment) to House Amendment 1 (533707) to Senate Amendment 1 (768878)—Between lines 102 and 103 insert:

Section 2. Notwithstanding the amendment made to s. 409.975(6), Florida Statutes, by HB 5101, 1st Eng., 2016 Regular Session, subsection (6) of s. 409.975, Florida Statutes, is reenacted to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers participating in the managed medical assistance program shall comply with the requirements of this section.

(6) PROVIDER PAYMENT.—Managed care plans and hospitals shall negotiate mutually acceptable rates, methods, and terms of payment. For rates, methods, and terms of payment negotiated after the contract between the agency and the plan is executed, plans shall pay hospitals, at a minimum, the rate the agency would have paid on the first day of the contract between the provider and the plan. Such payments to hospitals may not exceed 120 percent of the rate the agency would have paid on the first day of the contract between the provider and the plan, unless specifically approved by the agency. Payment rates may be updated periodically.

Section 3. It is the intent of the Legislature that the reenactment of s. 409.975(6), Florida Statutes, made by this act shall control over the amendment to that subsection made by HB 5101, 1st Eng., 2016 Regular Session, regardless of the order in which the reenactment and the amendment are enacted.

And the title is amended as follows:

Delete lines 108-121 and insert: An act relating to health care; requiring the Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation to collect certain information; creating the Telehealth Advisory Council within the agency for specified purposes; specifying council membership; providing for council membership requirements; requiring the council to review certain findings and make recommendations in a report to the Governor and the Legislature by a specified date; requiring the agency to report such information to the Governor and Legislature by a specified date; providing certain enforcement authority to each agency; providing for expiration of the reporting requirement; reenacting s. 409.975(6), F.S., relating to provider payment of managed medical assistance program participants; providing legislative intent regarding the effect of other legislation; providing an effective

On motion by Senator Bean, the Senate concurred in **House Amendment 1 (533707) to Senate Amendment 1 (768878)**, as amended, and requested the House to concur in the Senate amendments to the House amendment.

CS for CS for HB 7087 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Altman	Benacquisto
Abruzzo	Bean	Bradley

Brandes	Garcia	Montford
Braynon	Gibson	Negron
Bullard	Grimsley	Richter
Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Sobel
Flores	Lee	Soto
Gaetz	Legg	Stargel
Galvano	Margolis	Thompson

Nays—None

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for CS for HB 1075—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions; providing that title to certain acquired lands are vested in the board; providing for the administration of such lands; authorizing the board to adopt specified rules; revising requirements for the appraisal of lands proposed for acquisition; requiring an agency proposing an acquisition to pay the associated costs; deleting provisions directing the board to approve qualified fee appraisal organizations; requiring fee appraisers to submit certain affidavits to an agency before contracting with a participant in a multiparty agreement; prohibiting fee appraisers from negotiating with property owners; revising the minimum survey standards incorporated by reference for conducting certified surveys; authorizing the disclosure of confidential appraisal reports under certain conditions; providing for public agencies and nonprofit organizations to enter into written agreements with the Department of Environmental Protection rather than the Division of State Lands to purchase and hold property for subsequent resale to the board rather than the division; revising the definition of the term “nonprofit organization”; directing the board to adopt by rule the method for determining the value of parcels sought to be acquired by state agencies; providing requirements for such acquisitions; expanding the scope of real estate acquisition services for which the board and state agencies may contract; authorizing the Department of Environmental Protection to use outside counsel to review any agreements or documents or to perform acquisition closings under certain conditions; requiring state agencies to furnish the Department of Environmental Protection rather than the Division of State Lands with specified acquisition documents; providing that the purchase price of certain parcels is not subject to an increase or decrease as a result of certain circumstances; authorizing the board of trustees to direct the Department of Environmental Protection to exercise eminent domain for the acquisition of certain conservation parcels under certain circumstances; authorizing the Department of Environmental Protection to exercise condemnation authority directly or by contracting with the Department of Transportation or a water management district to provide such service; authorizing the board of trustees to direct the Department of Environmental Protection to purchase lands on an immediate basis using specified funds; authorizing the board of trustees to waive or modify all procedures required for such land acquisition; providing that title to certain lands held jointly by the board of trustees and a water management district meet the standards necessary for ownership by the board; creating s. 253.0251, F.S.; providing for the use of alternatives to fee simple acquisition for land purchases by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and water management districts; amending s. 253.03, F.S.; deleting provisions directing the board of trustees to adopt by rule an annual administrative fee for certain leases and similar instruments; revising the criteria by which specified structures have the right to continue submerged land leases; directing the board of trustees to adopt by rule an annual administrative fee for certain leases and instruments; authorizing nonwater-dependent uses for submerged lands; amending s. 253.031, F.S.; providing for the Department of Environmental Protection to maintain documents concerning all state lands; deleting an obsolete provision; amending s. 253.034, F.S.; authorizing the Department of Environmental Protection to submit certain state-owned lands to the Acquisition and Restoration Council or board of trustees for re-

view and consideration; requiring that all nonconservation land use plans are managed to provide the greatest benefit to the state; deleting provisions requiring an analysis of natural or cultural resources as part of a nonconservation land use plan; specifying that certain management and short-term and long-term goals for the conservation of plant and animal species apply to conservation lands; providing conditions under which the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees are required to submit land management plans to the board of trustees; requiring that updated land management plans identify conservation lands that are no longer needed for conservation purposes; deleting provisions directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; deleting provisions requiring that buildings and parcels of land be offered for lease to state agencies, state universities, and Florida College System institutions before being offered for lease or sale to a local or federal unit of government or a private party; amending s. 253.0341, F.S.; deleting provisions authorizing counties and local governments to submit requests for the surplus of state-owned lands and requiring that such requests be expedited; directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; providing that lands acquired before a certain date using specified proceeds are deemed to have been acquired for conservation purposes; providing that certain lands used by the Department of Corrections, the Department of Management Services, and the Department of Transportation may not be designated as lands acquired for conservation purposes; requiring updated land management plans to identify conservation and nonconservation lands that are no longer used for the purposes for which they were originally leased and that could be disposed of; deleting an obsolete provision; requiring that facilities and nonconservation parcels of land be offered for lease to state agencies before being offered for lease to a local or federal unit of government, state university, Florida College System institution, or private party; providing for the valuation and disposition of surplus lands; providing for the deposit of proceeds from the sale of such lands; authorizing the board of trustees to adopt rules; requiring surplus lands conveyed to a local government for affordable housing to be disposed of by the local government; amending s. 253.111, F.S.; deleting provisions requiring the board of trustees to afford an opportunity to local governments to purchase certain state-owned lands; revising provisions relating to the rights of riparian owners to secure certain state-owned lands; amending s. 253.42, F.S.; authorizing individuals or entities to submit requests to the Division of State Lands to exchange state-owned land for privately held land; requiring the state to retain permanent conservation easements over the state-owned land and all or a portion of the privately held land; requiring the division to submit requests to the Acquisition and Restoration Council for review and recommendation or to the board of trustees with recommendations from the division and the council; review requests and provide recommendations to the Acquisition and Restoration Council; providing applicability; directing the board of trustees to consider a request if certain conditions are met; providing special consideration for certain requests; providing that such lands are subject to inspection; amending s. 253.782, F.S.; deleting a provision directing the Department of Environmental Protection to retain ownership of and maintain lands or interests in land owned by the board of trustees; amending s. 253.7821, F.S.; assigning the Cross Florida Greenways State Recreation and Conservation Area to the Department of Environmental Protection rather than the Office of Greenways Management within the Office of the Secretary; creating s. 253.87, F.S.; directing the Department of Environmental Protection to include certain county, municipal, state, and federal lands in the Florida State-Owned Lands and Records Information System (SOLARIS) database and to update the database at specified intervals; requiring counties, municipalities, and financially disadvantaged small communities to submit a list of certain lands to the department by a specified date and at specified intervals; directing the department to conduct a study and submit a report to the Governor and the Legislature on the technical and economic feasibility of including certain lands in the database or a similar public lands inventory; amending s. 259.01, F.S.; renaming the “Land Conservation Act of 1972” as the “Land Conservation Program”; repealing s. 259.02, F.S., relating to issuance of state bonds for certain land projects; amending s. 259.032, F.S.; conforming cross-references; revising provisions relating to the management of conservation and recreation lands to conform with changes made by the act; revising duties of the Acquisition and Restoration Council; amending s. 259.035, F.S.; requiring recipients of funds from the Land Acquisition Trust Fund to annually report certain perfor-

mance measures to the Department of Environmental Protection rather than the Division of State Lands; amending s. 259.036, F.S.; revising the composition of the regional land management review team; providing for the Department of Environmental Protection rather than the Division of State Lands to act as the review team coordinator; revising requirements for conservation and recreation land management reviews and plans; amending s. 259.037, F.S.; removing the director of the Office of Greenways and Trails from the Land Management Uniform Accounting Council; repealing s. 259.041(1)-(6) and (8)-(19), F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.047, F.S.; revising provisions relating to the acquisition of land on which an agricultural lease exists to conform with changes made by the act; amending s. 259.101, F.S.; conforming cross-references; revising provisions relating to alternate use of lands acquired under the Florida Preservation 2000 Act to conform with changes made by the act; deleting provisions for alternatives to fee simple acquisition of such lands to conform with changes made by the act; amending s. 259.105, F.S.; deleting provisions requiring the advancement of certain goals and objectives of imperiled species management on state lands to conform with changes made by the act; conforming cross-references; revising provisions directing the Acquisition and Restoration Council to give increased priority to certain projects when developing proposed rules relating to Florida Forever funding and additions to the Conservation and Recreation Lands list; deleting provisions requiring that such rules be submitted to the Legislature for review; amending s. 259.1052, F.S.; deleting provisions authorizing the Department of Environmental Protection to distribute revenues from the Florida Forever Trust Fund for the acquisition of a portion of Babcock Crescent B Ranch; amending s. 373.089, F.S.; extending the time within which a certified appraisal may be obtained for lands to be sold as surplus; revising the procedures that a water management district must follow for publishing a notice of intention to sell surplus lands; authorizing the governing board of a water management district to sell certain lands acquired with Florida Forever funds without first offering title to the lands to the Board of Trustees of the Internal Improvement Trust Fund; authorizing the governing board of a water management district to sell parcels of land no longer needed for conservation purposes and valued at or below a specified threshold as surplus; requiring certain notice before the sale of such parcels; providing procedures for the sale of such parcels; creating s. 570.715, F.S., and transferring, renumbering, and amending s. 259.04(7), F.S.; providing procedures for the acquisition of conservation easements by the Department of Agriculture and Consumer Services; amending ss. 73.015, 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031, 375.041, 380.05, 380.055, 380.508, 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.; conforming cross-references; providing an appropriation and authorizing positions; providing an effective date.

—which was previously considered this day with pending **Amendment 2 (312550)** by Senator Negron.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following substitute amendment which was adopted:

Amendment 3 (277934) (with title amendment)—Delete lines 1721-1743 and insert:

(7) *Before a building or parcel of land is offered for lease or sale to a local or federal unit of government or a private party, it shall first be offered for lease to state agencies, state universities, and Florida College System institutions, with priority consideration given to state universities and Florida College System institutions. Within 60 days after the offer for lease of a surplus building or parcel, a state university or Florida College System institution that requests the lease must submit a plan for review and approval by the Board of Trustees of the Internal Improvement Trust Fund regarding the intended use, including future use, of the building or parcel of land before approval of a lease. Within 60 days after the offer for lease of a surplus building or parcel, a state agency that requests the lease of such facility or parcel must submit a plan for review and approval by the board of trustees regarding the intended use. The state agency plan must, at a minimum, include the proposed use of the facility or parcel, the estimated cost of renovation, a capital improvement plan for the building, evidence that the building or parcel meets an existing need that cannot otherwise be met, and other*

criteria developed by rule by the board of trustees. The board or its designee shall compare the estimated value of the building or parcel to any submitted business plan to determine if the lease or sale is in the best interest of the state. The board of trustees shall adopt rules pursuant to chapter 120 for the implementation of this section.

And the title is amended as follows:

Delete lines 123-125 and insert: to state agencies, state universities, or Florida College System institutions before being offered for lease or sale to a local or federal unit of government or private party; providing priority for state universities or Florida College System institutions;

On motion by Senator Simpson, by two-thirds vote, **CS for CS for HB 1075**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 1692—A bill to be entitled An act relating to reimbursement of assessments; creating s. 295.24, F.S.; prohibiting an agent or attorney representing a claimant from directly or indirectly requesting, receiving, or obtaining reimbursement from the claimant for assessments charged to the agent or attorney by the United States Department of Veterans Affairs; providing penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1692**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 821** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Altman—

CS for HB 821—A bill to be entitled An act relating to reimbursement of assessments; creating s. 295.24, F.S.; prohibiting an agent or attorney representing a claimant from directly or indirectly requesting, receiving, or obtaining reimbursement from the claimant for assessments charged to the agent or attorney by the United States Department of Veterans Affairs; providing penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 1692** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 821** was placed on the calendar of Bills on Third Reading.

SM 798—A memorial to the Congress of the United States, urging Congress to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico.

—was read the second time by title.

Pending further consideration of **SM 798**, pursuant to Rule 3.11(3), there being no objection, **CS for HM 601** was withdrawn from the Committees on Commerce and Tourism; and Rules.

On motion by Senator Soto—

CS for HM 601—A memorial to the Congress of the United States, urging Congress to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico.

—a companion measure, was substituted for **SM 798** and read the second time by title. On motion by Senator Soto, **CS for HM 601** was adopted and certified to the House.

Consideration of **CS for CS for SB 1026** was deferred.

CS for CS for SB 1118—A bill to be entitled An act relating to transportation network company insurance; amending s. 316.066, F.S.; requiring a statement in certain crash reports as to whether any driver at the time of the accident was providing a prearranged ride or logged into a digital network of a transportation network company; providing a criminal penalty for a driver who provides a false statement to a law enforcement officer in connection with certain information; creating s. 627.748, F.S.; providing legislative intent; defining terms; requiring a transportation network company driver, or the transportation network company on the driver's behalf, to maintain certain primary automobile insurance under certain circumstances; providing coverage requirements under specified circumstances; requiring a transportation network company to maintain certain insurance and obligate the insurer to defend a certain claim if specified insurance by the driver lapses or does not provide the required coverage; providing that certain coverage may not be contingent on a claim denial; specifying requirements for insurers who provide certain automobile insurance; requiring a transportation network company driver to carry proof of certain insurance coverage at all times during his or her use of a personal vehicle and to disclose specified information in the event of an accident; requiring a transportation network company to make certain disclosures to transportation network company drivers; authorizing insurers to exclude certain coverages during specified periods for policies issued to transportation network company drivers for personal vehicles; requiring a transportation network company and certain insurers to cooperate during a claims investigation to facilitate the exchange of specified information; requiring a transportation network company to cause its insurer to issue payments for claims directly to specified entities under certain circumstances; providing that unless agreed to in a written contract, a transportation network company is not deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network; requiring a transportation network company to provide a specified notice to transportation network company drivers; authorizing the Financial Services Commission to adopt rules; providing for preemption of local laws and regulations pertaining to transportation network company insurance; providing an effective date.

—was read the second time by title.

On motion by Senator Simmons, further consideration of **CS for CS for SB 1118** was deferred.

On motion by Senator Evers, by unanimous consent—

CS for SM 1710—A memorial to the Congress of the United States, urging Congress to authorize the use of military force against al-Qaeda, the Islamic State of Iraq and the Levant (ISIL), and all other global Islamic terrorist organizations that similarly engage in acts of terrorism.

—was taken up out of order and read the second time by title. On motion by Senator Evers, **CS for SM 1710** was adopted and certified to the House.

CS for CS for SB 1392—A bill to be entitled An act relating to transportation; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee under the direction of the Florida Seaport

Transportation and Economic Development Council; providing membership and duties; directing the council to establish a Seaport Security Grant Program to assist in the implementation of security at specified seaports; directing the council to review applications, make recommendations to the council, and adopt rules; amending s. 316.003, F.S.; defining the term “driver-assistive truck platooning technology; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and the Legislature; amending s. 316.0745, F.S.; revising the circumstances under which the Department of Transportation is authorized to direct the removal of certain traffic control devices; requiring the public agency erecting or installing such a device to bring it into compliance with certain requirements or remove it upon the direction of the department; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 316.640, F.S.; expanding the authority of a chartered municipal parking enforcement specialist to enforce state, county, and municipal parking laws and ordinances within the boundaries of certain counties pursuant to a memorandum of understanding; amending s. 316.85, F.S.; revising the circumstances under which a licensed driver is authorized to operate an autonomous vehicle in autonomous mode; amending s. 316.86, F.S.; deleting a provision authorizing the operation of vehicles equipped with autonomous technology on roads in this state for testing purposes by certain persons or research organizations; deleting a requirement that a human operator be present in an autonomous vehicle for testing purposes; deleting certain financial responsibility requirements for entities performing such testing; amending s. 319.145, F.S.; revising provisions relating to required equipment and operation of autonomous vehicles; amending s. 320.525, F.S.; revising the definition of the term “port vehicles and equipment”; amending s. 332.08, F.S.; extending the authorized term of certain airport-related leases; creating s. 335.085, F.S.; providing a short title; requiring the department to install roadside barriers to shield water bodies contiguous with state roads at certain locations by a specified date under certain circumstances; providing applicability; requiring the department to review specified information related to certain motor vehicle accidents on state roads contiguous with water bodies which occurred during a specified timeframe, subject to certain requirements; requiring the department to submit a report to the Legislature by a specified date, subject to certain requirements; amending s. 337.0261, F.S.; requiring local governments to consider information provided by the department regarding the effect that approving or denying certain regulations may have on the cost of construction aggregate materials in the local area, the region, and the state; amending s. 337.18, F.S.; revising conditions for waiver of a required surety bond; amending s. 338.165, F.S.; deleting an authorization to issue certain bonds secured by toll revenues collected on the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; requiring the department to transfer certain funds to the Florida Turnpike Enterprise for certain purposes; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; increasing the number of years before an inactive prepaid toll account shall be presumed unclaimed; deleting provisions relating to the use of revenues from the turnpike system to pay the principal and interest of a specified series of bonds and certain expenses of the Sawgrass Expressway; amending s. 339.175, F.S.; requiring certain long-range transportation plans to include assessment of capital investment and other measures necessary to make the most efficient use of existing transportation facilities to improve safety; requiring the assessments to include consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology; amending s. 339.2818, F.S.; increasing the population ceiling in the definition of the term “small county” for purposes of the Small County Outreach Program; deleting an alternative definition of the term “small county” for a specified fiscal year; amending s. 339.55, F.S.; revising the purpose of the state-funded infrastructure bank within the department to include constructing and improving ancillary facilities that produce or distribute natural gas or fuel; authorizing the department to consider applications for loans from the bank for development

and construction of natural gas fuel production or distribution facilities used primarily to support transportation activities at seaports or intermodal facilities beginning on a specified date; authorizing use of such loans to refinance outstanding debt; amending s. 339.64, F.S.; requiring the department to coordinate with certain partners and industry representatives to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology in Strategic Intermodal System facilities; requiring the Strategic Intermodal System Plan to include a needs assessment regarding such infrastructure and technological improvements; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 343.92, F.S.; increasing the members on the governing board of the Tampa Bay Area Regional Transportation Authority; requiring the secretary of the department to appoint two advisors to the board subject to certain requirements, rather than appointing one nonvoting, ex officio member of the board; amending s. 343.922, F.S.; requiring the authority to present a certain master plan and updates to, and coordinate projects and plans with, the Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization Chairs Coordinating Committee, rather than the West Central Florida M.P.O. Chairs Coordinating Committee; requiring the authority to provide certain administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee; amending s. 348.565, F.S.; expanding the list of projects of the Tampa-Hillsborough County Expressway Authority which are approved to be financed or refinanced by the issuance of certain revenue bonds; amending s. 479.16, F.S.; exempting certain signs from a specified permit, subject to certain requirements and restrictions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1392**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7061** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

CS for CS for HB 7061—A bill to be entitled An act relating to transportation; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee directed by the Florida Seaport Transportation and Economic Development Council; providing for membership and duties; directing the council to establish a Seaport Security Grant Program to assist in implementation of security at specified seaports; directing the council to adopt rules; amending s. 316.003, F.S.; revising and providing definitions; creating s. 316.2069, F.S.; authorizing a municipality or county to permit the use of commercial megacycles; providing requirements; providing applicability; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; providing exceptions to a prohibition of a viewer or screen visible from the driver's seat of a motor vehicle; amending s. 320.525, F.S.; revising the definition of the term "port vehicles and equipment"; amending s. 332.08, F.S.; revising the maximum period of time for which certain municipalities may lease airports, navigation facilities, or related real property; amending s. 333.01, F.S.; revising and providing definitions of terms used in provisions relating to airport safety regulation; amending s. 333.025, F.S.; revising requirements for a permit to construct or alter an obstruction; revising procedures for issuing such permit; revising duties of the department relating to issuance of the permit; providing for administrative review of a denial of a permit; amending s. 333.03, F.S.; revising requirements and procedures for certain local political subdivisions to adopt and enforce airport zoning regulations; directing the department to provide assistance to political subdivisions with regard to federal obstruction standards; providing minimum requirements for airport land use compatibility zoning regulations; directing political subdivisions to provide the department with copies of airport zoning regulations; providing applicability and effect; amending s. 333.04, F.S.; revising provisions for incorporation of zoning regulations with a political subdivision's comprehensive regulations; revising provisions for a conflict between airport zoning regulations and other regulations; amending s. 333.05, F.S.; revising procedure for adoption of zoning regulations; revising provisions relating to an airport zoning commission; amending s. 333.06, F.S.; revising airport zoning regulation requirements; revising requirements for adoption of an airport master plan and amendments thereto; amending s. 333.07, F.S.; requiring a permit to construct, alter, or allow an airport obstruction in an airport hazard area under certain

circumstances; providing conditions for issuance or denial of such permit; revising provisions to compel conformance; removing provisions for obtaining a variance to zoning regulations; removing reference to a board of adjustment; revising provisions directing a political subdivision to require an owner to install and maintain certain lighting or marking of obstructions; amending s. 333.09, F.S.; revising requirements for administration of airport protection zoning regulations; requiring the political subdivision to provide a process for permitting, notifications to the department, and enforcement; providing for appeal of decisions made by the political subdivision; amending s. 333.11, F.S.; revising provisions for judicial review of decisions by a political subdivision; revising jurisdiction of the court relating to decisions of the political subdivision; removing reference to a board of adjustment; requiring certain procedures before an appeal to a court; amending s. 333.12, F.S.; revising provisions for acquisition of property when a nonconforming obstruction is determined to be an airport hazard; amending s. 333.13, F.S.; revising penalty provisions; creating s. 333.135, F.S.; providing a timeframe for compliance by political subdivisions; repealing ss. 333.065, 333.08, 333.10, and 333.14, F.S., relating to guidelines regarding land use near airports, appeals, boards of adjustment, and a short title; reenacting s. 350.81(6), F.S., relating to communications services offered by governmental entities, to incorporate changes made by the act in a reference thereto; amending s. 337.18, F.S., relating to contracts for construction or maintenance; revising conditions for waiver of a required surety bond; amending 338.165, F.S.; removing an option to issue certain bonds secured by toll revenues collected on certain facilities; authorizing the department to transfer the Pinellas Bayway System to the Florida Turnpike; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S., relating to the Florida Turnpike; removing a provision that authorizes the department to use revenues from the turnpike system for the payment of principal and interest of certain bonds and the operation and maintenance expenses of the Sawgrass Expressway; amending s. 339.175, F.S., relating to the Tampa Bay Area Regional Transportation Authority; revising provisions for a coordinating committee composed of metropolitan planning organizations; designating the committee as the "TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee"; revising membership of the committee; providing duties of the authority, M.P.O.'s, and the department; amending s. 339.2818, F.S., relating to the Small County Outreach Program; revising the definition of the term "small county"; amending s. 339.55, F.S., relating to the State Infrastructure Bank; revising the types of projects eligible for consideration for state infrastructure loans; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 341.301, F.S.; revising definitions relating to rail programs; amending s. 341.302, F.S., relating to the rail program; revising provisions for assumption of obligations and liability in conjunction with the acquisition, ownership, construction, operation, maintenance, and management of a rail corridor; amending s. 343.92, F.S.; revising membership of the governing board of the Tampa Bay Area Regional Transportation Authority; providing for the Secretary of Transportation to appoint two advisors to the board; amending s. 343.922, F.S., relating to powers and duties of such authority; revising the time period for updating the authority's master plan; directing the authority to provide administrative support and direction to the TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee; amending s. 348.565, relating to the Tampa-Hillsborough County Expressway Authority; revising provisions that authorize certain projects to be financed by revenue bonds; amending s. 348.753, F.S., relating to the Central Florida Expressway Authority; revising provisions for membership on the authority; removing a provision for appointment of a secretary of the authority; amending s. 565.02, F.S., authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a license for the sale of beer and wine on certain commercial megacycles; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; providing a definition; directing the Office of Economic and Demographic Research to determine the economic benefits of the Department of Transportation's adopted work program; directing the department to provide access to necessary data; requiring a report to the Legislature; directing the department to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; directing the department to conduct a feasibility study of state interchange improvements; requiring a report

to the Governor and Legislature; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031, 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1392** and read the second time by title.

Senator Brandes moved the following amendment:

Amendment 1 (588642) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (5) and (6) are added to section 311.12, Florida Statutes, to read:

311.12 Seaport security.—

(5) **ADVISORY COMMITTEE.**—

(a) *There is created the Seaport Security Advisory Committee, which shall be under the direction of the Florida Seaport Transportation and Economic Development Council.*

(b) *The committee shall consist of the following members:*

1. *Five or more port security directors appointed by the council chair shall serve as voting members. The council chair shall designate one member of the committee to serve as committee chair.*

2. *A designee from the United States Coast Guard shall serve ex officio as a nonvoting member.*

3. *A designee from United States Customs and Border Protection shall serve ex officio as a nonvoting member.*

4. *Two representatives from local law enforcement agencies providing security services at a Florida seaport shall serve ex officio as nonvoting members.*

(c) *The committee shall meet at the call of the chair but at least annually. A majority of the voting members constitutes a quorum for the purpose of transacting business of the committee, and a vote of the majority of the voting members present is required for official action by the committee.*

(d) *The committee shall provide a forum for discussion of seaport security issues, including, but not limited to, matters such as national and state security strategy and policy, actions required to meet current and future security threats, statewide cooperation on security issues, and security concerns of the state's maritime industry.*

(6) **GRANT PROGRAM.**—

(a) *The Florida Seaport Transportation and Economic Development Council shall establish a Seaport Security Grant Program for the purpose of assisting in the implementation of security plans and security measures at the seaports listed in s. 311.09(1). Funds may be used for the purchase of equipment, infrastructure needs, cybersecurity programs, and other security measures identified in a seaport's approved federal security plan. Such grants may not exceed 75 percent of the total cost of the request and are subject to legislative appropriation.*

(b) *The Seaport Security Advisory Committee shall review applications for the grant program and make recommendations to the council for grant approvals. The council shall adopt by rule criteria to implement this subsection.*

Section 2. Section 316.003, Florida Statutes, is reordered and amended to read:

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

(1) **AUTHORIZED EMERGENCY VEHICLES.**—Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments, public service corpora-

tions operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Health, the Department of Transportation, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any of the various counties.

(2)(90) **AUTONOMOUS VEHICLE.**—Any vehicle equipped with autonomous technology. The term “autonomous technology” means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(3)(2) **BICYCLE.**—Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. A ~~Ne~~ person under the age of 16 may not operate or ride upon a motorized bicycle.

(4)(63) **BICYCLE PATH.**—Any road, path, or way that is open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way.

(5)(76) **BRAKE HORSEPOWER.**—The actual unit of torque developed per unit of time at the output shaft of an engine, as measured by a dynamometer.

(6)(3) **BUS.**—Any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons and any motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(7)(4) **BUSINESS DISTRICT.**—The territory contiguous to, and including, a highway when 50 percent or more of the frontage thereon, for a distance of 300 feet or more, is occupied by buildings in use for business.

(8)(5) **CANCELLATION.**—~~Declaration of Cancellation means that a license which was issued through error or fraud as is declared void and terminated. A new license may be obtained only as permitted in this chapter.~~

(9)(64) **CHIEF ADMINISTRATIVE OFFICER.**—The head, or his or her designee, of any law enforcement agency which is authorized to enforce traffic laws.

(10)(65) **CHILD.**—A child as defined in s. 39.01, s. 984.03, or s. 985.03.

(11) **COMMERCIAL MEGACYCLE.**—*A vehicle that has fully operational pedals for propulsion entirely by human power and meets all of the following requirements:*

(a) *Has four wheels and is operated in a manner similar to a bicycle.*

(b) *Has at least five but no more than 15 seats for passengers.*

(c) *Is primarily powered by pedaling but may have an auxiliary motor capable of propelling the vehicle at no more than 15 miles per hour.*

(12)(66) **COMMERCIAL MOTOR VEHICLE.**—Any self-propelled or towed vehicle used on the public highways in commerce to transport passengers or cargo, if such vehicle:

- (a) Has a gross vehicle weight rating of 10,000 pounds or more;
- (b) Is designed to transport more than 15 passengers, including the driver; or
- (c) Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

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

~~(13)(67)~~ COURT.—The court having jurisdiction over traffic offenses.

~~(14)(6)~~ CROSSWALK.—

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

~~(15)(7)~~ DAYTIME.—The period from a half hour before sunrise to a half hour after sunset. *The term “nighttime” means at any other hour.*

~~(16)(8)~~ DEPARTMENT.—The Department of Highway Safety and Motor Vehicles as defined in s. 20.24. Any reference herein to *the Department of Transportation* shall be construed as referring to the Department of Transportation *as*; defined in s. 20.23; or the appropriate division thereof.

~~(17)(9)~~ DIRECTOR.—The Director of the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles.

~~(18)(10)~~ DRIVER.—Any person who drives or is in actual physical control of a vehicle on a highway or who is exercising control of a vehicle or steering a vehicle being towed by a motor vehicle.

~~(19)~~ DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—*Vehicle automation and safety technology that integrates sensor array, wireless vehicle-to-vehicle communications, active safety systems, and specialized software to link safety systems and synchronize acceleration and braking between two vehicles while leaving each vehicle’s steering control and systems command in the control of the vehicle’s driver in compliance with the National Highway Traffic Safety Administration rules regarding vehicle-to-vehicle communications.*

~~(20)(82)~~ ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in this section.

~~(21)(11)~~ EXPLOSIVE.—Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effect on contiguous objects or of destroying life or limb.

~~(22)(62)~~ FARM LABOR VEHICLE.—Any vehicle equipped and used for the transportation of nine or more migrant or seasonal farm workers, in addition to the driver, to or from a place of employment or employment-related activities. The term does not include:

- (a) Any vehicle carrying only members of the immediate family of the owner or driver.
- (b) Any vehicle being operated by a common carrier of passengers.
- (c) Any carpool as defined in s. 450.28(3).

~~(23)(12)~~ FARM TRACTOR.—Any motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

~~(24)(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

~~(25)(68)~~ GOLF CART.—A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes.

~~(26)(14)~~ GROSS WEIGHT.—The weight of a vehicle without load plus the weight of any load thereon.

~~(27)(69)~~ HAZARDOUS MATERIAL.—Any substance or material which has been determined by the secretary of the United States Department of Transportation to be capable of imposing an unreasonable risk to health, safety, and property. This term includes hazardous waste as defined in s. 403.703(13).

~~(28)(15)~~ HOUSE TRAILER.—

(a) A trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, (either permanently or temporarily,) and is equipped for use as a conveyance on streets and highways; or

(b) A trailer or a semitrailer the chassis and exterior shell of which is designed and constructed for use as a house trailer, as defined in paragraph (a), but which is used instead, permanently or temporarily, for the advertising, sales, display, or promotion of merchandise or services or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

~~(29)(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

~~(30)(17)~~ INTERSECTION.—

(a) The area embraced within the prolongation or connection of the lateral curblines; or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, ~~then~~ every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. ~~In the event such~~ *If the* intersecting highway also includes two roadways 30 feet or more apart, ~~then~~ every crossing of two roadways of such highways shall be regarded as a separate intersection.

~~(31)(18)~~ LANED HIGHWAY.—A highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

~~(32)(19)~~ LIMITED ACCESS FACILITY.—A street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be parkways from which trucks, buses, and other commercial vehicles are excluded; or ~~they~~ *they* may be freeways open to use by all customary forms of street and highway traffic.

~~(33)(20)~~ LOCAL AUTHORITIES.—~~Includes~~ All officers and public officials of the several counties and municipalities of this state.

~~(34)(91)~~ LOCAL HEARING OFFICER.—The person, designated by a department, county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a), who is authorized to conduct hearings related to a notice of violation issued pursuant to s. 316.0083. The charter county, non-charter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.

~~(35)(80)~~ MAXI-CUBE VEHICLE.—A specialized combination vehicle consisting of a truck carrying a separable cargo-carrying unit combined with a semitrailer designed so that the separable cargo-carrying unit is to be loaded and unloaded through the semitrailer. The entire combination may not exceed 65 feet in length, and a single component of that combination may not exceed 34 feet in length.

~~(36)(61)~~ MIGRANT OR SEASONAL FARM WORKER.—Any person employed in hand labor operations in planting, cultivation, or harvesting agricultural crops.

~~(37)(77)~~ MOPED.—Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels; with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground; and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

~~(38)(86)~~ MOTOR CARRIER TRANSPORTATION CONTRACT.—

(a) A contract, agreement, or understanding covering:

1. The transportation of property for compensation or hire by the motor carrier;

2. Entrance on property by the motor carrier for the purpose of loading, unloading, or transporting property for compensation or hire; or

3. A service incidental to activity described in subparagraph 1. or subparagraph 2., including, but not limited to, storage of property.

(b) “Motor carrier transportation contract” does not include the Uniform Intermodal Interchange and Facilities Access Agreement administered by the Intermodal Association of North America or other agreements providing for the interchange, use, or possession of intermodal chassis, containers, or other intermodal equipment.

~~(39)(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, swamp buggy, or moped. For purposes of s. 316.1001, “motor vehicle” has the same meaning as *provided* in s. 320.01(1)(a).

~~(40)(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or a moped.

~~(41)(82)~~ MOTORIZED SCOOTER.—Any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

~~(42)(78)~~ NONPUBLIC SECTOR BUS.—Any bus which is used for the transportation of persons for compensation and which is not owned, leased, operated, or controlled by a municipal, county, or state government or a governmentally owned or managed nonprofit corporation.

~~(43)(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

~~(44)(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

~~(45)(25)~~ OPERATOR.—Any person who is in actual physical control of a motor vehicle upon the highway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

~~(46)(26)~~ OWNER.—A person who holds the legal title of a vehicle. ~~If, or, in the event~~ a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, ~~or if in the event~~ a mortgagor of a vehicle is entitled to possession, ~~then~~ such conditional vendee, or lessee, or mortgagor shall be deemed the owner, for the purposes of this chapter.

~~(47)(27)~~ PARK OR PARKING.—The standing of a vehicle, whether occupied or not *occupied*, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this chapter.

~~(48)(28)~~ PEDESTRIAN.—Any person afoot.

~~(49)(29)~~ PERSON.—Any natural person, firm, copartnership, association, or corporation.

~~(50)(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air is designed to support the load.

~~(51)(31)~~ POLE TRAILER.—Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

~~(52)(32)~~ POLICE OFFICER.—Any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations, including Florida highway patrol officers, sheriffs, deputy sheriffs, and municipal police officers.

~~(53)(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph ~~(75)(b)~~ ~~(53)(b)~~, any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

~~(54)(34)~~ RADIOACTIVE MATERIALS.—Any materials or combination of materials which emit ionizing radiation spontaneously in which the radioactivity per gram of material, in any form, is greater than 0.002 microcuries.

~~(55)(35)~~ RAILROAD.—A carrier of persons or property upon cars operated upon stationary rails.

~~(56)(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or device erected by authority of a public body or official, or by a railroad, and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

~~(57)(37)~~ RAILROAD TRAIN.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except a streetcar.

~~(58)(38)~~ RESIDENCE DISTRICT.—The territory contiguous to, and including, a highway, not comprising a business district, when the property on such highway, for a distance of 300 feet or more, is, in the main, improved with residences or residences and buildings in use for business.

~~(59)(39)~~ REVOCATION.—~~Termination of Revocation means that~~ a licensee’s privilege to drive a motor vehicle ~~is terminated~~. A new license may be obtained only as permitted by law.

~~(60)(40)~~ RIGHT-OF-WAY.—The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and

proximity as to give rise to danger of collision unless one grants precedence to the other.

(61)(41) ROAD TRACTOR.—Any motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon, either independently or as any part of the weight of a vehicle or load so drawn.

(62)(42) ROADWAY.—That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. *If in the event* a highway includes two or more separate roadways, the term “roadway” ~~as used herein~~ refers to any such roadway separately, but not to all such roadways collectively.

(63)(43) SADDLE MOUNT; FULL MOUNT.—An arrangement whereby the front wheels of one vehicle rest in a secured position upon another vehicle. All of the wheels of the towing vehicle are upon the ground, and only the rear wheels of the towed vehicle rest upon the ground. Such combinations may include one full mount, whereby a smaller transport vehicle is placed completely on the last towed vehicle.

(64)(44) SAFETY ZONE.—The area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or so marked by adequate signs or authorized pavement markings as to be plainly visible at all times while set apart as a safety zone.

(65)(92) SANITATION VEHICLE.—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides garbage, trash, refuse, or recycling collection.

(66)(45) SCHOOL BUS.—Any motor vehicle that complies with the color and identification requirements of chapter 1006 and is used to transport children to or from public or private school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children. The term “school” includes all preelementary, elementary, secondary, and postsecondary schools.

(67)(46) SEMITRAILER.—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle.

(68)(47) SIDEWALK.—That portion of a street between the curb-line, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

(69)(48) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(70)(49) STAND OR STANDING.—The halting of a vehicle, whether occupied or not *occupied*, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this chapter.

(71)(50) STATE ROAD.—Any highway designated as a state-maintained road by the Department of Transportation.

(72)(51) STOP.—When required, complete cessation from movement.

(73)(52) STOP OR STOPPING.—When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not *occupied*, except when necessary to avoid conflict with other traffic or to comply with the directions of a law enforcement officer or traffic control sign or signal.

(74)(70) STRAIGHT TRUCK.—Any truck on which the cargo unit and the motive power unit are located on the same frame so as to form a single, rigid unit.

(75)(53) STREET OR HIGHWAY.—

(a) The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic;

(b) The entire width between the boundary lines of any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons, or any limited access road owned or controlled by a special district, whenever, by written agreement entered into under s. 316.006(2)(b) or (3)(b), a county or municipality exercises traffic control jurisdiction over said way or place;

(c) Any area, such as a runway, taxiway, ramp, clear zone, or parking lot, within the boundary of any airport owned by the state, a county, a municipality, or a political subdivision, which area is used for vehicular traffic but which is not open for vehicular operation by the general public; or

(d) Any way or place used for vehicular traffic on a controlled access basis within a mobile home park recreation district which has been created under s. 418.30 and the recreational facilities of which district are open to the general public.

(76)(54) SUSPENSION.—Temporary withdrawal of a licensee’s privilege to drive a motor vehicle.

(77)(89) SWAMP BUGGY.—A motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

(78)(81) TANDEM AXLE.—Any two axles ~~the whose~~ centers of *which* are more than 40 inches but not more than 96 inches apart and are individually attached to or articulated from, or both, a common attachment to the vehicle, including a connecting mechanism designed to equalize the load between axles.

(79)(71) TANDEM TRAILER TRUCK.—Any combination of a truck tractor, semitrailer, and trailer coupled together so as to operate as a complete unit.

(80)(72) TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway network consisting primarily of four or more lanes, including all interstate highways; highways designated by the United States Department of Transportation as elements of the National Network; and any street or highway designated by the Florida Department of Transportation for use by tandem trailer trucks, in accordance with s. 316.515, except roads on which truck traffic was specifically prohibited on January 6, 1983.

(81)(73) TERMINAL.—Any location where:

(a) Freight ~~either~~ originates, terminates, or is handled in the transportation process; or

(b) Commercial motor carriers maintain operating facilities.

(82)(55) THROUGH HIGHWAY.—Any highway or portion thereof on which vehicular traffic is given the right-of-way and at the entrances to which vehicular traffic from intersecting highways is required to yield right-of-way to vehicles on such through highway in obedience to ~~either~~ a stop sign or yield sign, or otherwise in obedience to law.

(83)(56) TIRE WIDTH.—~~The Tire width is the~~ width stated on the surface of the tire by the manufacturer of the tire, if the width stated does not exceed 2 inches more than the width of the tire contacting the surface.

(84)(57) TRAFFIC.—Pedestrians, ridden or herded animals, and vehicles, streetcars, and other conveyances ~~either~~ singly or together while using any street or highway for purposes of travel.

(85)(87) **TRAFFIC INFRACTION DETECTOR.**—A vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

(86)(84) **TRAFFIC SIGNAL PREEMPTION SYSTEM.**—Any system or device with the capability of activating a control mechanism mounted on or near traffic signals which alters a traffic signal's timing cycle.

(87)(58) **TRAILER.**—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle.

(88)(74) **TRANSPORTATION.**—The conveyance or movement of goods, materials, livestock, or persons from one location to another on any road, street, or highway open to travel by the public.

(89)(88) **TRI-VEHICLE.**—An enclosed three-wheeled passenger vehicle that:

- (a) Is designed to operate with three wheels in contact with the ground;
- (b) Has a minimum unladen weight of 900 pounds;
- (c) Has a single, completely enclosed, occupant compartment;
- (d) Is produced in a minimum quantity of 300 in any calendar year;
- (e) Is capable of a speed greater than 60 miles per hour on level ground; and
- (f) Is equipped with:
 1. Seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, "Seating systems" (49 C.F.R. s. 571.207);
 2. A steering wheel used to maneuver the vehicle;
 3. A propulsion unit located forward or aft of the enclosed occupant compartment;
 4. A seat belt for each vehicle occupant certified to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);
 5. A windshield and an appropriate windshield wiper and washer system that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, "Glazing materials" (49 C.F.R. s. 571.205) and Federal Motor Vehicle Safety Standard No. 104, "Windshield wiping and washing systems" (49 C.F.R. s. 571.104); and
 6. A vehicle structure certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R. s. 571.216).

(90)(59) **TRUCK.**—Any motor vehicle designed, used, or maintained primarily for the transportation of property.

(91)(60) **TRUCK TRACTOR.**—Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(92)(93) **UTILITY SERVICE VEHICLE.**—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides electric, natural gas, water, wastewater, cable, telephone, or communications services.

(93)(75) **VEHICLE.**—Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, *except* ~~excepting~~ devices used exclusively upon stationary rails or tracks.

(94)(85) **VICTIM SERVICES PROGRAMS.**—Any community-based organization *the whose* primary purpose of *which* is to act as an advocate for the victims and survivors of traffic crashes and for their families. The victims services offered by these programs may include grief and crisis counseling, assistance with preparing victim compensation claims excluding third-party legal action, or connecting persons with other service providers, and providing emergency financial assistance.

(95)(79) **WORK ZONE AREA.**—The area and its approaches on any state-maintained highway, county-maintained highway, or municipal street where construction, repair, maintenance, or other street-related or highway-related work is being performed or where one or more lanes *are is* closed to traffic.

Section 3. Subsection (7) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(7) The Department of Transportation *may, upon receipt and investigation of reported noncompliance and is authorized,* after hearing pursuant to 14 days' notice, ~~to~~ direct the removal of any purported traffic control device *that fails to meet the requirements of this section,* wherever the device is located and without regard to assigned responsibility under s. 316.1895 ~~which fails to meet the requirements of this section.~~ The public agency erecting or installing the same shall immediately *bring it into compliance with the requirements of this section* or remove said device or signal upon the direction of the Department of Transportation and may not, for a period of 5 years, install any replacement or new traffic control devices paid for in part or in full with revenues raised by the state unless written prior approval is received from the Department of Transportation. Any additional violation by a public body or official shall be cause for the withholding of state funds for traffic control purposes until such public body or official demonstrates to the Department of Transportation that it is complying with this section.

Section 4. Section 316.2069, Florida Statutes, is created to read:

316.2069 *Commercial Megacycles.*—*The governing body of a municipality, or the governing board of a county with respect to an unincorporated portion of the county, may authorize the operation of a commercial megacycle on roads or streets within the respective jurisdictions if the requirements of subsections (1) through (3) are met:*

(1) *Prior to authorizing such operation, the responsible local governmental entity must first determine that commercial megacycles may safely travel on or cross the public road or street, considering factors including, but not limited to, the speed, volume, and character of motor vehicle traffic using the road or street. Upon such determination, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.*

(2) *The authorization by the governing body must clearly identify the roads or streets under the governing body's jurisdiction on or across which operation of commercial megacycles is permitted.*

(3) *The governing body's authorization, at a minimum, must require that a commercial megacycle be:*

(a) *Operated at all times by its owner or lessee or an employee of the owner or lessee.*

(b) *Operated by a driver at least 18 years of age who possess a Class E driver license.*

(c) *Occupied by a safety monitor at least 18 years of age, who shall supervise the passengers while the commercial megacycle is in motion.*

(d) *Insured with minimum commercial general liability insurance of not less than \$1,000,000, prior to and at all times of operation, satisfactory proof of which shall be provided to the appropriate governing body.*

(4) *The Department of Transportation may prohibit the operation of commercial megacycles on or across any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.*

(5) *Section 316.1936 does not apply to the passengers being transported in a commercial megacycle while operating in accordance with this section.*

(6) *This section does not prohibit use of an auxiliary motor to move the commercial megacycle from the roadway under emergency circumstances or while no passenger is on board.*

Section 5. Subsection (5) of section 316.235, Florida Statutes, is amended to read:

316.235 Additional lighting equipment.—

(5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped with a deceleration lighting system ~~that which~~ cautions following vehicles that the bus is slowing, *is* preparing to stop, or is stopped. Such lighting system shall consist of red or amber lights mounted in horizontal alignment on the rear of the vehicle at ~~or near~~ the vertical centerline of the vehicle, *no greater than 12 inches apart*, not higher than the lower edge of the rear window or, if the vehicle has no rear window, not higher than 100 ~~72~~ inches from the ground. Such lights shall be visible from a distance of not less than 300 feet to the rear in normal sunlight. Lights are permitted to light and flash during deceleration, braking, or standing and idling of the bus. Vehicular hazard warning flashers may be used in conjunction with or in lieu of a rear-mounted deceleration lighting system.

Section 6. Subsections (1) and (3) of section 316.303, Florida Statutes, are amended to read:

316.303 Television receivers.—

(1) No motor vehicle *may be operated on the highways of this state if the vehicle is actively displaying moving television broadcast or pre-recorded video entertainment content that is ~~shall be equipped with television type receiving equipment so located that the viewer or screen is~~ visible from the driver's seat while the vehicle is in motion, unless the vehicle is equipped with autonomous technology, as defined in s. 316.003(2), and is being operated in autonomous mode, as provided in s. 316.85(2).*

(3) This section does not prohibit the use of an electronic display used in conjunction with a vehicle navigation system; *an electronic display used by an operator of a vehicle equipped with autonomous technology, as defined in s. 316.003(2); or an electronic display used by an operator of a vehicle equipped and operating with driver-assistive truck platooning technology, as defined in s. 316.003(19).*

Section 7. Paragraph (c) of subsection (3) of section 316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(3) MUNICIPALITIES.—

(c)1. A chartered municipality or its authorized agency or instrumentality may employ as a parking enforcement specialist any individual who successfully completes a training program established and approved by the Criminal Justice Standards and Training Commission for parking enforcement specialists, but who does not otherwise meet the uniform minimum standards established by the commission for law enforcement officers or auxiliary or part-time officers under s. 943.12.

2. A parking enforcement specialist employed by a chartered municipality or its authorized agency or instrumentality is authorized to enforce all state, county, and municipal laws and ordinances governing parking within the boundaries of the municipality employing the specialist, *or, pursuant to a memorandum of understanding between the county and the municipality, within the boundaries of the county in which the chartered municipality or its authorized agency or instrumentality is located*, by appropriate state, county, or municipal traffic citation.

3. A parking enforcement specialist employed pursuant to this subsection may not carry firearms or other weapons or have arrest authority.

Section 8. Subsection (1) of section 316.85, Florida Statutes, is amended to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode *on roads in this state if the vehicle is equipped with autonomous technology, as defined in s. 316.003(2).*

Section 9. Section 316.86, Florida Statutes, is amended to read:

316.86 ~~Operation of vehicles equipped with autonomous technology on roads for testing purposes; financial responsibility; Exemption from liability for manufacturer when third party converts vehicle.—~~

~~(1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology, or by research organizations associated with accredited educational institutions, for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Before the start of testing in this state, the entity performing the testing must submit to the department an instrument of insurance, surety bond, or proof of self insurance acceptable to the department in the amount of \$5 million.~~

~~(2) The original manufacturer of a vehicle converted by a third party into an autonomous vehicle is ~~shall~~ not be liable in, and shall have a defense to and be dismissed from, any legal action brought against the original manufacturer by any person injured due to an alleged vehicle defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect was present in the vehicle as originally manufactured.~~

Section 10. Subsection (1) of section 319.145, Florida Statutes, is amended to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet *applicable* federal standards and regulations for ~~such a~~ motor vehicle. The vehicle ~~must~~ *shall*:

(a) *Have a system to safely alert the operator if an autonomous technology failure is detected while the autonomous technology is engaged. When an alert is given, the system must:*

1. *Require the operator to take control of the autonomous vehicle; or*

2. *If the operator does not, or is not able to, take control of the autonomous vehicle, be capable of bringing the vehicle to a complete stop. Have a means to engage and disengage the autonomous technology which is easily accessible to the operator.*

(b) *Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.*

~~(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.~~

~~(c)(d) Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.~~

Section 11. Subsection (1) of section 320.525, Florida Statutes, is amended to read:

320.525 Port vehicles and equipment; definition; exemption.—

(1) As used in this section, the term "port vehicles and equipment" means trucks, tractors, trailers, truck cranes, top loaders, fork lifts,

hostling tractors, chassis, or other vehicles or equipment used for transporting cargo, containers, or other equipment. *The term includes motor vehicles being relocated within a port facility or via designated port district roads.*

Section 12. Paragraph (c) of subsection (1) of section 332.08, Florida Statutes, is amended to read:

332.08 Additional powers.—

(1) In addition to the general powers in ss. 332.01-332.12 conferred and without limitation thereof, a municipality that has established or may hereafter establish airports, restricted landing areas, or other air navigation facilities, or that has acquired or set apart or may hereafter acquire or set apart real property for such purposes, is authorized:

(c) To lease for a term not exceeding ~~50~~ ~~30~~ years such airports or other air navigation facilities, or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign for a term not exceeding ~~50~~ ~~30~~ years to private parties, any municipal or state government or the national government, or any department of either thereof, for operation or use consistent with the purposes of ss. 332.01-332.12, space, area, improvements, or equipment on such airports; to sell any part of such airports, other air navigation facilities, or real property to any municipal or state government, or the United States or any department or instrumentality thereof, for aeronautical purposes or purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services, and facilities; provided, that in each case in so doing the public is not deprived of its rightful equal and uniform use thereof.

Section 13. Section 333.01, Florida Statutes, is amended to read:

333.01 Definitions.—~~As used in For the purpose of this chapter, the term following words, terms, and phrases shall have the meanings herein given, unless otherwise specifically defined, or unless another intention clearly appears, or the context otherwise requires:~~

(1) “Aeronautical study” means a Federal Aviation Administration study, conducted in accordance with the standards of 14 C.F.R. part 77, subpart C, and Federal Aviation Administration policy and guidance, on the effect of proposed construction or alteration upon the operation of air navigation facilities and the safe and efficient use of navigable airspace.

~~(1) “Aeronautics” means transportation by aircraft; the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities, and air instruction.~~

(2) “Airport” means any area of land or water designed and set aside for the landing and taking off of aircraft and ~~used~~ ~~utilized~~ or to be ~~used~~ ~~utilized~~ in the interest of the public for such purpose.

(3) “Airport hazard” means *an obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities any structure or tree or use of land which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 and which obstructs the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has previously obtained a permit or variance pursuant to s. 333.025 or s. 333.07.*

(4) “Airport hazard area” means any area of land or water upon which an airport hazard might be established ~~if not prevented as provided in this chapter.~~

(5) “Airport land use compatibility zoning” means airport zoning regulations governing ~~restricting~~ the use of land on, adjacent to, or in the immediate vicinity of airports ~~in the manner enumerated in s. 333.03(2) to activities and purposes compatible with the continuation of normal airport operations including landing and takeoff of aircraft in order to promote public health, safety, and general welfare.~~

(6) “Airport layout plan” means *a set of scaled drawings that provide a graphic representation of the existing and future development plan for the airport and demonstrate the preservation and continuity of safety, utility, and efficiency of the airport detailed, scale engineering drawing, including pertinent dimensions, of an airport’s current and planned facilities, their locations, and runway usage.*

(7) “Airport master plan” means *a comprehensive plan of an airport which typically describes current and future plans for airport development designed to support existing and future aviation demand.*

(8) “Airport protection zoning regulations” means *airport zoning regulations governing airport hazards.*

(9) “Department” means *the Department of Transportation as created under s. 20.23.*

(10) “Educational facility” means *any structure, land, or use that includes a public or private kindergarten through 12th grade school, charter school, magnet school, college campus, or university campus. The term does not include space used for educational purposes within a multi-tenant building.*

(11) “Landfill” has the same meaning as provided in s. 403.703.

~~(12)(7)~~ “Obstruction” means any existing or proposed ~~manmade object or object, of natural growth or terrain, or structure construction or alteration that exceeds~~ ~~violates~~ the federal obstruction standards contained in 14 C.F.R. part 77, subpart C ~~ss. 77.21, 77.23, 77.25, 77.28, and 77.29.~~ The term includes:

(a) Any object of natural growth or terrain;

(b) Permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus; or

(c) Alteration of any permanent or temporary existing structure by a change in the structure’s height, including appurtenances, lateral dimensions, and equipment or materials used in the structure.

~~(13)(8)~~ “Person” means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

~~(14)(9)~~ “Political subdivision” means *the local government of any county, municipality city, town, village, or other subdivision or agency thereof, or any district or special district, port commission, port authority, or other such agency authorized to establish or operate airports in the state.*

(15) “Public-use airport” means *an airport, publicly or privately owned, licensed by the state, which is open for use by the public.*

~~(16)(10)~~ “Runway protection ~~clear~~ zone” means *an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground a runway-clear zone as defined in 14 C.F.R. s. 151.9(b).*

~~(17)(11)~~ “Structure” means any object, constructed, erected, altered, or installed by humans, including, but not limited to ~~without limitation~~ thereof, buildings, towers, smokestacks, utility poles, power generation equipment, and overhead transmission lines.

(18) “Substantial modification” means *any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the repair, reconstruction, rehabilitation, or improvement of the structure equals or exceeds 50 percent of the market value of the structure.*

Section 14. Section 333.025, Florida Statutes, is amended to read:

333.025 Permit required for obstructions ~~structures exceeding federal obstruction standards.~~—

(1) A person proposing the construction or alteration ~~In order to prevent the erection of an obstruction must obtain a permit from the department structures dangerous to air navigation, subject to the provisions of subsections (2), (3), and (4), each person shall secure from the~~

Department of Transportation a permit for the erection, alteration, or modification of any structure the result of which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the department of Transportation will be required only within an airport hazard area where federal obstruction standards are exceeded and if the proposed construction or alteration is within a 10-nautical-mile radius of the airport reference point, located at the approximate geometric geographical center of all usable runways of a public-use airport or a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.

(2) Existing, planned, and proposed Affected airports will be considered as having those facilities on public-use airports contained in an which are shown on the airport master plan, in or an airport layout plan submitted to the Federal Aviation Administration, Airport District Office or in comparable military documents shall, and will be so protected from airport hazards. Planned or proposed public use airports which are the subject of a notice or proposal submitted to the Federal Aviation Administration or to the Department of Transportation shall also be protected.

(3) A permit is not required for existing structures that requirements of subsection (1) shall not apply to projects which received construction permits from the Federal Communications Commission for structures exceeding federal obstruction standards before prior to May 20, 1975, provided such structures now exist; a permit is not required for nor shall it apply to previously approved structures now existing, or any necessary replacement or repairs to such existing structures if, so long as the height and location are is unchanged.

(4) If When political subdivisions have, in compliance with this chapter, adopted adequate airport airspace protection zoning regulations, placed in compliance with s. 333.03, and such regulations are on file with the department's aviation office, and established a permitting process Department of Transportation, a permit for the construction or alteration of an obstruction is such structure shall not be required from the department of Transportation. Upon receipt of a complete permit application, the local government shall provide a copy of the application to the department's aviation office by certified mail, return receipt requested, or by a delivery service that provides a receipt evidencing delivery. To evaluate technical consistency with this subsection, the department shall have a 15-day review period following receipt of the application, which must run concurrently with the local government permitting process. Cranes, construction equipment, and other temporary structures in use or in place for a period not to exceed 18 consecutive months are exempt from the department's review, unless such review is requested by the department.

(5) The department of Transportation shall, within 30 days after of the receipt of an application for a permit, issue or deny a permit for the construction or erection, alteration, or modification of an obstruction any structure the result of which would exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The department shall review permit applications in conformity with s. 120.60.

(6) In determining whether to issue or deny a permit, the department shall consider:

- (a) The safety of persons on the ground and in the air.
- (b) The safe and efficient use of navigable airspace.
- (c)(a) The nature of the terrain and height of existing structures.
- (b) Public and private interests and investments.

(d) The effect of the construction or alteration of an obstruction on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.

(e)(e) The character of existing and planned flight flying operations and planned developments at public-use of airports.

(f)(d) Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.

(g)(e) The effect of Whether the construction or alteration of an obstruction on the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

(f) Technological advances.

(g) The safety of persons on the ground and in the air.

(h) Land use density.

(i) The safe and efficient use of navigable airspace.

(h)(j) The cumulative effects on navigable airspace of all existing obstructions structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all other known proposed obstructions structures in the area.

(7) When issuing a permit under this section, the department of Transportation shall, as a specific condition of such permit, require the owner obstruction marking and lighting of the obstruction to install, operate, and maintain, at the owner's expense, marking and lighting in conformance with the specific standards established by the Federal Aviation Administration permitted structure as provided in s. 333.07(3)(b).

(8) The department may of Transportation shall not approve a permit for the construction or alteration erection of an obstruction a structure unless the applicant submits both documentation showing both compliance with the federal requirement for notification of proposed construction or alteration and a valid aeronautical study. A evaluation, and no permit may not shall be approved solely on the basis that the Federal Aviation Administration determined that the such proposed construction or alteration of an obstruction was not an airport hazard structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(9) The denial of a permit under this section is subject to administrative review pursuant to chapter 120.

Section 15. Section 333.03, Florida Statutes, is amended to read:

333.03 Requirement Power to adopt airport zoning regulations.—

(1)(a) In order to prevent the creation or establishment of airport hazards, Every political subdivision having an airport hazard area within its territorial limits shall, by October 1, 1977, adopt, administer, and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed in this section, airport protection zoning regulations for such airport hazard area.

(b) If Where an airport is owned or controlled by a political subdivision and if any other political subdivision has land upon which an obstruction may be constructed or altered which underlies any surface of the airport as provided in 14 C.F.R. part 77, subpart C, the political subdivisions airport hazard area appertaining to such airport is located wholly or partly outside the territorial limits of said political subdivision, the political subdivision owning or controlling the airport and the political subdivision within which the airport hazard area is located, shall either:

1. By interlocal agreement, in accordance with the provisions of chapter 163, adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question; or

2. By ordinance, regulation, or resolution duly adopted, create a joint airport protection zoning board that, which board shall have the same power to adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question as that vested in paragraph (a) in the political subdivision within which such area is located. The Each such joint airport protection zoning board shall have as voting members two representatives appointed by each participating political subdivision participating in its creation and in addition a chair elected by a majority of the members so appointed. However, The airport manager or a representative of each airport in managers of the affected participating political subdivisions shall serve on the board in a nonvoting capacity.

(c) Airport protection zoning regulations adopted under paragraph (a) must ~~shall, at as~~ a minimum, require:

1. A permit ~~variance~~ for the construction or erection, alteration, or modification of any obstruction structure which would cause the structure to exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29;

2. Obstruction marking and lighting for obstructions structures as specified in s. 333.07(3);

3. Documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a valid aeronautical study ~~evaluation~~ submitted by each person applying for a permit ~~variance~~;

4. Consideration of the criteria in s. 333.025(6), when determining whether to issue or deny a permit ~~variance~~; and

5. That approval of a permit not be based ~~no variance shall be approved~~ solely on the determination by the Federal Aviation Administration basis that the ~~such~~ proposed structure is not an airport hazard will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(d) The department shall be available to provide assistance to political subdivisions regarding federal obstruction standards shall issue copies of the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material distributed pursuant to this subsection shall be at no cost to authorized recipients.

(2) In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce interim airport land use compatibility zoning regulations shall be adopted. Airport land use compatibility zoning When political subdivisions have adopted land development regulations shall, at a minimum, in accordance with the provisions of chapter 163 which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall consider the following:

(a) The prohibition of new landfills and the restriction of existing landfills Whether sanitary landfills are located within the following areas:

1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine turbojet or turboprop aircraft.

2. Within 5,000 feet from the nearest point of any runway used only by only nonturbine piston type aircraft.

3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. s. 77.19 part 77.25. Case-by-case review of such landfills is advised.

(b) Where Whether any landfill is located and constructed in a manner so that it attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The landfill operator must political subdivision shall request from the airport authority or other governing body operating the airport a report on such bird feeding or roosting areas that at the time of the request are known to the airport. In preparing its report, the authority, or other governing body, shall consider whether the landfill will incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft. The airport authority or other governing body shall respond to the political subdivision no later than 30 days after receipt of such request.

(c) Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public

study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. part 150, Appendix A or an equivalent noise level as established by other types of noise studies.

(d) Where an airport authority or other governing body operating a publicly owned, public-use airport has not conducted a noise study, the prohibition of neither residential construction and nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.

(e)(3) The restriction of In the manner provided in subsection (1), airport zoning regulations shall be adopted which restrict new incompatible uses, activities, or substantial modifications to existing incompatible uses construction within runway protection clear zones, including uses, activities, or construction in runway clear zones which are incompatible with normal airport operations or endanger public health, safety, and welfare by resulting in congregations of people, emissions of light or smoke, or attraction of birds. Such regulations shall prohibit the construction of an educational facility of a public or private school at either end of a runway of a publicly owned, public use airport within an area which extends 5 miles in a direct line along the centerline of the runway, and which has a width measuring one-half the length of the runway. Exceptions approving construction of an educational facility within the delineated area shall only be granted when the political subdivision administering the zoning regulations makes specific findings detailing how the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a location.

(4) The procedures outlined in subsections (1), (2), and (3) for the adoption of such regulations are supplemental to any existing procedures utilized by political subdivisions in the adoption of such regulations.

(3)(5) Political subdivisions shall provide The Department of Transportation shall provide technical assistance to any political subdivision requesting assistance in the preparation of an airport zoning code; a copy of all local airport protection zoning codes, rules, and regulations and airport land use compatibility zoning regulations, and any related amendments and proposed and granted variances thereto, to shall be filed with the department's aviation office within 30 days after adoption department.

(4)(6) Nothing in Subsection (2) may not or subsection (3) shall be construed to require the removal, alteration, sound conditioning, or other change, or to interfere with the continued use or adjacent expansion of any educational facility structure or site in existence on July 1, 1993, or be construed to prohibit the construction of any new structure for which a site has been determined as provided in former s. 225.19, as of July 1, 1993.

(5) This section does not prohibit an airport authority, a political subdivision or its administrative agency, or any other governing body operating a public-use airport from establishing airport zoning regulations more restrictive than prescribed in this section in order to protect the health, safety, and welfare of the public in the air and on the ground.

Section 16. Section 333.04, Florida Statutes, is amended to read:

333.04 Comprehensive zoning regulations; most stringent to prevail where conflicts occur.—

(1) INCORPORATION.—In the event that a political subdivision has adopted, or hereafter adopts, a comprehensive plan or policy zoning ordinance regulating, among other things, the height of buildings, structures, and natural objects, and uses of property, any airport zoning regulations applicable to the same area or portion thereof may be in-

incorporated in and made a part of such comprehensive *plan or policy zoning regulations*, and be administered and enforced in connection therewith.

(2) CONFLICT.—In the event of conflict between any airport zoning regulations adopted under this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or *vegetation trees*, the use of land, or any other matter, and whether such regulations were adopted by the political subdivision *that which* adopted the airport zoning regulations or by some other political subdivision, the more stringent limitation or requirement shall govern and prevail.

Section 17. Section 333.05, Florida Statutes, is amended to read:

333.05 Procedure for adoption of *airport zoning regulations*.—

(1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations *may not shall* be adopted, amended, or ~~repealed~~ *changed* under this chapter except by action of the legislative body of the political subdivision or *affected subdivisions in question*, or the joint board provided in s. 333.03(1)(b)2. ~~s. 333.03(1)(b)~~ by the *political subdivisions bodies* therein provided and set forth, after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the hearing shall be published at least once a week for 2 consecutive weeks in a *newspaper an official paper, or a paper of general circulation*; in the political subdivision or subdivisions *where in which* ~~are located~~ the airport *zoning regulations are areas* to be adopted, amended, or *repealed zoned*.

(2) AIRPORT ZONING COMMISSION.—~~Before~~ *Prior to* the initial zoning of any airport area under this chapter, the political subdivision or joint airport zoning board *that which* is to adopt, *administer, and enforce* the regulations *must shall* appoint a commission, to be known as the airport zoning commission, to recommend the boundaries of the various zones to be established and the regulations to be adopted therefor. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the legislative body of the political subdivision or the joint airport zoning board *may shall* not hold its public hearings or take any action until it has received the final report of such commission, and at least 15 days shall elapse between the receipt of the final report of the commission and the hearing to be held by the latter board. *If Where* a *planning city plan* commission, *an airport commission*, or a comprehensive zoning commission already exists, it may be appointed as the airport zoning commission.

Section 18. Section 333.06, Florida Statutes, is amended to read:

333.06 Airport zoning *regulation* requirements.—

(1) REASONABLENESS.—All airport zoning regulations adopted under this chapter shall be reasonable and *may not none shall* impose any requirement or restriction which is not reasonably necessary to effectuate the purposes of this chapter. In determining what regulations it may adopt, each political subdivision and joint airport zoning board shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area and runway *protection clear* zones, the character of the neighborhood, the uses to which the property to be zoned is put and adaptable, and the impact of any new use, activity, or construction on the airport's operating capability and capacity.

(2) INDEPENDENT JUSTIFICATION.—The purpose of all airport zoning regulations adopted under this chapter is to provide both airspace protection and land *uses use* compatible with airport operations. Each aspect of this purpose requires independent justification in order to promote the public interest in safety, health, and general welfare. Specifically, construction in a runway *protection clear* zone which does not exceed airspace height restrictions is not *conclusive evidence per se* that such use, activity, or construction is compatible with airport operations.

(3) NONCONFORMING USES.—~~An~~ *No* airport *protection zoning regulation regulations* adopted under this chapter *may not shall* require the removal, lowering, or other change or alteration of any *obstruction structure or tree* not conforming to the *regulation regulations* when

adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in s. 333.07(1) and (3).

(4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED LOCAL GOVERNMENTS.—An airport master plan shall be prepared by each *public-use publicly owned and operated* airport licensed by the department of ~~Transportation~~ under chapter 330. The authorized entity having responsibility for governing the operation of the airport, when either requesting from or submitting to a state or federal governmental agency with funding or approval jurisdiction a "finding of no significant impact," an environmental assessment, a site-selection study, an airport master plan, or any amendment to an airport master plan, shall submit simultaneously a copy of said request, submittal, assessment, study, plan, or amendments by certified mail to all affected local governments. *As used in For the purposes of* this subsection, *the term* "affected local government" is defined as any *municipality city* or county having jurisdiction over the airport and any *municipality city* or county located within 2 miles of the boundaries of the land subject to the airport master plan.

Section 19. Section 333.065, Florida Statutes, is repealed.

Section 20. Section 333.07, Florida Statutes, is amended to read:

333.07 *Local government permitting of airspace obstructions Permits and variances*.—

(1) PERMITS.—

(a) A person proposing to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the airport protection zoning regulations adopted under this chapter must apply for a permit. ~~Any~~ *Any* airport zoning regulations adopted under this chapter may require that a permit be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed or substantially altered or repaired. In any event, however, all such regulations shall provide that before any ~~nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the administrative agency authorized to administer and enforce the regulations, authorizing such replacement, change, or repair. No permit may not shall be issued if it granted that would allow the establishment or creation of an airport hazard or if it would permit a nonconforming obstruction structure or tree or nonconforming use to be made or become higher or to become a greater hazard to air navigation than it was when the applicable airport protection zoning regulation was adopted which allowed the establishment or creation of the obstruction, or than it is when the application for a permit is made.~~

(b) ~~If Whenever~~ the political subdivision or its administrative agency determines that a nonconforming obstruction ~~use or nonconforming structure or tree~~ has been abandoned or is more than 80 percent torn down, destroyed, deteriorated, or decayed, ~~a no permit may not shall be granted if it that would allow the obstruction said structure or tree to exceed the applicable height limit or otherwise deviate from the airport protection zoning regulations; and, Whether or not an application is made for a permit under this subsection or not, the said agency may by appropriate action, compel the owner of the nonconforming obstruction may be required structure or tree, at his or her own expense, to lower, remove, reconstruct, alter, or equip such obstruction object as may be necessary to conform to the current airport protection zoning regulations. If the owner of the nonconforming obstruction neglects or refuses structure or tree shall neglect or refuse to comply with such requirement order for 10 days after notice thereof, the administrative said agency may report the violation to the political subdivision involved therein, which subdivision, through its appropriate agency, may proceed to have the obstruction object so lowered, removed, reconstructed, altered, or equipped; and assess the cost and expense thereof upon the owner of the obstruction object or the land whereon it is or was located, and, unless such an assessment is paid within 90 days from the service of notice thereof on the owner or the owner's agent, of such object or land, the sum shall be a lien on said land, and shall bear interest thereafter at the rate of 6 percent per annum until paid, and shall be collected in the same manner as taxes on real property are collected by said political subdivision, or, at the option of said political subdivision, said lien may be enforced in the manner provided for enforcement of liens by chapter 85.~~

~~(c) Except as provided herein, applications for permits shall be granted, provided the matter applied for meets the provisions of this chapter and the regulations adopted and in force hereunder.~~

(2) *CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.*—*In determining whether to issue or deny a permit, the political subdivision or its administrative agency must consider the following, as applicable:*

- (a) *The safety of persons on the ground and in the air.*
- (b) *The safe and efficient use of navigable airspace.*
- (c) *The nature of the terrain and height of existing structures.*
- (d) *The effect of the construction or alteration on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.*
- (e) *The character of existing and planned flight operations and developments at public-use airports.*
- (f) *Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.*
- (g) *The effect of the construction or alteration of the proposed structure on the minimum descent altitude or the decision height at the affected airport.*
- (h) *The cumulative effects on navigable airspace of all existing structures and all other known proposed structures in the area.*
- (i) *Additional requirements adopted by the political subdivision or administrative agency pertinent to evaluation and protection of airspace and airport operations.*

~~(2) VARIANCES.—~~

~~(a) Any person desiring to erect any structure, increase the height of any structure, permit the growth of any tree, or otherwise use his or her property in violation of the airport zoning regulations adopted under this chapter or any land development regulation adopted pursuant to the provisions of chapter 163 pertaining to airport land use compatibility, may apply to the board of adjustment for a variance from the zoning regulations in question. At the time of filing the application, the applicant shall forward to the department by certified mail, return receipt requested, a copy of the application. The department shall have 45 days from receipt of the application to comment and to provide its comments or waiver of that right to the applicant and the board of adjustment. The department shall include its explanation for any objections stated in its comments. If the department fails to provide its comments within 45 days of receipt of the application, its right to comment is waived. The board of adjustment may proceed with its consideration of the application only upon the receipt of the department's comments or waiver of that right as demonstrated by the filing of a copy of the return receipt with the board. Noncompliance with this section shall be grounds to appeal pursuant to s. 333.08 and to apply for judicial relief pursuant to s. 333.11. Such variances may only be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and where the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations and this chapter. However, any variance may be allowed subject to any reasonable conditions that the board of adjustment may deem necessary to effectuate the purposes of this chapter.~~

~~(b) The Department of Transportation shall have the authority to appeal any variance granted under this chapter pursuant to s. 333.08, and to apply for judicial relief pursuant to s. 333.11.~~

(3) OBSTRUCTION MARKING AND LIGHTING.—

~~(a) In issuing a granting any permit or variance under this section, the political subdivision or its administrative agency or board of adjustment shall require the owner of the obstruction structure or tree in question to install, operate, and maintain thereon, at his or her own expense, such marking and lighting in conformance with the specific~~

~~standards established by the Federal Aviation Administration as may be necessary to indicate to aircraft pilots the presence of an obstruction.~~

~~(b) Such marking and lighting shall conform to the specific standards established by rule by the Department of Transportation.~~

~~(c) Existing structures not in compliance on October 1, 1988, shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within 5 years of October 1, 1988, whichever occurs first.~~

Section 21. Section 333.08, Florida Statutes, is repealed.

Section 22. Section 333.09, Florida Statutes, is amended to read:

333.09 Administration of airport protection zoning regulations.—

(1) *ADMINISTRATION.*—All airport protection zoning regulations adopted under this chapter shall provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency an administrative agency which may be an agency created by such regulations or any official, board, or other existing agency of the political subdivision adopting the regulations or of one of the political subdivisions which participated in the creation of the joint airport zoning board adopting the regulations, if satisfactory to that political subdivision, but in no case shall such administrative agency be or include any member of the board of adjustment. The duties of any administrative agency designated pursuant to this chapter must shall include that of hearing and deciding all permits under s. 333.07 s. 333.07(1), deciding all matters under s. 333.07(3), as they pertain to such agency, and all other matters under this chapter applying to said agency; but such agency shall not have or exercise any of the powers herein delegated to the board of adjustment.

(2) *LOCAL GOVERNMENT PROCESS.*—

(a) A political subdivision required to adopt airport zoning regulations under this chapter shall provide a process to:

1. Issue or deny permits consistent with s. 333.07.
2. Provide the department with a copy of a complete application consistent with s. 333.025(4).
3. Enforce the issuance or denial of a permit or other determination made by the administrative agency with respect to airport zoning regulations.

(b) If a zoning board or permitting body already exists within a political subdivision, the zoning board or permitting body may implement the airport zoning regulation permitting and appeals processes.

(3) *APPEALS.*—

(a) A person, a political subdivision or its administrative agency, or a joint airport zoning board that contends a decision made by a political subdivision or its administrative agency is an improper application of airport zoning regulations may use the process established for an appeal.

(b) All appeals taken under this section must be taken within a reasonable time, as provided by the political subdivision or its administrative agency, by filing with the entity from which the appeal is taken a notice of appeal specifying the grounds for appeal.

(c) An appeal shall stay all proceedings in the underlying action appealed from, unless the entity from which the appeal is taken certifies pursuant to the rules for appeal that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such cases, proceedings may not be stayed except by order of the political subdivision or its administrative agency on notice to the entity from which the appeal is taken and for good cause shown.

(d) The political subdivision or its administrative agency shall set a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.

(e) *The political subdivision or its administrative agency may, in conformity with this chapter, affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.*

Section 23. *Section 333.10, Florida Statutes, is repealed.*

Section 25. *Section 333.11, Florida Statutes, is amended to read:*

333.11 *Judicial review.—*

(1) ~~Any person, aggrieved, or taxpayer affected, by any decision of a board of adjustment, or any governing body of a political subdivision, or the Department of Transportation or any joint airport zoning board affected by a decision of a political subdivision, or its of any administrative agency hereunder, may apply for judicial relief to the circuit court in the judicial circuit where the political subdivision board of adjustment is located within 30 days after rendition of the decision by the board of adjustment. Review shall be by petition for writ of certiorari, which shall be governed by the Florida Rules of Appellate Procedure.~~

(2) ~~Upon presentation of such petition to the court, it may allow a writ of certiorari, directed to the board of adjustment, to review such decision of the board. The allowance of the writ shall not stay the proceedings upon the decision appealed from, but the court may, on application, on notice to the board, on due hearing and due cause shown, grant a restraining order.~~

(3) ~~The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.~~

(2)(4) ~~The court has shall have exclusive jurisdiction to affirm, reverse, or modify, or set aside the decision on the permit or other determination from which the appeal is taken brought up for review, in whole or in part, and, if appropriate need be, to order further proceedings by the political subdivision or its administrative agency board of adjustment. The findings of fact by the political subdivision or its administrative agency board, if supported by substantial evidence, shall be accepted by the court as conclusive, and an no objection to a decision of the political subdivision or its administrative agency may not board shall be considered by the court unless such objection was raised in the underlying proceeding shall have been urged before the board, or, if it was not so urged, unless there were reasonable grounds for failure to do so.~~

(3)(5) ~~If in any case in which airport zoning regulations adopted under this chapter, although generally reasonable, are held by a court to interfere with the use and enjoyment of a particular structure or parcel of land to such an extent, or to be so onerous in their application to such a structure or parcel of land, as to constitute a taking or deprivation of that property in violation of the State Constitution or the Constitution of the United States, such holding shall not affect the application of such regulations to other structures and parcels of land, or such regulations as are not involved in the particular decision.~~

(4)(6) ~~A judicial No appeal to any court may not shall be or is permitted under this section until the appellant has exhausted all of its remedies through application for local government permits, exceptions, and appeals, to any courts, as herein provided, save and except an appeal from a decision of the board of adjustment, the appeal herein provided being from such final decision of such board only, the appellant being hereby required to exhaust his or her remedies hereunder of application for permits, exceptions and variances, and appeal to the board of adjustment, and gaining a determination by said board, before being permitted to appeal to the court hereunder.~~

Section 26. *Section 333.12, Florida Statutes, is amended to read:*

333.12 *Acquisition of air rights.—If in any case which it is desired to remove, lower or otherwise terminate a nonconforming obstruction is determined to be an airport hazard and the owner will not remove, lower, or otherwise eliminate it—structure or use, or the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations under this chapter; or it appears advisable*

that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations, the political subdivision within which the property or nonconforming obstruction use is located, or the political subdivision owning or operating the airport or being served by it, may acquire, by purchase, grant, or condemnation in the manner provided by chapter 73, such property, air right, aviation navigation easement, or other estate, portion, or interest in the property or nonconforming obstruction structure or use or such interest in the air above such property, tree, structure, or use, in question, as may be necessary to effectuate the purposes of this chapter, and in so doing, if by condemnation, to have the right to take immediate possession of the property, interest in property, air right, or other right sought to be condemned, at the time, and in the manner and form, and as authorized by chapter 74. In the case of the purchase of any property, or any easement, or estate or interest therein or the acquisition of the same by the power of eminent domain, the political subdivision making such purchase or exercising such power shall, in addition to the damages for the taking, injury, or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility that which is required to be moved to a new location.

Section 27. *Section 333.13, Florida Statutes, is amended to read:*

333.13 *Enforcement and remedies.—*

(1) *Each violation of this chapter or of any airport zoning regulations, orders, or rulings adopted promulgated or made pursuant to this chapter shall constitute a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and each day a violation continues to exist shall constitute a separate offense.*

(2) *In addition, the political subdivision or agency adopting the airport zoning regulations under this chapter may institute in any court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of this chapter or of airport zoning regulations adopted under this chapter or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction, (which may be mandatory,) or otherwise, as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this chapter and of the regulations adopted and orders and rulings made pursuant thereto.*

(3) *The department of Transportation may institute a civil action for injunctive relief in the appropriate circuit court to prevent violation of any provision of this chapter.*

Section 28. *Section 333.135, Florida Statutes, is created to read:*

333.135 *Transition provisions.—*

(1) *Any airport zoning regulation in effect on July 1, 2016, which includes provisions in conflict with this chapter shall be amended to conform to the requirements of this chapter by July 1, 2017.*

(2) *Any political subdivision having an airport within its territorial limits which has not adopted airport zoning regulations shall, by July 1, 2017, adopt airport zoning regulations consistent with this chapter.*

(3) *For those political subdivisions that have not yet adopted airport zoning regulations pursuant to this chapter, the department shall administer the permitting process as provided in s. 333.025.*

Section 29. *Section 333.14, Florida Statutes, is repealed.*

Section 30. *Section 335.085, Florida Statutes, is created to read:*

335.085 *Installation of roadside barriers along certain water bodies contiguous with state roads.—*

(1) *This section shall be cited as “Chloe’s Law.”*

(2) *By June 30, 2018, the department shall install roadside barriers to shield water bodies contiguous with state roads at locations where a death due to drowning resulted from a motor vehicle accident in which a vehicle departed the adjacent state road during the period between July 1, 2006, and July 1, 2016. This requirement does not apply to any location at which the department’s chief engineer determines, based on engineering principles, that installation of a barrier would increase the risk of injury to motorists traveling on the adjacent state road.*

Section 31. *The Department of Transportation shall review all motor vehicle accidents that resulted in death due to drowning in a water body contiguous with a state road and that occurred during the period between July 1, 2006, and July 1, 2016. The department shall use the reconciled crash data received from the Department of Highway Safety and Motor Vehicles and shall submit a report to the President of the Senate and the Speaker of the House of Representatives by January 3, 2017, providing recommendations regarding any necessary changes to state laws and department rules to enhance traffic safety.*

Section 32. Subsection (3) of section 337.0261, Florida Statutes, is amended to read:

337.0261 Construction aggregate materials.—

(3) LOCAL GOVERNMENT DECISIONMAKING.—A ~~No~~ local government ~~may not shall~~ approve or deny a proposed land use zoning change, comprehensive plan amendment, land use permit, ordinance, or order regarding construction aggregate materials without considering any information provided by the Department of Transportation regarding the effect such change, amendment, permit decision, ordinance, or order would have on the availability, transportation, cost, and potential extraction of construction aggregate materials on the local area, the region, and the state. The failure of the Department of Transportation to provide this information shall not be a basis for delay or invalidation of the local government action. A ~~No~~ local government may not impose a moratorium, or combination of moratoria, of more than 12 months' duration on the mining or extraction of construction aggregate materials, commencing on the date the vote was taken to impose the moratorium. January 1, 2007, shall serve as the commencement of the 12-month period for moratoria already in place as of July 1, 2007.

Section 33. Paragraph (a) of subsection (1) of section 337.18, Florida Statutes, is amended to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)(a) A surety bond shall be required of the successful bidder in an amount equal to the awarded contract price. However, the department may choose, in its discretion and applicable only to multiyear maintenance contracts, to allow for incremental annual contract bonds that cumulatively total the full, awarded, multiyear contract price.

1. *The department may waive the requirement for all or a portion of a surety bond if:*

a. ~~For a project for which~~ The contract price is \$250,000 or less ~~and, the department may waive the requirement for all or a portion of a surety bond if it~~ determines that the project is of a noncritical nature and that nonperformance will not endanger public health, safety, or property;

b. *The prime contractor is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2); or*

c. *The prime contractor is using a subcontractor that is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2). However, the department may not waive more than the amount of the subcontract.*

2. If the Secretary of Transportation or the secretary's designee determines that it is in the best interests of the department to reduce the bonding requirement for a project and that to do so will not endanger public health, safety, or property, the department may waive the requirement of a surety bond in an amount equal to the awarded contract price for a project having a contract price of \$250 million or more and, in its place, may set a surety bond amount that is a portion of the total contract price and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond or provide for incremental surety bonding and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond. Such alternative means of security may include letters of credit, United States bonds and notes, parent company guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall

be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is \$25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 34. Subsection (4) of section 338.165, Florida Statutes, is amended, and subsection (11) is added to that section, to read:

338.165 Continuation of tolls.—

(4) Notwithstanding any other law to the contrary, pursuant to s. 11, Art. VII of the State Constitution, and subject to the requirements of subsection (2), the Department of Transportation may request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Alligator Alley ~~and~~; the Sunshine Skyway Bridge, ~~the Bee Line East Expressway, the Navarre Bridge, and the Pinellas Bayway~~ to fund transportation projects located within the county or counties in which the project is located and contained in the adopted work program of the department.

(11) *The department's Pinellas Bayway System may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. The transfer does not affect the rights of the parties, or their successors in interest, under the settlement agreement and final judgment in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co. v. State Road Department of the State of Florida, No. 67-1081 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway System to the turnpike system, the department shall also transfer to the Florida Turnpike Enterprise the funds deposited in the reserve account established by chapter 85-364, Laws of Florida, as amended by chapters 95-382 and 2014-223, Laws of Florida, which funds shall be used by the Florida Turnpike Enterprise solely to help fund the costs of repair or replacement of the transferred facilities.*

Section 35. *Chapter 85-364, Laws of Florida, as amended by chapter 95-382 and section 48 of chapter 2014-223, Laws of Florida, is repealed.*

Section 36. Subsections (5) and (6) of section 338.231, Florida Statutes, are amended to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.— The department shall at all times fix, adjust, charge, and collect such tolls and amounts for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

(5) ~~In each fiscal year while any of the bonds of the Broward County Expressway Authority series 1984 and series 1986-A remain outstanding, the department is authorized to pledge revenues from the turnpike system to the payment of principal and interest of such series of bonds and the operation and maintenance expenses of the Sawgrass Expressway, to the extent gross toll revenues of the Sawgrass Expressway are insufficient to make such payments. The terms of an agreement relative to the pledge of turnpike system revenue will be negotiated with the parties of the 1984 and 1986 Broward County Expressway Authority lease purchase agreements, and subject to the covenants of those agreements. The agreement must establish that the Sawgrass Expressway is subject to the planning, management, and operating control of the department limited only by the terms of the lease purchase agreements. The department shall provide for the payment of operation and maintenance expenses of the Sawgrass Expressway until such agreement is in effect. This pledge of turnpike system revenues is subordinate to the debt service requirements of any future issue of turnpike bonds, the payment of turnpike system opera-~~

~~tion and maintenance expenses, and subject to any subsequent resolution or trust indenture relating to the issuance of such turnpike bonds.~~

(5)(6) The use and disposition of revenues pledged to bonds are subject to ss. 338.22-338.241 and such regulations as the resolution authorizing the issuance of the bonds or such trust agreement may provide.

Section 36. Paragraph (i) of subsection (6) and paragraph (c) of subsection (7) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. shall be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law.

(i) *The Tampa Bay Area Regional Transportation Authority Metropolitan Planning Organization Chairs* A chair's Coordinating Committee is created *within the Tampa Bay Area Regional Transportation Authority*, composed of the M.P.O.'s serving *Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties. The authority shall provide administrative support and direction to the committee.* The committee must, at a minimum:

1. Coordinate transportation projects deemed to be regionally significant by the committee.
2. Review the impact of regionally significant land use decisions on the region.
3. Review all proposed regionally significant transportation projects in the respective transportation improvement programs which affect more than one of the M.P.O.'s represented on the committee.
4. Institute a conflict resolution process to address any conflict that may arise in the planning and programming of such regionally significant projects.

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(c) Assess capital investment and other measures necessary to:

1. Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and
2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion, *improve safety*, and maximize the mobility of people and goods. *Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

Section 37. Subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(a) For the purposes of this section, the term "small county" means any county that has a population of 170,000 ~~150,000~~ or less as determined by the most recent official estimate pursuant to s. 186.901.

~~(b) Notwithstanding paragraph (a), for the 2015-2016 fiscal year, for purposes of this section, the term "small county" means any county that has a population of 165,000 or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2016.~~

Section 38. Subsections (1) and (2) of section 339.55, Florida Statutes, are amended to read:

339.55 State-funded infrastructure bank.—

(1) There is created within the Department of Transportation a state-funded infrastructure bank for the purpose of providing loans and credit enhancements to government units and private entities for use in constructing and improving transportation facilities *or ancillary facilities that produce or distribute natural gas or fuel.*

(2) The bank may lend capital costs or provide credit enhancements for:

(a) A transportation facility project that is on the State Highway System or that provides for increased mobility on the state's transportation system or provides intermodal connectivity with airports, seaports, rail facilities, and other transportation terminals, pursuant to s. 341.053, for the movement of people and goods.

(b) Projects of the Transportation Regional Incentive Program which are identified pursuant to s. 339.2819(4).

(c)1. Emergency loans for damages incurred to public-use commercial deepwater seaports, public-use airports, and other public-use transit and intermodal facilities that are within an area that is part of an official state declaration of emergency pursuant to chapter 252 and all other applicable laws. Such loans:

a. May not exceed 24 months in duration except in extreme circumstances, for which the Secretary of Transportation may grant up to 36 months upon making written findings specifying the conditions requiring a 36-month term.

b. Require application from the recipient to the department that includes documentation of damage claims filed with the Federal Emergency Management Agency or an applicable insurance carrier and documentation of the recipient's overall financial condition.

c. Are subject to approval by the Secretary of Transportation and the Legislative Budget Commission.

2. Loans provided under this paragraph must be repaid upon receipt by the recipient of eligible program funding for damages in accordance with the claims filed with the Federal Emergency Management Agency or an applicable insurance carrier, but no later than the duration of the loan.

(d) *Beginning July 1, 2017, applications for the development and construction of natural gas fuel production or distribution facilities used primarily to support the transportation activities at seaports or intermodal facilities. Loans under this paragraph may be used to refinance outstanding debt.*

Section 39. Paragraph (c) is added to subsection (3) of section 339.64, Florida Statutes, and paragraph (a) of subsection (4) of that section is amended, to read:

339.64 Strategic Intermodal System Plan.—

(3)

(c) *The department shall coordinate with federal, regional, and local partners, as well as industry representatives, to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments, in Strategic Intermodal System facilities.*

(4) The Strategic Intermodal System Plan shall include the following:

(a) A needs assessment *that must include, but is not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

Section 40. *Section 341.0532, Florida Statutes, is repealed.*

Section 41. Paragraphs (a) and (b) of subsection (2) of section 343.92, Florida Statutes, are amended to read:

343.92 Tampa Bay Area Regional Transportation Authority.—

(2) The governing board of the authority shall consist of *15 voting* ~~16~~ members.

(a) ~~There shall be one nonvoting, ex officio member of the board who shall be appointed by~~ The secretary of the department *shall appoint two advisors to the board but* who must be the district secretary for each one of the department districts within the seven-county area of the authority, ~~at the discretion of the secretary of the department.~~

(b) ~~The~~ ~~There shall be~~ 15 voting members of the board *shall be* as follows:

1. The county commissions of Citrus, Hernando, Hillsborough, Pasco, Pinellas, Manatee, and Sarasota Counties shall each appoint one elected official to the board. Members appointed under this subparagraph shall serve 2-year terms with not more than three consecutive terms being served by any person. If a member under this subparagraph leaves elected office, a vacancy exists on the board to be filled as provided in this subparagraph.

2. The *Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization* ~~West-Central Florida M.P.O.~~ Chairs Coordinating Committee shall appoint one member to the board who must be a chair of one of the six metropolitan planning organizations in the region. The member appointed under this subparagraph shall serve a 2-year term with not more than three consecutive terms being served by any person.

3.a. Two members of the board shall be the mayor, or the mayor's designee, of the largest municipality within the service area of each of the following independent transit agencies or their legislatively created successor agencies: Pinellas Suncoast Transit Authority and Hillsborough Area Regional Transit Authority. The largest municipality is that municipality with the largest population as determined by the most recent United States Decennial Census.

b. Should a mayor choose not to serve, his or her designee must be an elected official selected by the mayor from that largest municipality's city council or city commission. A mayor or his or her designee shall serve a 2-year term with not more than three consecutive terms being served by any person.

c. A designee's term ends if the mayor leaves office for any reason. If a designee leaves elected office on the city council or commission, a vacancy exists on the board to be filled by the mayor of that municipality as provided in sub-subparagraph a.

d. A mayor who has served three consecutive terms on the board must designate an elected official from that largest municipality's city council or city commission to serve on the board for at least one term.

4.a. One membership on the board shall rotate every 2 years between the mayor, or his or her designee, of the largest municipality within Manatee County and the mayor, or his or her designee, of the largest municipality within Sarasota County. The mayor, or his or her designee, from the largest municipality within Manatee County shall serve the first 2-year term. The largest municipality is that municipality with the largest population as determined by the most recent United States Decennial Census.

b. Should a mayor choose not to serve, his or her designee must be an elected official selected by the mayor from that municipality's city council or city commission.

5. The Governor shall appoint to the board four business representatives, each of whom must reside in one of the seven counties governed by the authority, none of whom may be elected officials, and at least one but not more than two of whom shall represent counties within the federally designated Tampa Bay Transportation Management Area. Members appointed by the Governor shall serve 3-year terms with not more than two consecutive terms being served by any person.

Section 42. Paragraphs (d), (e), and (f) of subsection (3) of section 343.922, Florida Statutes, are amended, and paragraph (g) is added to that subsection, to read:

343.922 Powers and duties.—

(3)

(d) After its adoption, the master plan shall be updated every *5* ~~2~~ years before July 1.

(e) The authority shall present the original master plan and updates to the governing bodies of the counties within the seven-county region, to the *TBARTA Metropolitan Planning Organization* ~~West-Central Florida M.P.O.~~ Chairs Coordinating Committee, and to the legislative delegation members representing those counties within 90 days after adoption.

(f) The authority shall coordinate plans and projects with the *TBARTA Metropolitan Planning Organization* ~~West-Central Florida M.P.O.~~ Chairs Coordinating Committee, to the extent practicable, and participate in the regional M.P.O. planning process to ensure regional comprehension of the authority's mission, goals, and objectives.

(g) *The authority shall provide administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee as provided in s. 339.175(6)(i).*

Section 43. Subsection (3) of section 348.565, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

348.565 Revenue bonds for specified projects.—The existing facilities that constitute the Tampa-Hillsborough County Expressway System are hereby approved to be refinanced by revenue bonds issued by the Division of Bond Finance of the State Board of Administration pursuant to s. 11(f), Art. VII of the State Constitution and the State Bond Act or by revenue bonds issued by the authority pursuant to s. 348.56(1)(b). In addition, the following projects of the Tampa-Hillsborough County Expressway Authority are approved to be financed or refinanced by the issuance of revenue bonds in accordance with this part and s. 11(f), Art. VII of the State Constitution:

(3) Lee Roy Selmon Crosstown Expressway System widening, *and any extensions thereof.*

(5) *Capital projects that the authority is authorized to acquire, construct, reconstruct, equip, operate, and maintain pursuant to this part, including, without limitation, s. 348.54(15), provided that any financing of such projects does not pledge the full faith and credit of the state.*

Section 44. Subsection (20) is added to section 479.16, Florida Statutes, to read:

479.16 Signs for which permits are not required.—The following signs are exempt from the requirement that a permit for a sign be obtained under this chapter but are required to comply with s. 479.11(4)-(8), and ~~the provisions of~~ subsections (15)-(20) ~~(15)-(19)~~ may not be implemented or continued if the Federal Government notifies the

department that implementation or continuation will adversely affect the allocation of federal funds to the department:

(20) Signs that are located within the controlled area of a federal-aid primary highway but that are on a parcel adjacent to an off-ramp to the termination point of a turnpike system, if there is no directional decision to be made by a driver, the signs are primarily facing the off-ramp, and the signs have been in existence since at least 1995.

If the exemptions in subsections (15)-(20) ~~(15)-(19)~~ are not implemented or continued due to notification from the Federal Government that the allocation of federal funds to the department will be adversely impacted, the department shall provide notice to the sign owner that the sign must be removed within 30 days after receipt of the notice. If the sign is not removed within 30 days after receipt of the notice by the sign owner, the department may remove the sign, and the costs incurred in connection with the sign removal shall be assessed against and collected from the sign owner.

Section 45. *The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall study the use and safe operation of driver-assistive truck platooning technology, as defined in s. 316.003, Florida Statutes, for the purpose of developing a pilot project to test vehicles that are equipped to operate using driver-assistive truck platooning technology.*

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

(2) Notwithstanding ss. 316.0895 and 316.303, Florida Statutes, the Department of Transportation may conduct the pilot project in such a manner and at such locations as determined by the Department of Transportation based on the study.

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

(4) Upon conclusion of the pilot project, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall submit the results of the study and any findings or recommendations from the pilot project to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 46. (1)(a) *The Office of Economic and Demographic Research shall evaluate and determine the economic benefits, as defined in s. 288.005(1), Florida Statutes, of the state's investment in the Department of Transportation's adopted work program developed in accordance with s. 339.135(5), Florida Statutes, for fiscal year 2016-2017 and the following 4 fiscal years. At a minimum, a separate return on investment shall be projected for each of the following areas:*

1. Roads and highways.
2. Rails.
3. Public transit.
4. Aviation.
5. Seaports.

(b) *The evaluation shall be limited to the funding anticipated by the adopted work program but may address the continuing economic impact for those transportation projects in the 5 years after the conclusion of the adopted work program. The evaluation must also determine the number of jobs created, the increase or decrease in personal income, and the impact on gross domestic product from the direct, indirect, and induced effects on the state's investment in each area.*

(2) *The Department of Transportation and each of its district offices shall provide the Office of Economic and Demographic Research full access to all data necessary to complete the evaluation, including any confidential data.*

(3) *The Office of Economic and Demographic Research shall submit the evaluation to the President of the Senate and the Speaker of the House of Representatives by January 1, 2017.*

Section 47. *Notwithstanding any other law or local ordinance to the contrary, non-emergency transportation services under any Medicaid program administered by the state or its contracted providers may be provided, subject only to Medicaid laws, rules, and contract terms, by entities including, but not limited to commercial airline; ground ambulances subcontracted for use as stretcher vans; ground and air ambulances; mass transit and public transportation systems; medical vehicles (wheelchair or stretcher vans); multi-load passenger van; private vehicle; private non-profit agencies; and taxi. No political subdivision may limit or proscribe the types of vehicles that may be used for non-emergency medical transportation covered by any federally-funded program or commercial health coverage product. This section shall not apply to the provision of emergency medical transportation services under part III of chapter 401.*

Section 48. Paragraph (c) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles:

1. When a motor vehicle is leased or rented for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

Section 49. Subsection (1) of section 316.1303, Florida Statutes, is amended to read:

316.1303 Traffic regulations to assist mobility-impaired persons.—

(1) Whenever a pedestrian who is mobility impaired is in the process of crossing a public street or highway with the assistance of a guide dog or service animal designated as such with a visible means of identification, a walker, a crutch, an orthopedic cane, or a wheelchair, the driver of a vehicle approaching the intersection, ~~as defined in s. 316.003(17),~~ shall bring his or her vehicle to a full stop before arriving at

the intersection and, before proceeding, shall take precautions necessary to avoid injuring the pedestrian.

Section 50. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 316.545, Florida Statutes, are amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(2)

(b) The officer or inspector shall inspect the license plate or registration certificate of the commercial vehicle, ~~as defined in s. 316.003(66)~~, to determine whether its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the declared weight, the penalty shall be 5 cents per pound on the difference between such weights. In those cases when the commercial vehicle, ~~as defined in s. 316.003(66)~~, is being operated over the highways of the state with an expired registration or with no registration from this or any other jurisdiction or is not registered under the applicable provisions of chapter 320, the penalty herein shall apply on the basis of 5 cents per pound on that scaled weight which exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen commercial motor vehicle. If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed \$1,000. In the case of special mobile equipment ~~as defined in s. 316.003(48)~~, which qualifies for the license tax provided for in s. 320.08(5)(b), being operated on the highways of the state with an expired registration or otherwise not properly registered under the applicable provisions of chapter 320, a penalty of \$75 shall apply in addition to any other penalty which may apply in accordance with this chapter. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of chapter 320 is not subject to the delinquent fee authorized in s. 320.07 if such person obtains a valid registration certificate within 10 working days after such penalty was assessed.

(4)(a) A ~~no~~ commercial vehicle ~~may not, as defined in s. 316.003(66), shall~~ be operated over the highways of this state unless it has been properly registered under ~~the provisions of~~ s. 207.004. Whenever any law enforcement officer identified in s. 207.023(1), upon inspecting the vehicle or combination of vehicles, determines that the vehicle is in violation of s. 207.004, a penalty in the amount of \$50 shall be assessed, and the vehicle may be detained until payment is collected by the law enforcement officer.

Section 51. Subsection (2) of section 316.605, Florida Statutes, is amended to read:

316.605 Licensing of vehicles.—

(2) Any commercial motor vehicle, ~~as defined in s. 316.003(66)~~, operating over the highways of this state with an expired registration, with no registration from this or any other jurisdiction, or with no registration under the applicable provisions of chapter 320 shall be in violation of s. 320.07(3) and shall subject the owner or operator of such vehicle to the penalty provided. In addition, a commercial motor vehicle found in violation of this section may be detained by any law enforcement officer until the owner or operator produces evidence that the vehicle has been properly registered and that any applicable delinquent penalties have been paid.

Section 52. Subsection (6) of section 316.6105, Florida Statutes, is amended to read:

316.6105 Violations involving operation of motor vehicle in unsafe condition or without required equipment; procedure for disposition.—

(6) This section does not apply to commercial motor vehicles ~~as defined in s. 316.003(66)~~ or transit buses owned or operated by a governmental entity.

Section 53. Paragraph (a) of subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term “motor vehicle” means a motor vehicle as defined in s. 316.003 that is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus ~~as defined in s. 316.003(45)~~.

Section 54. Subsection (8) of section 316.622, Florida Statutes, is amended to read:

316.622 Farm labor vehicles.—

(8) The department shall provide to the Department of Business and Professional Regulation each quarter a copy of each accident report involving a farm labor vehicle, ~~as defined in s. 316.003(62), commencing with the first quarter of the 2006-2007 fiscal year.~~

Section 55. Paragraph (b) of subsection (1) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(1)

(b) The department shall prepare, and supply to every traffic enforcement agency in the state, an appropriate affidavit-of-compliance form that shall be issued along with the form traffic citation for any violation of s. 316.610 and that indicates the specific defect needing to be corrected. However, such affidavit of compliance ~~may shall~~ not be issued in the case of a violation of s. 316.610 by a commercial motor vehicle ~~as defined in s. 316.003(66)~~. Such affidavit-of-compliance form shall be distributed in the same manner and to the same parties as is the form traffic citation.

Section 56. Subsection (1) of section 316.70, Florida Statutes, is amended to read:

316.70 Nonpublic sector buses; safety rules.—

(1) The Department of Transportation shall establish and revise standards to ~~ensure assure~~ the safe operation of nonpublic sector buses, ~~as defined in s. 316.003(78)~~, which standards shall be those contained in 49 C.F.R. parts 382, 385, and 390-397 and which shall be directed ~~toward ensuring towards assuring~~ that:

(a) Nonpublic sector buses are safely maintained, equipped, and operated.

(b) Nonpublic sector buses are carrying the insurance required by law and carrying liability insurance on the checked baggage of passengers not to exceed the standard adopted by the United States Department of Transportation.

(c) Florida license tags are purchased for nonpublic sector buses pursuant to s. 320.38.

(d) The driving records of drivers of nonpublic sector buses are checked by their employers at least once each year to ascertain whether the driver has a suspended or revoked driver license.

Section 57. Paragraph (a) of subsection (1) of section 320.01, Florida Statutes, is amended to read:

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

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, special mobile equipment as defined in s. 316.003 ~~316.003(48)~~, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

Section 58. Section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2) ~~316.003(2)~~, tri-vehicles as defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: \$10 flat.

(b) Any moped: \$5 flat.

(c) Upon registration of a motorcycle, motor-driven cycle, or moped, in addition to the license taxes specified in this subsection, a non-refundable motorcycle safety education fee in the amount of \$2.50 shall be paid. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.

(d) An ancient or antique motorcycle: \$7.50 flat, of which \$2.50 shall be deposited into the General Revenue Fund.

(2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

(a) An ancient or antique automobile, as defined in s. 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

(b) Net weight of less than 2,500 pounds: \$14.50 flat.

(c) Net weight of 2,500 pounds or more, but less than 3,500 pounds: \$22.50 flat.

(d) Net weight of 3,500 pounds or more: \$32.50 flat.

(3) TRUCKS.—

(a) Net weight of less than 2,000 pounds: \$14.50 flat.

(b) Net weight of 2,000 pounds or more, but not more than 3,000 pounds: \$22.50 flat.

(c) Net weight more than 3,000 pounds, but not more than 5,000 pounds: \$32.50 flat.

(d) A truck defined as a “goat,” or other vehicle if used in the field by a farmer or in the woods for the purpose of harvesting a crop, including naval stores, during such harvesting operations, and which is not principally operated upon the roads of the state: \$7.50 flat. The term “goat” means a motor vehicle designed, constructed, and used principally for the transportation of citrus fruit within citrus groves or for the transportation of crops on farms, and which can also be used for hauling associated equipment or supplies, including required sanitary equipment, and the towing of farm trailers.

(e) An ancient or antique truck, as defined in s. 320.086: \$7.50 flat.

(4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS VEHICLE WEIGHT.—

(a) Gross vehicle weight of 5,001 pounds or more, but less than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be deposited into the General Revenue Fund.

(b) Gross vehicle weight of 6,000 pounds or more, but less than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

(c) Gross vehicle weight of 8,000 pounds or more, but less than 10,000 pounds: \$103 flat, of which \$27 shall be deposited into the General Revenue Fund.

(d) Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.

(e) Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.

(f) Gross vehicle weight of 20,000 pounds or more, but less than 26,001 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.

(g) Gross vehicle weight of 26,001 pounds or more, but less than 35,000: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

(h) Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.

(i) Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$773 flat, of which \$201 shall be deposited into the General Revenue Fund.

(j) Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$916 flat, of which \$238 shall be deposited into the General Revenue Fund.

(k) Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.

(l) Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(m) Notwithstanding the declared gross vehicle weight, a truck tractor used within a 150-mile radius of its home address is eligible for a license plate for a fee of \$324 flat if:

1. The truck tractor is used exclusively for hauling forestry products; or

2. The truck tractor is used primarily for the hauling of forestry products, and is also used for the hauling of associated forestry harvesting equipment used by the owner of the truck tractor.

Of the fee imposed by this paragraph, \$84 shall be deposited into the General Revenue Fund.

(n) A truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products within a 150-mile radius of its home address, is eligible for a restricted license plate for a fee of:

1. If such vehicle’s declared gross vehicle weight is less than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

2. If such vehicle’s declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports from the point of production to the point of primary manufacture; to the point of assembling the same; or to a shipping point of a rail, water, or motor transportation company, \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products may be incidentally used to haul farm implements and fertilizers delivered direct to the growers. The department may require any documentation deemed necessary to determine eligibility prior to issuance of this license plate. For the purpose of this paragraph, “not-for-hire” means the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of the farm implements and fertilizer being delivered.

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(a1). A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$13.50 flat per registration year or any part

thereof, of which \$3.50 shall be deposited into the General Revenue Fund.

2. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$68 flat per permanent registration, of which \$18 shall be deposited into the General Revenue Fund.

(b) A motor vehicle equipped with machinery and designed for the exclusive purpose of well drilling, excavation, construction, spraying, or similar activity, and which is not designed or used to transport loads other than the machinery described above over public roads: \$44 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(c) A school bus used exclusively to transport pupils to and from school or school or church activities or functions within their own county: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(d) A wrecker, as defined in s. 320.01, which is used to tow a vessel as defined in s. 327.02, a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01, or a replacement motor vehicle as defined in s. 320.01: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(e) A wrecker that is used to tow any nondisabled motor vehicle, a vessel, or any other cargo unless used as defined in paragraph (d), as follows:

1. Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.

2. Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.

3. Gross vehicle weight of 20,000 pounds or more, but less than 26,000 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.

4. Gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

5. Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.

6. Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$772 flat, of which \$200 shall be deposited into the General Revenue Fund.

7. Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$915 flat, of which \$237 shall be deposited into the General Revenue Fund.

8. Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.

9. Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(f) A hearse or ambulance: \$40.50 flat, of which \$10.50 shall be deposited into the General Revenue Fund.

(6) MOTOR VEHICLES FOR HIRE.—

(a) Under nine passengers: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Nine passengers and over: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(7) TRAILERS FOR PRIVATE USE.—

(a) Any trailer weighing 500 pounds or less: \$6.75 flat per year or any part thereof, of which \$1.75 shall be deposited into the General Revenue Fund.

(b) Net weight over 500 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1 per cwt, of which 25 cents shall be deposited into the General Revenue Fund.

(8) TRAILERS FOR HIRE.—

(a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Net weight 2,000 pounds or more: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(9) RECREATIONAL VEHICLE-TYPE UNITS.—

(a) A travel trailer or fifth-wheel trailer, as defined by s. 320.01(1)(b), that does not exceed 35 feet in length: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

(b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(c) A motor home, as defined by s. 320.01(1)(b)4.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(d) A truck camper as defined by s. 320.01(1)(b)3.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(e) A private motor coach as defined by s. 320.01(1)(b)5.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS; 35 FEET TO 40 FEET.—

(a) Park trailers.—Any park trailer, as defined in s. 320.01(1)(b)7.: \$25 flat.

(b) A travel trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

(11) MOBILE HOMES.—

(a) A mobile home not exceeding 35 feet in length: \$20 flat.

(b) A mobile home over 35 feet in length, but not exceeding 40 feet: \$25 flat.

(c) A mobile home over 40 feet in length, but not exceeding 45 feet: \$30 flat.

(d) A mobile home over 45 feet in length, but not exceeding 50 feet: \$35 flat.

(e) A mobile home over 50 feet in length, but not exceeding 55 feet: \$40 flat.

(f) A mobile home over 55 feet in length, but not exceeding 60 feet: \$45 flat.

(g) A mobile home over 60 feet in length, but not exceeding 65 feet: \$50 flat.

(h) A mobile home over 65 feet in length: \$80 flat.

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund.

(13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or official license plate: \$4 flat, of which \$1 shall be deposited into the General Revenue Fund.

(14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor vehicle for hire operated wholly within a city or within 25 miles thereof: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(15) TRANSPORTER.—Any transporter license plate issued to a transporter pursuant to s. 320.133: \$101.25 flat, of which \$26.25 shall be deposited into the General Revenue Fund.

Section 59. Subsection (1) of section 320.0801, Florida Statutes, is amended to read:

320.0801 Additional license tax on certain vehicles.—

(1) In addition to the license taxes specified in s. 320.08 and in subsection (2), there is hereby levied and imposed an annual license tax of 10 cents for the operation of a motor vehicle, as defined in s. 320.01, and moped, as defined in s. 316.003 ~~316.003(77)~~, which tax shall be paid to the department or its agent upon the registration or renewal of registration of the vehicle. Notwithstanding the provisions of s. 320.20, revenues collected from the tax imposed in this subsection shall be deposited in the Emergency Medical Services Trust Fund and used solely for the purpose of carrying out the provisions of ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter 87-399, Laws of Florida.

Section 60. Section 320.38, Florida Statutes, is amended to read:

320.38 When nonresident exemption not allowed.—The provisions of s. 320.37 authorizing the operation of motor vehicles over the roads of this state by nonresidents of this state when such vehicles are duly registered or licensed under the laws of some other state or foreign country do not apply to any nonresident who accepts employment or engages in any trade, profession, or occupation in this state, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~. In every case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in any trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 10 days after the commencement of such employment or education, register his or her motor vehicles in this state if such motor vehicles are proposed to be operated on the roads of this state. Any person who is enrolled as a student in a college or university and who is a nonresident but who is in this state for a period of up to 6 months engaged in a work-study program for which academic credits are earned from a college whose credits or degrees are accepted for credit by at least three accredited institutions of higher learning, as defined in s. 1005.02, is not required to have a Florida registration for the duration of the work-study program if the person's vehicle is properly registered in another jurisdiction. Any nonresident who is enrolled as a full-time student in such institution of higher learning is also exempt for the duration of such enrollment.

Section 61. Subsection (1) of section 322.031, Florida Statutes, is amended to read:

322.031 Nonresident; when license required.—

(1) In each case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~,

accepts employment or engages in a trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 30 days after beginning such employment or education, be required to obtain a Florida driver license if such nonresident operates a motor vehicle on the highways of this state. The spouse or dependent child of such nonresident shall also be required to obtain a Florida driver license within that 30-day period before operating a motor vehicle on the highways of this state.

Section 62. For the purpose of incorporating the amendment made by this act to section 333.01, Florida Statutes, in a reference thereto, subsection (6) of section 350.81, Florida Statutes, is reenacted to read:

350.81 Communications services offered by governmental entities.—

(6) To ensure the safe and secure transportation of passengers and freight through an airport facility, as defined in s. 159.27(17), an airport authority or other governmental entity that provides or is proposing to provide communications services only within the boundaries of its airport layout plan, as defined in s. 333.01(6), to subscribers which are integral and essential to the safe and secure transportation of passengers and freight through the airport facility, is exempt from this section. An airport authority or other governmental entity that provides or is proposing to provide shared-tenant service under s. 364.339, but not dial tone enabling subscribers to complete calls outside the airport layout plan, to one or more subscribers within its airport layout plan which are not integral and essential to the safe and secure transportation of passengers and freight through the airport facility is exempt from this section. An airport authority or other governmental entity that provides or is proposing to provide communications services to one or more subscribers within its airport layout plan which are not integral and essential to the safe and secure transportation of passengers and freight through the airport facility, or to one or more subscribers outside its airport layout plan, is not exempt from this section. By way of example and not limitation, the integral, essential subscribers may include airlines and emergency service entities, and the nonintegral, nonessential subscribers may include retail shops, restaurants, hotels, or rental car companies.

Section 63. Subsection (3) of section 450.181, Florida Statutes, is amended to read:

450.181 Definitions.—As used in part II, unless the context clearly requires a different meaning:

(3) The term “migrant laborer” has the same meaning as migrant or seasonal farm ~~worker workers~~ as defined in s. 316.003 ~~316.003(61)~~.

Section 64. Subsection (5) of section 559.903, Florida Statutes, is amended to read:

559.903 Definitions.—As used in this act:

(5) “Motor vehicle” means any automobile, truck, bus, recreational vehicle, motorcycle, motor scooter, or other motor powered vehicle, but does not include trailers, mobile homes, travel trailers, trailer coaches without independent motive power, watercraft or aircraft, or special mobile equipment as defined in s. 316.003 ~~316.003(48)~~.

Section 65. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

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

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(76)(a) ~~316.003(53)(a)~~ or (b), including any adjacent sidewalk, as defined in s. 316.003 ~~316.003(47)~~.

Section 66. Paragraph (b) of subsection (2) of section 732.402, Florida Statutes, is amended to read:

732.402 Exempt property.—

(2) Exempt property shall consist of:

(b) Two motor vehicles as defined in s. ~~316.003 316.003(21)~~, which do not, individually as to either such motor vehicle, have a gross vehicle weight in excess of 15,000 pounds, held in the decedent's name and regularly used by the decedent or members of the decedent's immediate family as their personal motor vehicles.

Section 67. Subsection (1) of section 860.065, Florida Statutes, is amended to read:

860.065 Commercial transportation; penalty for use in commission of a felony.—

(1) It is unlawful for any person to attempt to obtain, solicit to obtain, or obtain any means of public or commercial transportation or conveyance, including vessels, aircraft, railroad trains, or commercial vehicles as defined in s. ~~316.003 316.003(66)~~, with the intent to use such public or commercial transportation or conveyance to commit any felony or to facilitate the commission of any felony.

Section 68. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to transportation; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee under the direction of the Florida Seaport Transportation and Economic Development Council; providing membership and duties; directing the council to establish a Seaport Security Grant Program to assist in the implementation of security at specified seaports; directing the council to review applications, make recommendations to the council, and adopt rules; amending s. 316.003, F.S.; revising and providing definitions; amending s. 316.0745, F.S.; revising the circumstances under which the Department of Transportation is authorized to direct the removal of certain traffic control devices; requiring the public agency erecting or installing such a device to bring it into compliance with certain requirements or remove it upon the direction of the department; creating s. 316.2069, F.S.; authorizing the governing body of a municipality or a county to authorize the operation of commercial megacycles on or across streets or roads under the specified conditions; authorizing the Department of Transportation to prohibit the operation of commercial megacycles on or across any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety; excluding commercial megacycle passengers from certain provisions regarding possession of open containers of alcoholic beverages in vehicles under specified conditions; providing that use of an auxiliary motor under certain circumstances is not prohibited; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 316.640, F.S.; expanding the authority of a chartered municipal parking enforcement specialist to enforce state, county, and municipal parking laws and ordinances within the boundaries of certain counties pursuant to a memorandum of understanding; amending s. 316.85, F.S.; revising the circumstances under which a licensed driver is authorized to operate an autonomous vehicle in autonomous mode; amending s. 316.86, F.S.; deleting a provision authorizing the operation of vehicles equipped with autonomous technology on roads in this state for testing purposes by certain persons or research organizations; deleting a requirement that a human operator be present in an autonomous vehicle for testing purposes; deleting certain financial responsibility requirements for entities performing such testing; amending s. 319.145, F.S.; revising provisions relating to required equipment and operation of autonomous vehicles; amending s. 320.525, F.S.; revising the definition of the term "port vehicles and equipment"; amending s. 332.08, F.S.; extending the authorized term of certain airport-related leases; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the

requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation's aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department's requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of airspace obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment provided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; creating s. 335.085, F.S.; providing a short title; requiring the department to install roadside barriers to shield water bodies contiguous with state roads at certain locations by a specified date under certain circumstances; providing applicability; requiring the department to review specified information related to certain motor vehicle accidents on state roads contiguous with water bodies which occurred during a specified timeframe, subject to certain requirements; requiring the department to submit a report to the Legislature by a

specified date, subject to certain requirements; amending s. 337.0261, F.S.; requiring local governments to consider information provided by the department regarding the effect that approving or denying certain regulations may have on the cost of construction aggregate materials in the local area, the region, and the state; amending s. 337.18, F.S.; revising conditions for waiver of a required surety bond; amending s. 338.165, F.S.; deleting an authorization to issue certain bonds secured by toll revenues collected on the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; requiring the department to transfer certain funds to the Florida Turnpike Enterprise for certain purposes; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; deleting provisions relating to the use of revenues from the turnpike system to pay the principal and interest of a specified series of bonds and certain expenses of the Sawgrass Expressway; amending s. 339.175, F.S., relating to the Tampa Bay Area Regional Transportation Authority; revising provisions for a coordinating committee composed of metropolitan planning organizations; designating the committee as the "TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee"; revising membership of the committee; providing duties of the authority, M.P.O.'s, and the department; requiring certain long-range transportation plans to include assessment of capital investment and other measures necessary to make the most efficient use of existing transportation facilities to improve safety; requiring the assessments to include consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology; amending s. 339.2818, F.S.; increasing the population ceiling in the definition of the term "small county" for purposes of the Small County Outreach Program; deleting an alternative definition of the term "small county" for a specified fiscal year; amending s. 339.55, F.S.; revising the purpose of the state-funded infrastructure bank within the department to include constructing and improving ancillary facilities that produce or distribute natural gas or fuel; authorizing the department to consider applications for loans from the bank for development and construction of natural gas fuel production or distribution facilities used primarily to support transportation activities at seaports or intermodal facilities beginning on a specified date; authorizing use of such loans to refinance outstanding debt; amending s. 339.64, F.S.; requiring the department to coordinate with certain partners and industry representatives to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology in Strategic Intermodal System facilities; requiring the Strategic Intermodal System Plan to include a needs assessment regarding such infrastructure and technological improvements; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 343.92, F.S.; revising the membership of the governing board of the Tampa Bay Area Regional Transportation Authority; requiring the secretary of the department to appoint two advisors to the board subject to certain requirements, rather than appointing one nonvoting, ex officio member of the board; amending s. 343.922, F.S.; increasing the period of time in which a master plan must be updated; requiring the authority to present a certain master plan and updates to, and coordinate projects and plans with, the Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization Chairs Coordinating Committee, rather than the West Central Florida M.P.O. Chairs Coordinating Committee; requiring the authority to provide certain administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee; amending s. 348.565, F.S.; expanding the list of projects of the Tampa-Hillsborough County Expressway Authority which are approved to be financed or refinanced by the issuance of certain revenue bonds; amending s. 479.16, F.S.; exempting certain signs from a specified permit, subject to certain requirements and restrictions; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and the Legislature; directing the Office of Economic and Demographic Research to determine the economic benefits of the Department of Transportation's adopted work program; directing the department to provide access to necessary data; prohibits local governmental entities

from regulating certain non-emergency medical transportation service providers under any specified Medicaid program, subject only to Medicaid laws, rules, and contract terms; prohibiting a political subdivision from limiting or proscribing the types of vehicles that may be used to provide certain non-emergency medical transportation; providing applicability; providing an effective date.

Senator Evers moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1A (895840) (with title amendment)—Between lines 4 and 5 insert:

Section 1. Subsection (5) is added to section 288.1097, Florida Statutes, to read:

288.1097 Qualified job training organizations; certification; duties.—

(5) *Notwithstanding s. 624.4625(1)(b), any member of a qualified job training organization that is both certified under this section and has at least one roadside cleaning service contract with a state agency among its membership may participate in a self-insurance fund authorized under s. 624.4625.*

And the title is amended as follows:

Delete line 2871 and insert: An act relating to transportation; amending s. 288.1097, F.S.; authorizing members of certain qualified job training organizations to participate in a self-insurance fund; amending s. 311.12,

Senator Abruzzo moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1B (272370) (with title amendment)—Between lines 822 and 823 insert:

Section 11. Paragraph (b) of subsection (3) of section 319.30, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

(3)

(b) The owner, including persons who are self-insured, of a motor vehicle or mobile home that is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company that pays money as compensation for the total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home, make the required notification to the National Motor Vehicle Title Information System, and, within 72 hours after receiving such certificate of title, forward such title to the department for processing. The owner or insurance company, as applicable, may not dispose of a vehicle or mobile home that is a total loss before it obtains a salvage certificate of title or certificate of destruction from the department. *Effective July 1, 2023:*

1. *Thirty days after payment of a claim for compensation pursuant to this paragraph, the insurance company may receive a salvage certificate of title or certificate of destruction from the department if the insurance company is unable to obtain a properly assigned certificate of title from the owner or lienholder of the motor vehicle or mobile home, if the motor vehicle or mobile home does not carry an electronic lien on the title and the insurance company:*

a. *Has obtained the release of all liens on the motor vehicle or mobile home;*

b. *Has provided proof of payment of the total loss claim; and*

c. *Has provided an affidavit on letterhead signed by the insurance company or its authorized agent stating the attempts that have been*

made to obtain the title from the owner or lienholder and further stating that all attempts are to no avail. The affidavit must include a request that the salvage certificate of title or certificate of destruction be issued in the insurance company's name due to payment of a total loss claim to the owner or lienholder. The attempts to contact the owner may be by written request delivered in person or by first-class mail with a certificate of mailing to the owner's or lienholder's last known address.

2. If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title.

3. The request to the owner or lienholder for the certificate of title must include a complete description of the motor vehicle or mobile home and the statement that a total loss claim has been paid on the motor vehicle or mobile home.

(c) When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the mobile home are equal to 80 percent or more of the current retail cost of the mobile home, as established in any official used mobile home guide, the department shall declare the mobile home unbuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the mobile home. For a late model vehicle with a current retail cost of at least \$7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used car guide or valuation service, if the owner or insurance company determines that the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 90 percent or more of the current retail cost of the vehicle, as established in any official used motor vehicle guide or valuation service, the department shall declare the vehicle unbuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of "insurance-declared total loss." The certificate of destruction shall be reassignable a maximum of two times before dismantling or destruction of the vehicle is required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title. The department may not issue a certificate of title for that vehicle. This subsection is not applicable if a mobile home is worth less than \$1,500 retail just prior to sustaining the damage that resulted in the total loss in any official used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. If a motor vehicle has a current retail cost of less than \$7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used motor vehicle guide or valuation service, or if the vehicle is not a late model vehicle, the owner or insurance company that pays money as compensation for the total loss of the motor vehicle shall obtain a certificate of destruction, if the motor vehicle is damaged, wrecked, or burned to the extent that the only residual value of the motor vehicle is as a source of parts or scrap metal, or if the motor vehicle comes into this state under a title or other ownership document that indicates that the motor vehicle is not repairable, is junked, or is for parts or dismantling only. A person who knowingly violates this paragraph or falsifies documentation to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Delete line 2927 and insert: operation of autonomous vehicles; amending s. 319.30, F.S.; authorizing insurance companies to receive a salvage certificate of title or certificate of destruction from the Department of Highway Safety and Motor Vehicles after a specified

number of days after payment of a claim as of a specified date, subject to certain requirements; requiring insurance companies seeking such title or certificate of destruction to follow a specified procedure; providing requirements for the request; amending s. 320.525,

Senator Gibson moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1C (588872) (with title amendment)—Between lines 2191 and 2192 insert:

Section 45. Section 563.13, Florida Statutes, is created to read:

563.13 Florida brewery directional signs; fees.—Upon the request of a brewery licensed under s. 561.221(2) or (3) which produces a minimum of 2,500 barrels per year on the premises, is open to the public at least 30 hours per week, and is available for tours, the Department of Transportation shall install directional signs for the brewery on the rights-of-way of interstate highways and primary and secondary roads in accordance with Florida's Highway Guide Sign Program as provided in chapter 14-51, Florida Administrative Code. A brewery licensed in this state which requests placement of a directional sign through the department's permit process shall pay all associated costs.

And the title is amended as follows:

Delete line 3145 and insert: requirements and restrictions; creating s. 563.13, F.S.; requiring the Department of Transportation to install directional signs for certain breweries on the rights-of-way of interstate highways and primary and secondary roads, subject to certain requirements; requiring a brewery that requests a directional sign to pay certain costs; directing the

Senator Evers moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1D (166560) (with title amendment)—Between lines 2191 and 2192 insert:

Section 45. Paragraph (a) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

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

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

3. If the offender commits any grand theft and:

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

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

c. In the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,

the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

And the title is amended as follows:

Delete line 3145 and insert: requirements and restrictions; amending s. 812.014, F.S.; specifying a certain criminal penalty for offenders committing any grand theft who in the course of committing the offense

use any type of device to interfere with a global positioning system or similar system under certain circumstances; directing the

Senator Smith moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1E (482576) (with title amendment)—Between lines 2263 and 2264 insert:

Section 48. *Transportation facility designations; Department of Transportation to erect suitable markers.*—

(1) *That portion of C.R. 155/Meridian Road between Meridian Hills Road and the Georgia state line in Leon County is designated as “Dubose Ausley Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.*

And the title is amended as follows:

Delete line 3163 and insert: applicability; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

Senator Brandes moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1F (400438)—Delete line 2400 and insert:

(a) A school bus as defined in s. 316.003(66) ~~316.003(45)~~.

Senator Margolis moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1G (110742) (with title amendment)—Between lines 2864 and 2865 insert:

Section 68. *Transportation facility designations; Department of Transportation to erect suitable markers.*—

(1) *That portion of S.R. 922 from N.E. 10th Avenue east to the North Miami City Limits in Miami-Dade County is designated as “Stanley G. Tate Boulevard.”*

(2) *That portion of Miami Avenue between N.E. 5th Street and U.S. 41/S.R. 90/S.E. 7th Street in Miami-Dade County is designated as “Robert L. Shevin Memorial Boulevard.”*

(3) *Bridge number 870054 on S.R. 112/W. 41st Street/Arthur Godfrey Road in Miami Beach is designated as the “Senator Paul B. Steinberg Bridge.”*

(4) *The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.*

Section 69. Section 1 of chapter 26497, Laws of Florida, 1951, is amended to read:

Section 1. That the following described route be and the same is hereby declared, designated and established as a State Road, forming a part of the connecting system of the State of Florida, and shall be known as the **SHEPARD BROAD CAUSEWAY BOULEVARD**.

Beginning at the intersection of State Road AIA and 96th Street in Dade County, Florida, and running in a Westerly direction, as near as possible in a direct line, through the Town of Bay Harbor Islands, Florida, across Broad Causeway, spanning Biscayne Bay, and through the Town of North Miami, Florida, to the point where such highway shall intersect with State Road Number 7, along the most practicable and feasible route to be determined by the State Road Department.

And the title is amended as follows:

Delete line 3163 and insert: applicability; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

Senator Brandes moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1H (362782)—

In title, delete line 3163 and insert: applicability; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, and 322.031, F.S.; conforming cross-references; reenacting s. 350.81(6), F.S., relating to the definition of the term “airport layout plan,” to incorporate the amendment made to s. 333.01, F.S., in a reference thereto; amending ss. 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Soto moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1I (717608) (with title amendment)—Between lines 833 and 834 insert:

Section 12. Paragraph (c) is added to subsection (8) of section 322.051, Florida Statutes, to read:

322.051 Identification cards.—

(8)

(c) *The international symbol for the deaf and hard of hearing shall be exhibited on the identification card of a person who is deaf or hard of hearing upon the payment of an additional \$1 fee for the identification card and the presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. Until a person’s identification card is next renewed, the person may have the symbol added to his or her identification card upon surrender of his or her current identification card, payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card may be issued with the symbol without payment of the fee required in s. 322.21(1)(f)3. For purposes of this paragraph, the international symbol for the deaf and hard of hearing is substantially as follows:*

(International Symbol of Access for Hearing Loss)

Section 13. Paragraph (c) of subsection (1) of section 322.14, Florida Statutes, is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection to read:

322.14 Licenses issued to drivers.—

(1)

(c) *The international symbol for the deaf and hard of hearing provided in s. 322.051(8)(c) shall be exhibited on the driver license of a person who is deaf or hard of hearing upon the payment of an additional \$1 fee for the license and the presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. Until a person’s license is next renewed, the person may have the symbol added to his or her license upon the surrender of his or her current license, payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. If the applicant is not conducting any other transaction affecting the driver license, a replace-*

ment license may be issued with the symbol without payment of the fee required in s. 322.21(1)(e).

Section 14. *The amendments made by this act to ss. 322.051 and 322.14, Florida Statutes, shall apply upon implementation of new designs for the driver license and identification card by the Department of Highway Safety and Motor Vehicles.*

And the title is amended as follows:

Delete line 2929 and insert: vehicles and equipment"; amending ss. 322.051 and 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license or identification card of a person who is deaf or hard of hearing; providing applicability; amending s. 332.08, F.S.;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1J (794690) (with title amendment)—Delete lines 2248-2263 and insert:

Section 47. Section 316.87, Florida Statutes, is created to read:

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

And the title is amended as follows:

Delete lines 3155-3162 and insert: access to necessary data; creating s. 316.87, F.S.; providing that certain providers of nonemergency medical transportation services may not be required to use certain vehicles; providing

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Braynon moved the following amendment to **Amendment 1 (588642)** which was adopted:

Amendment 1K (218472) (with title amendment)—Between lines 2263 and 2264 insert:

Section 48. *Transportation facility designations; Department of Transportation to erect suitable markers.—*

(1) *Bridge number 429958 on S.R. 842/Broward Boulevard at North Fork New River in Broward County is designated as the "Senator Christopher L. Smith Bridge."*

(2) *The Department of Transportation is directed to erect suitable markers designating the transportation facility as described in this section.*

And the title is amended as follows:

Delete line 3163 and insert: applicability; providing an honorary designation of a specified transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

Amendment 1 (588642), as amended, was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 7061**, as amended, was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Simmons, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Friday, March 11, 2016.

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 10, 2016: SB 314, CS for CS for SB 434, SB 806, CS for CS for SB 1168, SB 1226, CS for SB 1290, CS for SB 1360, CS for SB 1692, HB 7099.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 80, CS for CS for SB 86, SB 112, CS for CS for SB 196, SB 222, CS for CS for SB 232, CS for SB 310, CS for SB 386, SB 396, CS for SB 416, CS for SB 458, CS for CS for SB 494, SB 7002, CS for SB 7024, and SB 7030 which he approved on March 10, 2016.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (583000) to House Amendment 1 (381087) and passed CS/SB 218 as further amended.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (817954) and passed CS/CS/HB 447, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (848478) and passed CS/HB 977, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (816310) and passed CS/HB 7019, as amended.

Bob Ward, Clerk

CORRECTION AND APPROVAL OF JOURNAL

436; Negron—CS for SB 218; Soto—CS for CS for CS for SB 676, CS for SB 966

The Journal of March 9 was corrected and approved.

CO-INTRODUCERS

Senators Altman—CS for SB 770; Benacquisto—CS for SB 770; Bradley—CS for CS for SB 436, CS for SB 966; Detert—CS for CS for SB

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:53 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, March 11 or upon call of the President.



Journal of the Senate

Number 25—Regular Session

Friday, March 11, 2016

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CALL TO ORDER

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

Mr. President	Gaetz	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Bradley	Hays	Simmons
Brandes	Hukill	Simpson
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	
Flores	Margolis	

PRAYER

The following prayer was offered by Reverend David S. Williams, Chaplain, Jacksonville Sheriff's Office:

O God, who governs the world in righteousness and whose judgments are true and righteous: Grant those who legislate for us to be of one mind, to establish justice, and promote the welfare of all people. Bless all members of the Senate with understanding, purpose, and sound speech, that at the end of the day they may hear the voice of God say, "Job well done." Amen.

PLEDGE

Senate Pages, Connor Hansen of Tallahassee; Logan Roberts of Tallahassee; and Bailey Smith of Tallahassee, joined by Andrew Gardiner, Jr., Joanna Gardiner, and Kathryn Gardiner, children of the President; and Faith Lee, daughter of Senator Lee; led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Latvala—

By Senator Latvala—

SR 1794—A resolution recognizing and commending the Moffitt Cancer Center on the occasion of its 30th anniversary.

WHEREAS, in 1981, the Legislature passed a bill creating the H. Lee Moffitt Cancer Center and Research Institute, and construction of the project began in 1983, and

WHEREAS, the Moffitt Cancer Center opened in 1986 and in 1989 launched the Blood and Marrow Transplant Program, and

WHEREAS, in 1993, Moffitt Cancer Center Screening and Prevention opened, followed in 1995 by the Moffitt Research Center, and

WHEREAS, in 1998, the Moffitt Cancer Center earned a National Cancer Institute (NCI) Cancer Center Support Grant, and the Legislature appropriated \$100 million to expand research and clinical programs, and

WHEREAS, in 2001, the Moffitt Cancer Center earned NCI Comprehensive Cancer Center status and in 2003 opened the Vincent A. Stabile Research Building and an expanded Muriel Rothman Building, and

WHEREAS, in 2003 the Moffitt Cancer Center launched Total Cancer Care, an innovative program that seeks to overcome economic and geographic barriers to advanced cancer care, and

WHEREAS, in 2009, the Moffitt Cancer Center opened the South Expansion, where two new Varian Trilogy units and a new Pinnacle Treatment Planning System have been installed and are in use in the Radiation Oncology Section, and

WHEREAS, in 2011, the Moffitt Cancer Center at International Plaza opened, and Moffitt South moved to a location near Tampa International Airport and International Plaza, and

WHEREAS, in 2015 the modern, 207,000-square-foot Moffitt McKinley Outpatient Center opened, fulfilling a critical need for expanded outpatient services, and

WHEREAS, the Moffitt Cancer Center, the state's only NCI-designated Comprehensive Cancer Center and the state leader in treatment, research, and training, treats 1,000 patients each day as the third-largest and fastest-growing cancer center in the nation, and

WHEREAS, the Moffitt Cancer Center has grown from 400 employees to more than 5,000, and has a nearly \$2 billion economic impact, with more than 100 patent applications, and

WHEREAS, the Moffitt Cancer Center is training more than 1,800 students annually to address the critical future shortage of oncologists in this state, and

WHEREAS, the Moffitt Cancer Center is leading the state in research, with nearly 12,000 patients placed in clinical trials in the past 5 years, NOW, THEREFORE,

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

That the Senate recognizes and commends the Moffitt Cancer Center on the occasion of its 30th anniversary.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

Consideration of **SB 314** was deferred.

HB 585—A bill to be entitled An act relating to instruction for homebound and hospitalized students; amending s. 1003.57, F.S.; requiring school districts to provide instruction to homebound or hospitalized students; requiring the State Board of Education to adopt rules for student eligibility, methods of providing instruction to homebound or hospitalized students, and the initiation of services; requiring certain school districts to enter into an agreement with certain children’s specialty hospitals to establish certain processes and timelines relating to the instruction of homebound or hospitalized students; providing an effective date.

—was read the third time by title.

On motion by Senator Legg, **HB 585** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Dean

HB 981—A bill to be entitled An act relating to administrative procedures; amending s. 120.541, F.S.; providing additional requirements for the calculation of estimated adverse impacts and regulatory costs; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **HB 981** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Negron
Abruzzo	Gaetz	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Dean, Joyner

CS for HB 821—A bill to be entitled An act relating to reimbursement of assessments; creating s. 295.24, F.S.; prohibiting an agent or attorney representing a claimant from directly or indirectly requesting, receiving, or obtaining reimbursement from the claimant for assessments charged to the agent or attorney by the United States Department of Veterans Affairs; providing penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for HB 821** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for HB 139—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; providing definitions; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; limiting the number of new dental care access accounts established per fiscal year; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; authorizing the department to distribute state funds to accounts, subject to legislative appropriation; authorizing the department to accept contributions from local sources for deposit in designated accounts; limiting the number of years that an account may remain open; providing for the immediate closure of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time; requiring the department to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank shortage areas and medically underserved areas; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; requiring rulemaking for the submission of information for such reporting; providing an appropriation and authorizing a position; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for HB 139** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Gaetz	Latvala	Simmons
Galvano	Lee	Simpson
Garcia	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Negron	Stargel
Hukill	Richter	Thompson
Hutson	Ring	
Joyner	Sachs	

Nays—None

Consideration of **CS for CS for HB 7061** was deferred.

SB 314—A bill to be entitled An act relating to direct filing of juveniles; amending s. 985.556, F.S.; deleting provisions relating to the involuntary mandatory waiver of children by a state attorney; amending s. 985.557, F.S.; requiring a state attorney to document in writing specified information; requiring the state attorney to submit specified collected information to the Department of Juvenile Justice; deleting provisions relating to the mandatory direct filing of children to adult court; prohibiting the transfer to adult court of a child found to be incompetent under certain circumstances; requiring the department to collect specified information beginning on a certain date; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to generate a report of specified information; requiring the department to submit reports to the Governor and the Legislature by specified dates; amending ss. 985.03, 985.04, 985.15, and 985.565, F.S.; conforming provisions to changes made by the act; reenacting s. 985.265(5), F.S., relating to juvenile detention transfer and release and education, and adult jails, to incorporate the amendments made to ss. 985.556 and 985.557, F.S., in a reference thereto; providing an effective date.

—as amended March 10, was read the third time by title.

On motion by Senator Diaz de la Portilla, **SB 314**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for HB 7061—A bill to be entitled An act relating to transportation; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee directed by the Florida Seaport Transportation and Economic Development Council; providing for membership and duties; directing the council to establish a Seaport Security Grant Program to assist in implementation of security at specified seaports; directing the council to adopt rules; amending s. 316.003, F.S.; revising and providing definitions; creating s. 316.2069, F.S.; authorizing a municipality or county to permit the use of commercial megacycles; providing requirements; providing applicability; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; providing exceptions to a prohibition of a viewer or screen visible from the driver's seat of a motor vehicle; amending s. 320.525, F.S.; revising the definition of the term "port

vehicles and equipment"; amending s. 332.08, F.S.; revising the maximum period of time for which certain municipalities may lease airports, navigation facilities, or related real property; amending s. 333.01, F.S.; revising and providing definitions of terms used in provisions relating to airport safety regulation; amending s. 333.025, F.S.; revising requirements for a permit to construct or alter an obstruction; revising procedures for issuing such permit; revising duties of the department relating to issuance of the permit; providing for administrative review of a denial of a permit; amending s. 333.03, F.S.; revising requirements and procedures for certain local political subdivisions to adopt and enforce airport zoning regulations; directing the department to provide assistance to political subdivisions with regard to federal obstruction standards; providing minimum requirements for airport land use compatibility zoning regulations; directing political subdivisions to provide the department with copies of airport zoning regulations; providing applicability and effect; amending s. 333.04, F.S.; revising provisions for incorporation of zoning regulations with a political subdivision's comprehensive regulations; revising provisions for a conflict between airport zoning regulations and other regulations; amending s. 333.05, F.S.; revising procedure for adoption of zoning regulations; revising provisions relating to an airport zoning commission; amending s. 333.06, F.S.; revising airport zoning regulation requirements; revising requirements for adoption of an airport master plan and amendments thereto; amending s. 333.07, F.S.; requiring a permit to construct, alter, or allow an airport obstruction in an airport hazard area under certain circumstances; providing conditions for issuance or denial of such permit; revising provisions to compel conformance; removing provisions for obtaining a variance to zoning regulations; removing reference to a board of adjustment; revising provisions directing a political subdivision to require an owner to install and maintain certain lighting or marking of obstructions; amending s. 333.09, F.S.; revising requirements for administration of airport protection zoning regulations; requiring the political subdivision to provide a process for permitting, notifications to the department, and enforcement; providing for appeal of decisions made by the political subdivision; amending s. 333.11, F.S.; revising provisions for judicial review of decisions by a political subdivision; revising jurisdiction of the court relating to decisions of the political subdivision; removing reference to a board of adjustment; requiring certain procedures before an appeal to a court; amending s. 333.12, F.S.; revising provisions for acquisition of property when a nonconforming obstruction is determined to be an airport hazard; amending s. 333.13, F.S.; revising penalty provisions; creating s. 333.135, F.S.; providing a timeframe for compliance by political subdivisions; repealing ss. 333.065, 333.08, 333.10, and 333.14, F.S., relating to guidelines regarding land use near airports, appeals, boards of adjustment, and a short title; reenacting s. 350.81(6), F.S., relating to communications services offered by governmental entities, to incorporate changes made by the act in a reference thereto; amending s. 337.18, F.S., relating to contracts for construction or maintenance; revising conditions for waiver of a required surety bond; amending 338.165, F.S.; removing an option to issue certain bonds secured by toll revenues collected on certain facilities; authorizing the department to transfer the Pinellas Bayway System to the Florida Turnpike; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S., relating to the Florida Turnpike; removing a provision that authorizes the department to use revenues from the turnpike system for the payment of principal and interest of certain bonds and the operation and maintenance expenses of the Sawgrass Expressway; amending s. 339.175, F.S., relating to the Tampa Bay Area Regional Transportation Authority; revising provisions for a coordinating committee composed of metropolitan planning organizations; designating the committee as the "TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee"; revising membership of the committee; providing duties of the authority, M.P.O.'s, and the department; amending s. 339.2818, F.S., relating to the Small County Outreach Program; revising the definition of the term "small county"; amending s. 339.55, F.S., relating to the State Infrastructure Bank; revising the types of projects eligible for consideration for state infrastructure loans; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 341.301, F.S.; revising definitions relating to rail programs; amending s. 341.302, F.S., relating to the rail program; revising provisions for assumption of obligations and liability in conjunction with the acquisition, ownership, construction, operation, maintenance, and management of a rail corridor; amending s. 343.92, F.S.; revising membership of the governing board of the Tampa Bay Area Regional Transportation Authority; providing for the Secretary of Transportation to appoint two advisors to the

board; amending s. 343.922, F.S., relating to powers and duties of such authority; revising the time period for updating the authority's master plan; directing the authority to provide administrative support and direction to the TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee; amending s. 348.565, relating to the Tampa-Hillsborough County Expressway Authority; revising provisions that authorize certain projects to be financed by revenue bonds; amending s. 348.753, F.S., relating to the Central Florida Expressway Authority; revising provisions for membership on the authority; removing a provision for appointment of a secretary of the authority; amending s. 565.02, F.S., authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a license for the sale of beer and wine on certain commercial megacycles; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; providing a definition; directing the Office of Economic and Demographic Research to determine the economic benefits of the Department of Transportation's adopted work program; directing the department to provide access to necessary data; requiring a report to the Legislature; directing the department to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; directing the department to conduct a feasibility study of state interchange improvements; requiring a report to the Governor and Legislature; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031, 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; providing an effective date.

—as amended March 10, was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Brandes, the Senate reconsidered the vote by which engrossed **Amendment 1 (691108)** was adopted.

Senator Brandes moved the following amendment:

Amendment 1 (691108) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (5) is added to section 288.1097, Florida Statutes, to read:

288.1097 Qualified job training organizations; certification; duties.—

(5) *Notwithstanding s. 624.4625(1)(b), any member of a qualified job training organization that is both certified under this section and has at least one roadside cleaning service contract with a state agency among its membership may participate in a self-insurance fund authorized under s. 624.4625.*

Section 2. Subsections (5) and (6) are added to section 311.12, Florida Statutes, to read:

311.12 Seaport security.—

(5) **ADVISORY COMMITTEE.**—

(a) *There is created the Seaport Security Advisory Committee, which shall be under the direction of the Florida Seaport Transportation and Economic Development Council.*

(b) *The committee shall consist of the following members:*

1. *Five or more port security directors appointed by the council chair shall serve as voting members. The council chair shall designate one member of the committee to serve as committee chair.*

2. *A designee from the United States Coast Guard shall serve ex officio as a nonvoting member.*

3. *A designee from United States Customs and Border Protection shall serve ex officio as a nonvoting member.*

4. *Two representatives from local law enforcement agencies providing security services at a Florida seaport shall serve ex officio as nonvoting members.*

(c) *The committee shall meet at the call of the chair but at least annually. A majority of the voting members constitutes a quorum for the purpose of transacting business of the committee, and a vote of the majority of the voting members present is required for official action by the committee.*

(d) *The committee shall provide a forum for discussion of seaport security issues, including, but not limited to, matters such as national and state security strategy and policy, actions required to meet current and future security threats, statewide cooperation on security issues, and security concerns of the state's maritime industry.*

(6) **GRANT PROGRAM.**—

(a) *The Florida Seaport Transportation and Economic Development Council shall establish a Seaport Security Grant Program for the purpose of assisting in the implementation of security plans and security measures at the seaports listed in s. 311.09(1). Funds may be used for the purchase of equipment, infrastructure needs, cybersecurity programs, and other security measures identified in a seaport's approved federal security plan. Such grants may not exceed 75 percent of the total cost of the request and are subject to legislative appropriation.*

(b) *The Seaport Security Advisory Committee shall review applications for the grant program and make recommendations to the council for grant approvals. The council shall adopt by rule criteria to implement this subsection.*

Section 3. Section 316.003, Florida Statutes, is reordered and amended to read:

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

(1) **AUTHORIZED EMERGENCY VEHICLES.**—Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments, public service corporations operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Health, the Department of Transportation, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any of the various counties.

(2)(90) **AUTONOMOUS VEHICLE.**—Any vehicle equipped with autonomous technology. The term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(3)(2) **BICYCLE.**—Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. A ~~No~~ person under the age of 16 may not operate or ride upon a motorized bicycle.

(4)(63) **BICYCLE PATH.**—Any road, path, or way that is open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is

located either within the highway right-of-way or within an independent right-of-way.

(5)(76) BRAKE HORSEPOWER.—The actual unit of torque developed per unit of time at the output shaft of an engine, as measured by a dynamometer.

(6)(9) BUS.—Any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons and any motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(7)(4) BUSINESS DISTRICT.—The territory contiguous to, and including, a highway when 50 percent or more of the frontage thereon, for a distance of 300 feet or more, is occupied by buildings in use for business.

(8)(5) CANCELLATION.—~~Declaration of Cancellation means that a license which was issued through error or fraud as is declared void and terminated. A new license may be obtained only as permitted in this chapter.~~

(9)(64) CHIEF ADMINISTRATIVE OFFICER.—The head, or his or her designee, of any law enforcement agency which is authorized to enforce traffic laws.

(10)(65) CHILD.—A child as defined in s. 39.01, s. 984.03, or s. 985.03.

(11) COMMERCIAL MEGACYCLE.—*A vehicle that has fully operational pedals for propulsion entirely by human power and meets all of the following requirements:*

- (a) *Has four wheels and is operated in a manner similar to a bicycle.*
- (b) *Has at least five but no more than 15 seats for passengers.*
- (c) *Is primarily powered by pedaling but may have an auxiliary motor capable of propelling the vehicle at no more than 15 miles per hour.*

(12)(66) COMMERCIAL MOTOR VEHICLE.—Any self-propelled or towed vehicle used on the public highways in commerce to transport passengers or cargo, if such vehicle:

- (a) Has a gross vehicle weight rating of 10,000 pounds or more;
- (b) Is designed to transport more than 15 passengers, including the driver; or
- (c) Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

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

(13)(67) COURT.—The court having jurisdiction over traffic offenses.

(14)(6) CROSSWALK.—

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(15)(7) DAYTIME.—The period from a half hour before sunrise to a half hour after sunset. *The term “nighttime” means at any other hour.*

(16)(8) DEPARTMENT.—The Department of Highway Safety and Motor Vehicles as defined in s. 20.24. Any reference herein to *the* Department of Transportation shall be construed as referring to the Department of Transportation *as*, defined in s. 20.23; or the appropriate division thereof.

(17)(9) DIRECTOR.—The Director of the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles.

(18)(10) DRIVER.—Any person who drives or is in actual physical control of a vehicle on a highway or who is exercising control of a vehicle or steering a vehicle being towed by a motor vehicle.

(19) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—*Vehicle automation and safety technology that integrates sensor array, wireless vehicle-to-vehicle communications, active safety systems, and specialized software to link safety systems and synchronize acceleration and braking between two vehicles while leaving each vehicle’s steering control and systems command in the control of the vehicle’s driver in compliance with the National Highway Traffic Safety Administration rules regarding vehicle-to-vehicle communications.*

(20)(82) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in this section.

(21)(11) EXPLOSIVE.—Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effect on contiguous objects or of destroying life or limb.

(22)(62) FARM LABOR VEHICLE.—Any vehicle equipped and used for the transportation of nine or more migrant or seasonal farm workers, in addition to the driver, to or from a place of employment or employment-related activities. The term does not include:

- (a) Any vehicle carrying only members of the immediate family of the owner or driver.
- (b) Any vehicle being operated by a common carrier of passengers.
- (c) Any carpool as defined in s. 450.28(3).

(23)(12) FARM TRACTOR.—Any motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(24)(13) FLAMMABLE LIQUID.—Any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

(25)(68) GOLF CART.—A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes.

(26)(14) GROSS WEIGHT.—The weight of a vehicle without load plus the weight of any load thereon.

(27)(69) HAZARDOUS MATERIAL.—Any substance or material which has been determined by the secretary of the United States Department of Transportation to be capable of imposing an unreasonable risk to health, safety, and property. This term includes hazardous waste as defined in s. 403.703(13).

(28)(45) HOUSE TRAILER.—

(a) A trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, (either permanently or temporarily,) and is equipped for use as a conveyance on streets and highways; or

(b) A trailer or a semitrailer the chassis and exterior shell of which is designed and constructed for use as a house trailer, as defined in paragraph (a), but which is used instead, permanently or temporarily, for the advertising, sales, display, or promotion of merchandise or services or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(29)(16) IMPLEMENT OF HUSBANDRY.—Any vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(30)(17) INTERSECTION.—

(a) The area embraced within the prolongation or connection of the lateral curblines; or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, ~~then~~ every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. *If the* ~~In the event such~~ intersecting highway also includes two roadways 30 feet or more apart, ~~then~~ every crossing of two roadways of such highways shall be regarded as a separate intersection.

(31)(18) LANED HIGHWAY.—A highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

(32)(19) LIMITED ACCESS FACILITY.—A street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be parkways from which trucks, buses, and other commercial vehicles are excluded; or ~~they~~ may be freeways open to use by all customary forms of street and highway traffic.

(33)(20) LOCAL AUTHORITIES.—~~Includes~~ All officers and public officials of the several counties and municipalities of this state.

(34)(91) LOCAL HEARING OFFICER.—The person, designated by a department, county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a), who is authorized to conduct hearings related to a notice of violation issued pursuant to s. 316.0083. The charter county, non-charter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.

(35)(80) MAXI-CUBE VEHICLE.—A specialized combination vehicle consisting of a truck carrying a separable cargo-carrying unit combined with a semitrailer designed so that the separable cargo-carrying unit is to be loaded and unloaded through the semitrailer. The entire combination may not exceed 65 feet in length, and a single component of that combination may not exceed 34 feet in length.

(36)(61) MIGRANT OR SEASONAL FARM WORKER.—Any person employed in hand labor operations in planting, cultivation, or harvesting agricultural crops.

(37)(77) MOPED.—Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels; with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground; and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(38)(86) MOTOR CARRIER TRANSPORTATION CONTRACT.—

(a) A contract, agreement, or understanding covering:

1. The transportation of property for compensation or hire by the motor carrier;
2. Entrance on property by the motor carrier for the purpose of loading, unloading, or transporting property for compensation or hire; or
3. A service incidental to activity described in subparagraph 1. or subparagraph 2., including, but not limited to, storage of property.

(b) “Motor carrier transportation contract” does not include the Uniform Intermodal Interchange and Facilities Access Agreement administered by the Intermodal Association of North America or other agreements providing for the interchange, use, or possession of intermodal chassis, containers, or other intermodal equipment.

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

(40)(22) MOTORCYCLE.—Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or a moped.

(41)(82) MOTORIZED SCOOTER.—Any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

(42)(78) NONPUBLIC SECTOR BUS.—Any bus which is used for the transportation of persons for compensation and which is not owned, leased, operated, or controlled by a municipal, county, or state government or a governmentally owned or managed nonprofit corporation.

(43)(23) OFFICIAL TRAFFIC CONTROL DEVICES.—All signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

(44)(24) OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

(45)(25) OPERATOR.—Any person who is in actual physical control of a motor vehicle upon the highway; or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(46)(26) OWNER.—A person who holds the legal title of a vehicle. *If,* ~~or, in the event~~ a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or *if in the event* a mortgagor of a vehicle is entitled to possession, ~~then~~ such conditional vendee; or lessee; or mortgagor shall be deemed the owner; for the purposes of this chapter.

(47)(27) PARK OR PARKING.—The standing of a vehicle, whether occupied or not *occupied*, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this chapter.

(48)(28) PEDESTRIAN.—Any person afoot.

(49)(29) PERSON.—Any natural person, firm, copartnership, association, or corporation.

(50)(30) PNEUMATIC TIRE.—Any tire in which compressed air is designed to support the load.

(51)(31) POLE TRAILER.—Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long

or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(52)(32) POLICE OFFICER.—Any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations, including Florida highway patrol officers, sheriffs, deputy sheriffs, and municipal police officers.

(53)(33) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph (75)(b) (53)(b), any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(54)(34) RADIOACTIVE MATERIALS.—Any materials or combination of materials which emit ionizing radiation spontaneously in which the radioactivity per gram of material, in any form, is greater than 0.002 microcuries.

(55)(35) RAILROAD.—A carrier of persons or property upon cars operated upon stationary rails.

(56)(36) RAILROAD SIGN OR SIGNAL.—Any sign, signal, or device erected by authority of a public body or official, or by a railroad, and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

(57)(37) RAILROAD TRAIN.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except a streetcar.

(58)(38) RESIDENCE DISTRICT.—The territory contiguous to, and including, a highway, not comprising a business district, when the property on such highway, for a distance of 300 feet or more, is, in the main, improved with residences or residences and buildings in use for business.

(59)(39) REVOCATION.—~~Termination of~~ Revocation means that a licensee's privilege to drive a motor vehicle is terminated. A new license may be obtained only as permitted by law.

(60)(40) RIGHT-OF-WAY.—The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

(61)(41) ROAD TRACTOR.—Any motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon, either independently or as any part of the weight of a vehicle or load so drawn.

(62)(42) ROADWAY.—That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. ~~If in the event~~ a highway includes two or more separate roadways, the term "roadway" as used herein refers to any such roadway separately, but not to all such roadways collectively.

(63)(43) SADDLE MOUNT; FULL MOUNT.—An arrangement whereby the front wheels of one vehicle rest in a secured position upon another vehicle. All of the wheels of the towing vehicle are upon the ground, and only the rear wheels of the towed vehicle rest upon the ground. Such combinations may include one full mount, whereby a smaller transport vehicle is placed completely on the last towed vehicle.

(64)(44) SAFETY ZONE.—The area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or so marked by adequate signs or authorized pavement markings as to be plainly visible at all times while set apart as a safety zone.

(65)(92) SANITATION VEHICLE.—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides garbage, trash, refuse, or recycling collection.

(66)(45) SCHOOL BUS.—Any motor vehicle that complies with the color and identification requirements of chapter 1006 and is used to transport children to or from public or private school or in connection

with school activities, but not including buses operated by common carriers in urban transportation of school children. The term "school" includes all preelementary, elementary, secondary, and postsecondary schools.

(67)(46) SEMITRAILER.—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle.

(68)(47) SIDEWALK.—That portion of a street between the curb-line, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

(69)(48) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(70)(49) STAND OR STANDING.—The halting of a vehicle, whether occupied or not *occupied*, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this chapter.

(71)(50) STATE ROAD.—Any highway designated as a state-maintained road by the Department of Transportation.

(72)(51) STOP.—When required, complete cessation from movement.

(73)(52) STOP OR STOPPING.—When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not *occupied*, except when necessary to avoid conflict with other traffic or to comply with the directions of a law enforcement officer or traffic control sign or signal.

(74)(70) STRAIGHT TRUCK.—Any truck on which the cargo unit and the motive power unit are located on the same frame so as to form a single, rigid unit.

(75)(53) STREET OR HIGHWAY.—

(a) The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic;

(b) The entire width between the boundary lines of any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons, or any limited access road owned or controlled by a special district, whenever, by written agreement entered into under s. 316.006(2)(b) or (3)(b), a county or municipality exercises traffic control jurisdiction over said way or place;

(c) Any area, such as a runway, taxiway, ramp, clear zone, or parking lot, within the boundary of any airport owned by the state, a county, a municipality, or a political subdivision, which area is used for vehicular traffic but which is not open for vehicular operation by the general public; or

(d) Any way or place used for vehicular traffic on a controlled access basis within a mobile home park recreation district which has been created under s. 418.30 and the recreational facilities of which district are open to the general public.

(76)(54) SUSPENSION.—Temporary withdrawal of a licensee's privilege to drive a motor vehicle.

(77)(89) SWAMP BUGGY.—A motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that

may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

(78)(81) TANDEM AXLE.—Any two axles ~~the whose~~ centers of which are more than 40 inches but not more than 96 inches apart and are individually attached to or articulated from, or both, a common attachment to the vehicle, including a connecting mechanism designed to equalize the load between axles.

(79)(71) TANDEM TRAILER TRUCK.—Any combination of a truck tractor, semitrailer, and trailer coupled together so as to operate as a complete unit.

(80)(72) TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway network consisting primarily of four or more lanes, including all interstate highways; highways designated by the United States Department of Transportation as elements of the National Network; and any street or highway designated by the Florida Department of Transportation for use by tandem trailer trucks, in accordance with s. 316.515, except roads on which truck traffic was specifically prohibited on January 6, 1983.

(81)(73) TERMINAL.—Any location where:

(a) Freight ~~either~~ originates, terminates, or is handled in the transportation process; or

(b) Commercial motor carriers maintain operating facilities.

(82)(55) THROUGH HIGHWAY.—Any highway or portion thereof on which vehicular traffic is given the right-of-way and at the entrances to which vehicular traffic from intersecting highways is required to yield right-of-way to vehicles on such through highway in obedience to ~~either~~ a stop sign or yield sign, or otherwise in obedience to law.

(83)(56) TIRE WIDTH.—~~The Tire width is that~~ width stated on the surface of the tire by the manufacturer of the tire, if the width stated does not exceed 2 inches more than the width of the tire contacting the surface.

(84)(57) TRAFFIC.—Pedestrians, ridden or herded animals, and vehicles, streetcars, and other conveyances ~~either~~ singly or together while using any street or highway for purposes of travel.

(85)(87) TRAFFIC INFRACTION DETECTOR.—A vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

(86)(84) TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or device with the capability of activating a control mechanism mounted on or near traffic signals which alters a traffic signal's timing cycle.

(87)(58) TRAILER.—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle.

(88)(74) TRANSPORTATION.—The conveyance or movement of goods, materials, livestock, or persons from one location to another on any road, street, or highway open to travel by the public.

(89)(88) TRI-VEHICLE.—An enclosed three-wheeled passenger vehicle that:

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

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

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

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

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

(f) Is equipped with:

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

2. A steering wheel used to maneuver the vehicle;

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

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

5. A windshield and an appropriate windshield wiper and washer system that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, "Glazing materials" (49 C.F.R. s. 571.205) and Federal Motor Vehicle Safety Standard No. 104, "Windshield wiping and washing systems" (49 C.F.R. s. 571.104); and

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

(90)(59) TRUCK.—Any motor vehicle designed, used, or maintained primarily for the transportation of property.

(91)(60) TRUCK TRACTOR.—Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(92)(93) UTILITY SERVICE VEHICLE.—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides electric, natural gas, water, wastewater, cable, telephone, or communications services.

(93)(75) VEHICLE.—Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, ~~except~~ ~~excepting~~ devices used exclusively upon stationary rails or tracks.

(94)(85) VICTIM SERVICES PROGRAMS.—Any community-based organization ~~the whose~~ primary purpose of which is to act as an advocate for the victims and survivors of traffic crashes and for their families. The victims services offered by these programs may include grief and crisis counseling, assistance with preparing victim compensation claims excluding third-party legal action, or connecting persons with other service providers, and providing emergency financial assistance.

(95)(79) WORK ZONE AREA.—The area and its approaches on any state-maintained highway, county-maintained highway, or municipal street where construction, repair, maintenance, or other street-related or highway-related work is being performed or where one or more lanes ~~are is~~ closed to traffic.

Section 4. Subsection (7) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(7) The Department of Transportation *may, upon receipt and investigation of reported noncompliance and is authorized,* after hearing pursuant to 14 days' notice, ~~to~~ direct the removal of any purported traffic control device *that fails to meet the requirements of this section,* wherever the device is located and without regard to assigned responsibility under s. 316.1895 ~~which fails to meet the requirements of this section.~~ The public agency erecting or installing the same shall immediately *bring it into compliance with the requirements of this section* or remove said device or signal upon the direction of the Department of Transportation and may not, for a period of 5 years, install any replacement or new traffic control devices paid for in part or in full with revenues raised by the state unless written prior approval is received from the Department of Transportation. Any additional violation by a

public body or official shall be cause for the withholding of state funds for traffic control purposes until such public body or official demonstrates to the Department of Transportation that it is complying with this section.

Section 5. Section 316.2069, Florida Statutes, is created to read:

316.2069 Commercial Megacycles.—*The governing body of a municipality, or the governing board of a county with respect to an unincorporated portion of the county, may authorize the operation of a commercial megacycle on roads or streets within the respective jurisdictions if the requirements of subsections (1) through (3) are met:*

(1) *Prior to authorizing such operation, the responsible local governmental entity must first determine that commercial megacycles may safely travel on or cross the public road or street, considering factors including, but not limited to, the speed, volume, and character of motor vehicle traffic using the road or street. Upon such determination, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.*

(2) *The authorization by the governing body must clearly identify the roads or streets under the governing body's jurisdiction on or across which operation of commercial megacycles is permitted.*

(3) *The governing body's authorization, at a minimum, must require that a commercial megacycle be:*

(a) *Operated at all times by its owner or lessee or an employee of the owner or lessee.*

(b) *Operated by a driver at least 18 years of age who possess a Class E driver license.*

(c) *Occupied by a safety monitor at least 18 years of age, who shall supervise the passengers while the commercial megacycle is in motion.*

(d) *Insured with minimum commercial general liability insurance of not less than \$1,000,000, prior to and at all times of operation, satisfactory proof of which shall be provided to the appropriate governing body.*

(4) *The Department of Transportation may prohibit the operation of commercial megacycles on or across any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.*

(5) *Section 316.1936 does not apply to the passengers being transported in a commercial megacycle while operating in accordance with this section.*

(6) *This section does not prohibit use of an auxiliary motor to move the commercial megacycle from the roadway under emergency circumstances or while no passenger is on board.*

Section 6. Subsection (5) of section 316.235, Florida Statutes, is amended to read:

316.235 Additional lighting equipment.—

(5) A bus, as defined in s. 316.003(3), may be equipped with a deceleration lighting system that which cautions following vehicles that the bus is slowing, is preparing to stop, or is stopped. Such lighting system shall consist of red or amber lights mounted in horizontal alignment on the rear of the vehicle at or near the vertical centerline of the vehicle, no greater than 12 inches apart, not higher than the lower edge of the rear window or, if the vehicle has no rear window, not higher than 100 72 inches from the ground. Such lights shall be visible from a distance of not less than 300 feet to the rear in normal sunlight. Lights are permitted to light and flash during deceleration, braking, or standing and idling of the bus. Vehicular hazard warning flashers may be used in conjunction with or in lieu of a rear-mounted deceleration lighting system.

Section 7. Subsections (1) and (3) of section 316.303, Florida Statutes, are amended to read:

316.303 Television receivers.—

(1) No motor vehicle may be operated on the highways of this state if the vehicle is actively displaying moving television broadcast or pre-recorded video entertainment content that is ~~shall be equipped with television type receiving equipment so located that the viewer or screen is visible from the driver's seat while the vehicle is in motion, unless the vehicle is equipped with autonomous technology, as defined in s. 316.003(2), and is being operated in autonomous mode, as provided in s. 316.85(2).~~

(3) This section does not prohibit the use of an electronic display used in conjunction with a vehicle navigation system; an electronic display used by an operator of a vehicle equipped with autonomous technology, as defined in s. 316.003(2); or an electronic display used by an operator of a vehicle equipped and operating with driver-assistive truck platooning technology, as defined in s. 316.003(19).

Section 8. Paragraph (c) of subsection (3) of section 316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(3) MUNICIPALITIES.—

(c)1. A chartered municipality or its authorized agency or instrumentality may employ as a parking enforcement specialist any individual who successfully completes a training program established and approved by the Criminal Justice Standards and Training Commission for parking enforcement specialists, but who does not otherwise meet the uniform minimum standards established by the commission for law enforcement officers or auxiliary or part-time officers under s. 943.12.

2. A parking enforcement specialist employed by a chartered municipality or its authorized agency or instrumentality is authorized to enforce all state, county, and municipal laws and ordinances governing parking within the boundaries of the municipality employing the specialist, or, pursuant to a memorandum of understanding between the county and the municipality, within the boundaries of the county in which the chartered municipality or its authorized agency or instrumentality is located, by appropriate state, county, or municipal traffic citation.

3. A parking enforcement specialist employed pursuant to this subsection may not carry firearms or other weapons or have arrest authority.

Section 9. Subsection (1) of section 316.85, Florida Statutes, is amended to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode on roads in this state if the vehicle is equipped with autonomous technology, as defined in s. 316.003(2).

Section 10. Section 316.86, Florida Statutes, is amended to read:

316.86 Operation of vehicles equipped with autonomous technology on roads for testing purposes; financial responsibility; Exemption from liability for manufacturer when third party converts vehicle.—

~~(1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology, or by research organizations associated with accredited educational institutions, for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Before the start of testing in this state, the entity performing the testing must submit to the department an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million.~~

~~(2) The original manufacturer of a vehicle converted by a third party into an autonomous vehicle is shall not be liable in, and shall have a defense to and be dismissed from, any legal action brought against the original manufacturer by any person injured due to an alleged vehicle~~

defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect was present in the vehicle as originally manufactured.

Section 11. Subsection (1) of section 319.145, Florida Statutes, is amended to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet applicable federal standards and regulations for such a motor vehicle. The vehicle must ~~shall~~:

(a) ~~Have a system to safely alert the operator if an autonomous technology failure is detected while the autonomous technology is engaged. When an alert is given, the system must:~~

1. ~~Require the operator to take control of the autonomous vehicle; or~~
2. ~~If the operator does not, or is not able to, take control of the autonomous vehicle, be capable of bringing the vehicle to a complete stop. Have a means to engage and disengage the autonomous technology which is easily accessible to the operator.~~

(b) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.

~~(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.~~

~~(c)(d)~~ Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.

Section 12. Paragraph (b) of subsection (3) of section 319.30, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

(3)

(b) The owner, including persons who are self-insured, of a motor vehicle or mobile home that is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company that pays money as compensation for the total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home, make the required notification to the National Motor Vehicle Title Information System, and, within 72 hours after receiving such certificate of title, forward such title to the department for processing. The owner or insurance company, as applicable, may not dispose of a vehicle or mobile home that is a total loss before it obtains a salvage certificate of title or certificate of destruction from the department. *Effective July 1, 2023:*

1. *Thirty days after payment of a claim for compensation pursuant to this paragraph, the insurance company may receive a salvage certificate of title or certificate of destruction from the department if the insurance company is unable to obtain a properly assigned certificate of title from the owner or lienholder of the motor vehicle or mobile home, if the motor vehicle or mobile home does not carry an electronic lien on the title and the insurance company:*

- a. *Has obtained the release of all liens on the motor vehicle or mobile home;*
- b. *Has provided proof of payment of the total loss claim; and*
- c. *Has provided an affidavit on letterhead signed by the insurance company or its authorized agent stating the attempts that have been made to obtain the title from the owner or lienholder and further stating that all attempts are to no avail. The affidavit must include a request that the salvage certificate of title or certificate of destruction be issued in the insurance company's name due to payment of a total loss claim to the owner or lienholder. The attempts to contact the owner may be by written*

request delivered in person or by first-class mail with a certificate of mailing to the owner's or lienholder's last known address.

2. *If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title.*

3. *The request to the owner or lienholder for the certificate of title must include a complete description of the motor vehicle or mobile home and the statement that a total loss claim has been paid on the motor vehicle or mobile home.*

(c) When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the mobile home are equal to 80 percent or more of the current retail cost of the mobile home, as established in any official used mobile home guide, the department shall declare the mobile home unrebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the mobile home. For a late model vehicle with a current retail cost of at least \$7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used car guide or valuation service, if the owner or insurance company determines that the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 90 percent or more of the current retail cost of the vehicle, as established in any official used motor vehicle guide or valuation service, the department shall declare the vehicle unrebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of "insurance-declared total loss." The certificate of destruction shall be reassignable a maximum of two times before dismantling or destruction of the vehicle is required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title. The department may not issue a certificate of title for that vehicle. This subsection is not applicable if a mobile home is worth less than \$1,500 retail just prior to sustaining the damage that resulted in the total loss in any official used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. If a motor vehicle has a current retail cost of less than \$7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used motor vehicle guide or valuation service, or if the vehicle is not a late model vehicle, the owner or insurance company that pays money as compensation for the total loss of the motor vehicle shall obtain a certificate of destruction, if the motor vehicle is damaged, wrecked, or burned to the extent that the only residual value of the motor vehicle is as a source of parts or scrap metal, or if the motor vehicle comes into this state under a title or other ownership document that indicates that the motor vehicle is not repairable, is junked, or is for parts or dismantling only. A person who knowingly violates this paragraph or falsifies documentation to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 13. Subsection (1) of section 320.525, Florida Statutes, is amended to read:

320.525 Port vehicles and equipment; definition; exemption.—

(1) As used in this section, the term "port vehicles and equipment" means trucks, tractors, trailers, truck cranes, top loaders, fork lifts, hostling tractors, chassis, or other vehicles or equipment used for transporting cargo, containers, or other equipment. *The term includes motor vehicles being relocated within a port facility or via designated port district roads.*

Section 14. Paragraph (c) is added to subsection (8) of section 322.051, Florida Statutes, to read:

322.051 Identification cards.—

(8)

(c) *The international symbol for the deaf and hard of hearing shall be exhibited on the identification card of a person who is deaf or hard of hearing upon the payment of an additional \$1 fee for the identification card and the presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. Until a person's identification card is next renewed, the person may have the symbol added to his or her identification card upon surrender of his or her current identification card, payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card may be issued with the symbol without payment of the fee required in s. 322.21(1)(f)3. For purposes of this paragraph, the international symbol for the deaf and hard of hearing is substantially as follows:*

. . . (International Symbol of Access for Hearing Loss) . . .

Section 15. Paragraph (c) of subsection (1) of section 322.14, Florida Statutes, is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection to read:

322.14 Licenses issued to drivers.—

(1)

(c) *The international symbol for the deaf and hard of hearing provided in s. 322.051(8)(c) shall be exhibited on the driver license of a person who is deaf or hard of hearing upon the payment of an additional \$1 fee for the license and the presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. Until a person's license is next renewed, the person may have the symbol added to his or her license upon the surrender of his or her current license, payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. If the applicant is not conducting any other transaction affecting the driver license, a replacement license may be issued with the symbol without payment of the fee required in s. 322.21(1)(e).*

Section 16. *The amendments made by this act to ss. 322.051 and 322.14, Florida Statutes, shall apply upon implementation of new designs for the driver license and identification card by the Department of Highway Safety and Motor Vehicles.*

Section 17. Paragraph (c) of subsection (1) of section 332.08, Florida Statutes, is amended to read:

332.08 Additional powers.—

(1) In addition to the general powers in ss. 332.01-332.12 conferred and without limitation thereof, a municipality that has established or may hereafter establish airports, restricted landing areas, or other air navigation facilities, or that has acquired or set apart or may hereafter acquire or set apart real property for such purposes, is authorized:

(c) To lease for a term not exceeding 50 ~~30~~ years such airports or other air navigation facilities, or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign for a term not exceeding 50 ~~30~~ years to private parties, any municipal or state government or the national government, or any department of either thereof, for operation or use consistent with the purposes of ss. 332.01-332.12, space, area, improvements, or equipment on such airports; to sell any part of such airports, other air navigation facilities, or real property to any municipal or state government, or the United States or any department or instrumentality thereof, for aeronautical purposes or purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services, and facilities; provided, that in each case in so doing the public is not deprived of its rightful equal and uniform use thereof.

Section 18. Section 333.01, Florida Statutes, is amended to read:

333.01 Definitions.—~~As used in For the purpose of this chapter, the term following words, terms, and phrases shall have the meanings herein given, unless otherwise specifically defined, or unless another intention clearly appears, or the context otherwise requires:~~

(1) “Aeronautical study” means a Federal Aviation Administration study, conducted in accordance with the standards of 14 C.F.R. part 77, subpart C, and Federal Aviation Administration policy and guidance, on the effect of proposed construction or alteration upon the operation of air navigation facilities and the safe and efficient use of navigable airspace.

~~(1) “Aeronautics” means transportation by aircraft; the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities, and air instruction.~~

(2) “Airport” means any area of land or water designed and set aside for the landing and taking off of aircraft and ~~used~~ ~~utilized~~ or to be used ~~utilized~~ in the interest of the public for such purpose.

(3) “Airport hazard” means *an obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities* ~~any structure or tree or use of land which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 and which obstructs the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has previously obtained a permit or variance pursuant to s. 333.025 or s. 333.07.~~

(4) “Airport hazard area” means any area of land or water upon which an airport hazard might be established ~~if not prevented as provided in this chapter.~~

(5) “Airport land use compatibility zoning” means airport zoning regulations *governing restricting* the use of land on, adjacent to, or in the immediate vicinity of airports ~~in the manner enumerated in s. 333.03(2) to activities and purposes compatible with the continuation of normal airport operations including landing and takeoff of aircraft in order to promote public health, safety, and general welfare.~~

(6) “Airport layout plan” means a *set of scaled drawings that provide a graphic representation of the existing and future development plan for the airport and demonstrate the preservation and continuity of safety, utility, and efficiency of the airport detailed, scale engineering drawing, including pertinent dimensions, of an airport's current and planned facilities, their locations, and runway usage.*

(7) “Airport master plan” means a *comprehensive plan of an airport which typically describes current and future plans for airport development designed to support existing and future aviation demand.*

(8) “Airport protection zoning regulations” means *airport zoning regulations governing airport hazards.*

(9) “Department” means *the Department of Transportation as created under s. 20.23.*

(10) “Educational facility” means *any structure, land, or use that includes a public or private kindergarten through 12th grade school, charter school, magnet school, college campus, or university campus. The term does not include space used for educational purposes within a multi-tenant building.*

(11) “Landfill” has the same meaning as provided in s. 403.703.

~~(12)(7)~~ “Obstruction” means any existing or proposed ~~manmade object or object, of natural growth or terrain, or structure construction or alteration that exceeds violates~~ the federal obstruction standards contained in 14 C.F.R. part 77, subpart C ~~ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The term includes:~~

(a) *Any object of natural growth or terrain;*

(b) Permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus; or

(c) Alteration of any permanent or temporary existing structure by a change in the structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure.

(13)(9) "Person" means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

(14)(9) "Political subdivision" means the local government of any county, municipality, city, town, village, or other subdivision or agency thereof, or any district or special district, port commission, port authority, or other such agency authorized to establish or operate airports in the state.

(15) "Public-use airport" means an airport, publicly or privately owned, licensed by the state, which is open for use by the public.

(16)(10) "Runway protection clear zone" means an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground a runway clear zone as defined in 14 C.F.R. s. 151.9(b).

(17)(11) "Structure" means any object; constructed, erected, altered, or installed by humans, including, but not limited to without limitation thereof, buildings, towers, smokestacks, utility poles, power generation equipment, and overhead transmission lines.

(18) "Substantial modification" means any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the repair, reconstruction, rehabilitation, or improvement of the structure equals or exceeds 50 percent of the market value of the structure.

Section 19. Section 333.025, Florida Statutes, is amended to read:

333.025 Permit required for obstructions structures exceeding federal obstruction standards.—

(1) A person proposing the construction or alteration ~~In order to prevent the erection of an obstruction must obtain a permit from the department structures dangerous to air navigation, subject to the provisions of subsections (2), (3), and (4), each person shall secure from the Department of Transportation a permit for the erection, alteration, or modification of any structure the result of which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29.~~ However, permits from the department of Transportation will be required only within an airport hazard area where federal obstruction standards are exceeded and if the proposed construction or alteration is within a 10-nautical-mile radius of the airport reference point, located at the approximate geometric geographical center of all usable runways of a public-use airport or a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.

(2) Existing, planned, and proposed ~~Affected airports will be considered as having those facilities on public-use airports contained in an which are shown on the airport master plan, in or an airport layout plan submitted to the Federal Aviation Administration, Airport District Office or in comparable military documents shall, and will be so protected from airport hazards. Planned or proposed public use airports which are the subject of a notice or proposal submitted to the Federal Aviation Administration or to the Department of Transportation shall also be protected.~~

(3) A permit is not required for existing structures that requirements of subsection (1) shall not apply to projects which received construction permits from the Federal Communications Commission for structures exceeding federal obstruction standards before prior to May 20, 1975; provided such structures now exist; a permit is not required for nor shall it apply to previously approved structures now existing, or any necessary replacement or repairs to such existing structures if, so long as the height and location are unchanged.

(4) If ~~When~~ political subdivisions have, in compliance with this chapter, adopted adequate airport airspace protection zoning regula-

tions, placed in compliance with s. 333.03, and such regulations are on file with the department's aviation office, and established a permitting process Department of Transportation, a permit for the construction or alteration of an obstruction is such structure shall not be required from the department of Transportation. Upon receipt of a complete permit application, the local government shall provide a copy of the application to the department's aviation office by certified mail, return receipt requested, or by a delivery service that provides a receipt evidencing delivery. To evaluate technical consistency with this subsection, the department shall have a 15-day review period following receipt of the application, which must run concurrently with the local government permitting process. Cranes, construction equipment, and other temporary structures in use or in place for a period not to exceed 18 consecutive months are exempt from the department's review, unless such review is requested by the department.

(5) The department of Transportation shall, within 30 days after of the receipt of an application for a permit, issue or deny a permit for the construction or erection, alteration, or modification of an obstruction any structure the result of which would exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The department shall review permit applications in conformity with s. 120.60.

(6) In determining whether to issue or deny a permit, the department shall consider:

- (a) The safety of persons on the ground and in the air.
- (b) The safe and efficient use of navigable airspace.
- (c)(a) The nature of the terrain and height of existing structures.
- (b) Public and private interests and investments.

(d) The effect of the construction or alteration of an obstruction on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.

(e)(e) The character of existing and planned flight flying operations and planned developments at public-use of airports.

(f)(d) Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.

(g)(e) The effect of Whether the construction or alteration of an obstruction on the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

- (f) Technological advances.
- (g) The safety of persons on the ground and in the air.
- (h) Land use density.
- (i) The safe and efficient use of navigable airspace.

(h)(f) The cumulative effects on navigable airspace of all existing obstructions structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all other known proposed obstructions structures in the area.

(7) When issuing a permit under this section, the department of Transportation shall, as a specific condition of such permit, require the owner obstruction marking and lighting of the obstruction to install, operate, and maintain, at the owner's expense, marking and lighting in conformance with the specific standards established by the Federal Aviation Administration permitted structure as provided in s. 333.07(3)(b).

(8) The department may of Transportation shall not approve a permit for the construction or alteration erection of an obstruction a structure unless the applicant submits both documentation showing both compliance with the federal requirement for notification of proposed construction or alteration and a valid aeronautical study. A evaluation, and no permit may not shall be approved solely on the basis that the Federal Aviation Administration determined that the such proposed construction or alteration of an obstruction was not an airport

hazard structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(9) The denial of a permit under this section is subject to administrative review pursuant to chapter 120.

Section 20. Section 333.03, Florida Statutes, is amended to read:

333.03 Requirement ~~Power~~ to adopt airport zoning regulations.—

(1)(a) ~~In order to prevent the creation or establishment of airport hazards, Every political subdivision having an airport hazard area within its territorial limits shall, by October 1, 1977, adopt, administer, and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed in this section, airport protection zoning regulations for such airport hazard area.~~

(b) ~~If Where an airport is owned or controlled by a political subdivision and if any other political subdivision has land upon which an obstruction may be constructed or altered which underlies any surface of the airport as provided in 14 C.F.R. part 77, subpart C, the political subdivisions airport hazard area appertaining to such airport is located wholly or partly outside the territorial limits of said political subdivision, the political subdivision owning or controlling the airport and the political subdivision within which the airport hazard area is located, shall either:~~

1. ~~By interlocal agreement, in accordance with the provisions of chapter 163, adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question; or~~

2. ~~By ordinance, regulation, or resolution duly adopted, create a joint airport protection zoning board that, which board shall have the same power to adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question as that vested in paragraph (a) in the political subdivision within which such area is located. The Each such joint airport protection zoning board shall have as voting members two representatives appointed by each participating political subdivision participating in its creation and in addition a chair elected by a majority of the members so appointed. However, The airport manager or a representative of each airport in managers of the affected participating political subdivisions shall serve on the board in a nonvoting capacity.~~

(c) ~~Airport protection zoning regulations adopted under paragraph (a) must shall, at as a minimum, require:~~

1. ~~A permit variance for the construction or erection, alteration, or modification of any obstruction structure which would cause the structure to exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29;~~

2. ~~Obstruction marking and lighting for obstructions structures as specified in s. 333.07(3);~~

3. ~~Documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a valid aeronautical study evaluation submitted by each person applying for a permit variance;~~

4. ~~Consideration of the criteria in s. 333.025(6), when determining whether to issue or deny a permit variance; and~~

5. ~~That approval of a permit not be based no variance shall be approved solely on the determination by the Federal Aviation Administration basis that the such proposed structure is not an airport hazard will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.~~

(d) ~~The department shall be available to provide assistance to political subdivisions regarding federal obstruction standards shall issue copies of the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material~~

~~distributed pursuant to this subsection shall be at no cost to authorized recipients.~~

(2) ~~In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce interim airport land use compatibility zoning regulations shall be adopted. Airport land use compatibility zoning When political subdivisions have adopted land development regulations shall, at a minimum, in accordance with the provisions of chapter 163 which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall consider the following:~~

(a) ~~The prohibition of new landfills and the restriction of existing landfills Whether sanitary landfills are located within the following areas:~~

1. ~~Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine turbojet or turboprop aircraft.~~

2. ~~Within 5,000 feet from the nearest point of any runway used only by only nonturbine piston type aircraft.~~

3. ~~Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. s. 77.19 part 77.25. Case-by-case review of such landfills is advised.~~

(b) ~~Where Whether any landfill is located and constructed in a manner so that it attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The landfill operator must political subdivision shall request from the airport authority or other governing body operating the airport a report on such bird feeding or roosting areas that at the time of the request are known to the airport. In preparing its report, the authority, or other governing body, shall consider whether the landfill will incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft. The airport authority or other governing body shall respond to the political subdivision no later than 30 days after receipt of such request.~~

(c) ~~Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. part 150, Appendix A or an equivalent noise level as established by other types of noise studies.~~

(d) ~~Where an airport authority or other governing body operating a publicly owned, public-use airport has not conducted a noise study, the prohibition of neither residential construction and nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.~~

(e) ~~(3) The restriction of In the manner provided in subsection (1), airport zoning regulations shall be adopted which restrict new incompatible uses, activities, or substantial modifications to existing incompatible uses construction within runway protection clear zones, including uses, activities, or construction in runway clear zones which are incompatible with normal airport operations or endanger public health, safety, and welfare by resulting in congregations of people, emissions of light or smoke, or attraction of birds. Such regulations shall prohibit the construction of an educational facility of a public or private school at either end of a runway of a publicly owned, public use airport within an~~

area which extends 5 miles in a direct line along the centerline of the runway, and which has a width measuring one-half the length of the runway. Exceptions approving construction of an educational facility within the delineated area shall only be granted when the political subdivision administering the zoning regulations makes specific findings detailing how the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a location.

(4) ~~The procedures outlined in subsections (1), (2), and (3) for the adoption of such regulations are supplemental to any existing procedures utilized by political subdivisions in the adoption of such regulations.~~

(3)(5) ~~Political subdivisions shall provide The Department of Transportation shall provide technical assistance to any political subdivision requesting assistance in the preparation of an airport zoning code; a copy of all local airport protection zoning codes, rules, and regulations and airport land use compatibility zoning regulations, and any related amendments and proposed and granted variances thereto, to shall be filed with the department's aviation office within 30 days after adoption department.~~

(4)(6) ~~Nothing in Subsection (2) may not or subsection (3) shall be construed to require the removal, alteration, sound conditioning, or other change, or to interfere with the continued use or adjacent expansion of any educational facility structure or site in existence on July 1, 1993, or be construed to prohibit the construction of any new structure for which a site has been determined as provided in former s. 225.10, as of July 1, 1993.~~

(5) ~~This section does not prohibit an airport authority, a political subdivision or its administrative agency, or any other governing body operating a public-use airport from establishing airport zoning regulations more restrictive than prescribed in this section in order to protect the health, safety, and welfare of the public in the air and on the ground.~~

Section 21. Section 333.04, Florida Statutes, is amended to read:

333.04 Comprehensive zoning regulations; most stringent to prevail where conflicts occur.—

(1) INCORPORATION.—In the event that a political subdivision has adopted, or hereafter adopts, a comprehensive *plan or policy zoning ordinance* regulating, among other things, the height of buildings, structures, and natural objects, and uses of property, any airport zoning regulations applicable to the same area or portion thereof may be incorporated in and made a part of such comprehensive *plan or policy zoning regulations*, and be administered and enforced in connection therewith.

(2) CONFLICT.—In the event of conflict between any airport zoning regulations adopted under this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or *vegetation trees*, the use of land, or any other matter, and whether such regulations were adopted by the political subdivision *that which* adopted the airport zoning regulations or by some other political subdivision, the more stringent limitation or requirement shall govern and prevail.

Section 22. Section 333.05, Florida Statutes, is amended to read:

333.05 Procedure for adoption of *airport zoning regulations*.—

(1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations *may not shall* be adopted, amended, or *repealed changed* under this chapter except by action of the legislative body of the political subdivision or *affected subdivisions in question*, or the joint board provided in s. 333.03(1)(b)2. ~~s. 333.03(1)(b)~~ by the political subdivisions *bodies* therein provided and set forth, after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the hearing shall be published at least once a week for 2 consecutive weeks in a *newspaper an official paper, or a paper* of general circulation; in the political subdivision or subdivisions *where in which* ~~are located~~ the airport zoning regulations are *areas* to be adopted, amended, or *repealed zoned*.

(2) AIRPORT ZONING COMMISSION.—~~Before~~ *Prior to* the initial zoning of any airport area under this chapter, the political subdivision or joint airport zoning board *that which* is to adopt, *administer, and*

enforce the regulations *must shall* appoint a commission, to be known as the airport zoning commission, to recommend the boundaries of the various zones to be established and the regulations to be adopted therefor. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the legislative body of the political subdivision or the joint airport zoning board *may shall* not hold its public hearings or take any action until it has received the final report of such commission, and at least 15 days shall elapse between the receipt of the final report of the commission and the hearing to be held by the latter board. *If Where* a *planning city plan* commission, *an airport commission*, or a comprehensive zoning commission already exists, it may be appointed as the airport zoning commission.

Section 23. Section 333.06, Florida Statutes, is amended to read:

333.06 Airport zoning *regulation* requirements.—

(1) REASONABLENESS.—All airport zoning regulations adopted under this chapter shall be reasonable and *may not none shall* impose any requirement or restriction which is not reasonably necessary to effectuate the purposes of this chapter. In determining what regulations it may adopt, each political subdivision and joint airport zoning board shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area and runway *protection clear* zones, the character of the neighborhood, the uses to which the property to be zoned is put and adaptable, and the impact of any new use, activity, or construction on the airport's operating capability and capacity.

(2) INDEPENDENT JUSTIFICATION.—The purpose of all airport zoning regulations adopted under this chapter is to provide both airspace protection and land *uses use* compatible with airport operations. Each aspect of this purpose requires independent justification in order to promote the public interest in safety, health, and general welfare. Specifically, construction in a runway *protection clear* zone which does not exceed airspace height restrictions is not *conclusive evidence per se* that such use, activity, or construction is compatible with airport operations.

(3) NONCONFORMING USES.—~~An No~~ airport *protection zoning regulation regulations* adopted under this chapter *may not shall* require the removal, lowering, or other change or alteration of any *obstruction structure or tree* not conforming to the *regulation regulations* when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in s. 333.07(1) and (3).

(4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED LOCAL GOVERNMENTS.—An airport master plan shall be prepared by each *public-use publicly owned and operated* airport licensed by the department of Transportation under chapter 330. The authorized entity having responsibility for governing the operation of the airport, when either requesting from or submitting to a state or federal governmental agency with funding or approval jurisdiction a "finding of no significant impact," an environmental assessment, a site-selection study, an airport master plan, or any amendment to an airport master plan, shall submit simultaneously a copy of said request, submittal, assessment, study, plan, or amendments by certified mail to all affected local governments. *As used in For the purposes of* this subsection, *the term* "affected local government" is defined as any *municipality city* or county having jurisdiction over the airport and any *municipality city* or county located within 2 miles of the boundaries of the land subject to the airport master plan.

Section 24. *Section 333.065, Florida Statutes, is repealed.*

Section 25. Section 333.07, Florida Statutes, is amended to read:

333.07 *Local government permitting of airspace obstructions Permits and variances*.—

(1) PERMITS.—

(a) A person proposing to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the airport protection zoning regulations adopted under this chapter *must apply for a permit. A Any airport zoning regulations adopted under this chapter may require that a permit be obtained before any new structure or use may be*

~~constructed or established and before any existing use or structure may be substantially changed or substantially altered or repaired. In any event, however, all such regulations shall provide that before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the administrative agency authorized to administer and enforce the regulations, authorizing such replacement, change, or repair. No permit may not shall be issued if it granted that would allow the establishment or creation of an airport hazard or if it would permit a nonconforming obstruction structure or tree or nonconforming use to be made or become higher or to become a greater hazard to air navigation than it was when the applicable airport protection zoning regulation was adopted which allowed the establishment or creation of the obstruction, or than it is when the application for a permit is made.~~

(b) ~~If Whenever the political subdivision or its administrative agency determines that a nonconforming obstruction use or nonconforming structure or tree has been abandoned or is more than 80 percent torn down, destroyed, deteriorated, or decayed, a no permit may not shall be granted if it that would allow the obstruction said structure or tree to exceed the applicable height limit or otherwise deviate from the airport protection zoning regulations; and, Whether or not an application is made for a permit under this subsection or not, the said agency may by appropriate action, compel the owner of the nonconforming obstruction may be required structure or tree, at his or her own expense, to lower, remove, reconstruct, alter, or equip such obstruction object as may be necessary to conform to the current airport protection zoning regulations. If the owner of the nonconforming obstruction neglects or refuses structure or tree shall neglect or refuse to comply with such requirement order for 10 days after notice thereof, the administrative said agency may report the violation to the political subdivision involved therein, which subdivision, through its appropriate agency, may proceed to have the obstruction object so lowered, removed, reconstructed, altered, or equipped; and assess the cost and expense thereof upon the owner of the obstruction object or the land whereon it is or was located, and, unless such an assessment is paid within 90 days from the service of notice thereof on the owner or the owner's agent, of such object or land, the sum shall be a lien on said land, and shall bear interest thereafter at the rate of 6 percent per annum until paid, and shall be collected in the same manner as taxes on real property are collected by said political subdivision, or, at the option of said political subdivision, said lien may be enforced in the manner provided for enforcement of liens by chapter 85.~~

(c) ~~Except as provided herein, applications for permits shall be granted, provided the matter applied for meets the provisions of this chapter and the regulations adopted and in force hereunder.~~

(2) **CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.**—*In determining whether to issue or deny a permit, the political subdivision or its administrative agency must consider the following, as applicable:*

- (a) *The safety of persons on the ground and in the air.*
- (b) *The safe and efficient use of navigable airspace.*
- (c) *The nature of the terrain and height of existing structures.*
- (d) *The effect of the construction or alteration on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.*
- (e) *The character of existing and planned flight operations and developments at public-use airports.*
- (f) *Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.*
- (g) *The effect of the construction or alteration of the proposed structure on the minimum descent altitude or the decision height at the affected airport.*
- (h) *The cumulative effects on navigable airspace of all existing structures and all other known proposed structures in the area.*

(i) *Additional requirements adopted by the political subdivision or administrative agency pertinent to evaluation and protection of airspace and airport operations.*

(2) **VARIANCES.**—

(a) ~~Any person desiring to erect any structure, increase the height of any structure, permit the growth of any tree, or otherwise use his or her property in violation of the airport zoning regulations adopted under this chapter or any land development regulation adopted pursuant to the provisions of chapter 163 pertaining to airport land use compatibility, may apply to the board of adjustment for a variance from the zoning regulations in question. At the time of filing the application, the applicant shall forward to the department by certified mail, return receipt requested, a copy of the application. The department shall have 45 days from receipt of the application to comment and to provide its comments or waiver of that right to the applicant and the board of adjustment. The department shall include its explanation for any objections stated in its comments. If the department fails to provide its comments within 45 days of receipt of the application, its right to comment is waived. The board of adjustment may proceed with its consideration of the application only upon the receipt of the department's comments or waiver of that right as demonstrated by the filing of a copy of the return receipt with the board. Noncompliance with this section shall be grounds to appeal pursuant to s. 333.08 and to apply for judicial relief pursuant to s. 333.11. Such variances may only be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and where the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations and this chapter. However, any variance may be allowed subject to any reasonable conditions that the board of adjustment may deem necessary to effectuate the purposes of this chapter.~~

(b) ~~The Department of Transportation shall have the authority to appeal any variance granted under this chapter pursuant to s. 333.08, and to apply for judicial relief pursuant to s. 333.11.~~

(3) **OBSTRUCTION MARKING AND LIGHTING.**—

(a) ~~In issuing a granting any permit or variance under this section, the political subdivision or its administrative agency or board of adjustment shall require the owner of the obstruction structure or tree in question to install, operate, and maintain thereon, at his or her own expense, such marking and lighting in conformance with the specific standards established by the Federal Aviation Administration as may be necessary to indicate to aircraft pilots the presence of an obstruction.~~

(b) ~~Such marking and lighting shall conform to the specific standards established by rule by the Department of Transportation.~~

(c) ~~Existing structures not in compliance on October 1, 1988, shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within 5 years of October 1, 1988, whichever occurs first.~~

Section 26. *Section 333.08, Florida Statutes, is repealed.*

Section 27. *Section 333.09, Florida Statutes, is amended to read:*

333.09 *Administration of airport protection zoning regulations.—*

(1) **ADMINISTRATION.**—*All airport protection zoning regulations adopted under this chapter shall provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency an administrative agency which may be an agency created by such regulations or any official, board, or other existing agency of the political subdivision adopting the regulations or of one of the political subdivisions which participated in the creation of the joint airport zoning board adopting the regulations, if satisfactory to that political subdivision, but in no case shall such administrative agency be or include any member of the board of adjustment. The duties of any administrative agency designated pursuant to this chapter must shall include that of hearing and deciding all permits under s. 333.07 s. 333.07(1), deciding all matters under s. 333.07(3), as they pertain to such agency, and all other matters under this chapter applying to said agency, but such agency shall not have or exercise any of the powers herein delegated to the board of adjustment.*

(2) LOCAL GOVERNMENT PROCESS.—

(a) A political subdivision required to adopt airport zoning regulations under this chapter shall provide a process to:

1. Issue or deny permits consistent with s. 333.07.
2. Provide the department with a copy of a complete application consistent with s. 333.025(4).
3. Enforce the issuance or denial of a permit or other determination made by the administrative agency with respect to airport zoning regulations.

(b) If a zoning board or permitting body already exists within a political subdivision, the zoning board or permitting body may implement the airport zoning regulation permitting and appeals processes.

(3) APPEALS.—

(a) A person, a political subdivision or its administrative agency, or a joint airport zoning board that contends a decision made by a political subdivision or its administrative agency is an improper application of airport zoning regulations may use the process established for an appeal.

(b) All appeals taken under this section must be taken within a reasonable time, as provided by the political subdivision or its administrative agency, by filing with the entity from which the appeal is taken a notice of appeal specifying the grounds for appeal.

(c) An appeal shall stay all proceedings in the underlying action appealed from, unless the entity from which the appeal is taken certifies pursuant to the rules for appeal that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such cases, proceedings may not be stayed except by order of the political subdivision or its administrative agency on notice to the entity from which the appeal is taken and for good cause shown.

(d) The political subdivision or its administrative agency shall set a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.

(e) The political subdivision or its administrative agency may, in conformity with this chapter, affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.

Section 28. Section 333.10, Florida Statutes, is repealed.

Section 29. Section 333.11, Florida Statutes, is amended to read:

333.11 Judicial review.—

(1) Any person, aggrieved, or taxpayer affected, by any decision of a board of adjustment, or any governing body of a political subdivision, or the Department of Transportation or any joint airport zoning board affected by a decision of a political subdivision, or its administrative agency hereunder, may apply for judicial relief to the circuit court in the judicial circuit where the political subdivision board of adjustment is located within 30 days after rendition of the decision by the board of adjustment. Review shall be by petition for writ of certiorari, which shall be governed by the Florida Rules of Appellate Procedure.

(2) Upon presentation of such petition to the court, it may allow a writ of certiorari, directed to the board of adjustment, to review such decision of the board. The allowance of the writ shall not stay the proceedings upon the decision appealed from, but the court may, on application, on notice to the board, on due hearing and due cause shown, grant a restraining order.

(3) The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(2)(4) The court ~~has shall have~~ exclusive jurisdiction to affirm, reverse, or modify, ~~or set aside~~ the decision on the permit or other determination from which the appeal is taken ~~brought up for review, in whole or in part,~~ and, if appropriate ~~need be,~~ to order further proceedings by the political subdivision or its administrative agency ~~board of adjustment.~~ The findings of fact by the political subdivision or its administrative agency ~~board,~~ if supported by substantial evidence, shall be accepted by the court as conclusive, and ~~an no~~ objection to a decision of the political subdivision or its administrative agency may not ~~board~~ ~~shall~~ be considered by the court unless such objection was raised in the underlying proceeding ~~shall have been urged before the board, or, if it was not so urged, unless there were reasonable grounds for failure to do so.~~

(3)(5) If ~~in any case in which~~ airport zoning regulations adopted under this chapter, ~~although generally reasonable,~~ are held by a court to interfere with the use and enjoyment of a particular structure or parcel of land to such an extent, or to be so onerous in their application to such a structure or parcel of land, as to constitute a taking or deprivation of that property in violation of the State Constitution or the Constitution of the United States, such holding shall not affect the application of such regulations to other structures and parcels of land, or such regulations as are not involved in the particular decision.

(4)(6) A judicial ~~no~~ appeal to any court may not ~~shall be or is~~ permitted under this section until the appellant has exhausted all of its remedies through application for local government permits, exceptions, and appeals, ~~to any courts, as herein provided, save and except an appeal from a decision of the board of adjustment, the appeal herein provided being from such final decision of such board only, the appellant being hereby required to exhaust his or her remedies hereunder of application for permits, exceptions and variances, and appeal to the board of adjustment, and gaining a determination by said board, before being permitted to appeal to the court hereunder.~~

Section 30. Section 333.12, Florida Statutes, is amended to read:

333.12 Acquisition of air rights.—~~If in any case which it is desired to remove, lower or otherwise terminate a nonconforming obstruction is determined to be an airport hazard and the owner will not remove, lower, or otherwise eliminate it—structure or use; or~~ the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations under this chapter; or it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations, the political subdivision within which the property or nonconforming obstruction ~~use~~ is located, or the political subdivision owning or operating the airport or being served by it, may acquire, by purchase, grant, or condemnation in the manner provided by chapter 73, such ~~property,~~ air right, ~~avigation navigation~~ easement, or other estate, portion, or interest in the property or nonconforming obstruction ~~structure or use~~ or such interest in the air above such property, ~~tree, structure, or use,~~ in question, as may be necessary to effectuate the purposes of this chapter, and in so doing, if by condemnation, to have the right to take immediate possession of the property, interest in property, air right, or other right sought to be condemned, at the time, and in the manner and form, and as authorized by chapter 74. In the case of the purchase of any property, ~~or any~~ easement, or estate or interest therein or the acquisition of the same by the power of eminent domain, the political subdivision making such purchase or exercising such power shall, in addition to the damages for the taking, injury, or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility ~~that which~~ is required to be moved to a new location.

Section 31. Section 333.13, Florida Statutes, is amended to read:

333.13 Enforcement and remedies.—

(1) Each violation of this chapter or of any airport zoning regulations, orders, or rulings ~~promulgated~~ or made pursuant to this chapter shall constitute a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and each day a violation continues to exist shall constitute a separate offense.

(2) In addition, the political subdivision or agency adopting the airport zoning regulations under this chapter may institute in any court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of this chapter or of airport zoning regulations adopted

under this chapter or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction, (which may be mandatory,) or otherwise, as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this chapter and of the regulations adopted and orders and rulings made pursuant thereto.

(3) The department of Transportation may institute a civil action for injunctive relief in the appropriate circuit court to prevent violation of any provision of this chapter.

Section 32. Section 333.135, Florida Statutes, is created to read:

333.135 Transition provisions.—

(1) Any airport zoning regulation in effect on July 1, 2016, which includes provisions in conflict with this chapter shall be amended to conform to the requirements of this chapter by July 1, 2017.

(2) Any political subdivision having an airport within its territorial limits which has not adopted airport zoning regulations shall, by July 1, 2017, adopt airport zoning regulations consistent with this chapter.

(3) For those political subdivisions that have not yet adopted airport zoning regulations pursuant to this chapter, the department shall administer the permitting process as provided in s. 333.025.

Section 33. Section 333.14, Florida Statutes, is repealed.

Section 34. Section 335.085, Florida Statutes, is created to read:

335.085 Installation of roadside barriers along certain water bodies contiguous with state roads.—

(1) This section shall be cited as “Chloe’s Law.”

(2) By June 30, 2018, the department shall install roadside barriers to shield water bodies contiguous with state roads at locations where a death due to drowning resulted from a motor vehicle accident in which a vehicle departed the adjacent state road during the period between July 1, 2006, and July 1, 2016. This requirement does not apply to any location at which the department’s chief engineer determines, based on engineering principles, that installation of a barrier would increase the risk of injury to motorists traveling on the adjacent state road.

Section 35. The Department of Transportation shall review all motor vehicle accidents that resulted in death due to drowning in a water body contiguous with a state road and that occurred during the period between July 1, 2006, and July 1, 2016. The department shall use the reconciled crash data received from the Department of Highway Safety and Motor Vehicles and shall submit a report to the President of the Senate and the Speaker of the House of Representatives by January 3, 2017, providing recommendations regarding any necessary changes to state laws and department rules to enhance traffic safety.

Section 36. Subsection (3) of section 337.0261, Florida Statutes, is amended to read:

337.0261 Construction aggregate materials.—

(3) LOCAL GOVERNMENT DECISIONMAKING.—A ~~No~~ local government may not ~~shall~~ approve or deny a proposed land use zoning change, comprehensive plan amendment, land use permit, ordinance, or order regarding construction aggregate materials without considering any information provided by the Department of Transportation regarding the effect such change, amendment, permit decision, ordinance, or order would have on the availability, transportation, cost, and potential extraction of construction aggregate materials on the local area, the region, and the state. The failure of the Department of Transportation to provide this information shall not be a basis for delay or invalidation of the local government action. A ~~No~~ local government may not impose a moratorium, or combination of moratoria, of more than 12 months’ duration on the mining or extraction of construction aggregate materials, commencing on the date the vote was taken to impose the moratorium. January 1, 2007, shall serve as the commencement of the 12-month period for moratoria already in place as of July 1, 2007.

Section 37. Paragraph (a) of subsection (1) of section 337.18, Florida Statutes, is amended to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)(a) A surety bond shall be required of the successful bidder in an amount equal to the awarded contract price. However, the department may choose, in its discretion and applicable only to multiyear maintenance contracts, to allow for incremental annual contract bonds that cumulatively total the full, awarded, multiyear contract price.

1. The department may waive the requirement for all or a portion of a surety bond if:

a. ~~For a project for which~~ The contract price is \$250,000 or less and, the department may waive the requirement for all or a portion of a surety bond if it determines that the project is of a noncritical nature and that nonperformance will not endanger public health, safety, or property;

b. The prime contractor is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2); or

c. The prime contractor is using a subcontractor that is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2). However, the department may not waive more than the amount of the subcontract.

2. If the Secretary of Transportation or the secretary’s designee determines that it is in the best interests of the department to reduce the bonding requirement for a project and that to do so will not endanger public health, safety, or property, the department may waive the requirement of a surety bond in an amount equal to the awarded contract price for a project having a contract price of \$250 million or more and, in its place, may set a surety bond amount that is a portion of the total contract price and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond or provide for incremental surety bonding and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond. Such alternative means of security may include letters of credit, United States bonds and notes, parent company guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is \$25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier’s check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 38. Subsection (4) of section 338.165, Florida Statutes, is amended, and subsection (11) is added to that section, to read:

338.165 Continuation of tolls.—

(4) Notwithstanding any other law to the contrary, pursuant to s. 11, Art. VII of the State Constitution, and subject to the requirements of subsection (2), the Department of Transportation may request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Alligator Alley ~~and~~, the Sunshine Skyway Bridge, ~~the Beehive East Expressway, the Navarre Bridge, and the Pinellas Bayway~~ to fund transportation projects located within the county or counties in which the project is located and contained in the adopted work program of the department.

(11) The department’s Pinellas Bayway System may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. The transfer does not affect the rights of the parties, or their successors in interest, under the settlement agreement and final judgment in Leonard Lee Ratner, Esther Ratner,

and *Leeco Gas and Oil Co. v. State Road Department of the State of Florida*, No. 67-1081 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway System to the turnpike system, the department shall also transfer to the Florida Turnpike Enterprise the funds deposited in the reserve account established by chapter 85-364, Laws of Florida, as amended by chapters 95-382 and 2014-223, Laws of Florida, which funds shall be used by the Florida Turnpike Enterprise solely to help fund the costs of repair or replacement of the transferred facilities.

Section 39. Chapter 85-364, Laws of Florida, as amended by chapter 95-382 and section 48 of chapter 2014-223, Laws of Florida, is repealed.

Section 40. Subsections (5) and (6) of section 338.231, Florida Statutes, are amended to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.—The department shall at all times fix, adjust, charge, and collect such tolls and amounts for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

~~(5) In each fiscal year while any of the bonds of the Broward County Expressway Authority series 1984 and series 1986 A remain outstanding, the department is authorized to pledge revenues from the turnpike system to the payment of principal and interest of such series of bonds and the operation and maintenance expenses of the Sawgrass Expressway, to the extent gross toll revenues of the Sawgrass Expressway are insufficient to make such payments. The terms of an agreement relative to the pledge of turnpike system revenue will be negotiated with the parties of the 1984 and 1986 Broward County Expressway Authority lease purchase agreements, and subject to the covenants of those agreements. The agreement must establish that the Sawgrass Expressway is subject to the planning, management, and operating control of the department limited only by the terms of the lease purchase agreements. The department shall provide for the payment of operation and maintenance expenses of the Sawgrass Expressway until such agreement is in effect. This pledge of turnpike system revenues is subordinate to the debt service requirements of any future issue of turnpike bonds, the payment of turnpike system operation and maintenance expenses, and subject to any subsequent resolution or trust indenture relating to the issuance of such turnpike bonds.~~

~~(5)(6)~~ The use and disposition of revenues pledged to bonds are subject to ss. 338.22-338.241 and such regulations as the resolution authorizing the issuance of the bonds or such trust agreement may provide.

Section 41. Paragraph (i) of subsection (6) and paragraph (c) of subsection (7) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. shall be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law.

(i) *The Tampa Bay Area Regional Transportation Authority Metropolitan Planning Organization Chairs* A chair's Coordinating Committee is created *within the Tampa Bay Area Regional Transportation Authority*, composed of the M.P.O.'s serving Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties. *The authority shall provide administrative support and direction to the committee.* The committee must, at a minimum:

1. Coordinate transportation projects deemed to be regionally significant by the committee.

2. Review the impact of regionally significant land use decisions on the region.

3. Review all proposed regionally significant transportation projects in the respective transportation improvement programs which affect more than one of the M.P.O.'s represented on the committee.

4. Institute a conflict resolution process to address any conflict that may arise in the planning and programming of such regionally significant projects.

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(c) Assess capital investment and other measures necessary to:

1. Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and

2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion, *improve safety*, and maximize the mobility of people and goods. *Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

Section 42. Subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(a) For the purposes of this section, the term "small county" means any county that has a population of 170,000 ~~150,000~~ or less as determined by the most recent official estimate pursuant to s. 186.901.

~~(b) Notwithstanding paragraph (a), for the 2015-2016 fiscal year, for purposes of this section, the term "small county" means any county that has a population of 165,000 or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2016.~~

Section 43. Subsections (1) and (2) of section 339.55, Florida Statutes, are amended to read:

339.55 State-funded infrastructure bank.—

(1) There is created within the Department of Transportation a state-funded infrastructure bank for the purpose of providing loans and credit enhancements to government units and private entities for use in constructing and improving transportation facilities *or ancillary facilities that produce or distribute natural gas or fuel.*

(2) The bank may lend capital costs or provide credit enhancements for:

(a) A transportation facility project that is on the State Highway System or that provides for increased mobility on the state's transportation system or provides intermodal connectivity with airports, seaports, rail facilities, and other transportation terminals, pursuant to s. 341.053, for the movement of people and goods.

(b) Projects of the Transportation Regional Incentive Program which are identified pursuant to s. 339.2819(4).

(c)1. Emergency loans for damages incurred to public-use commercial deepwater seaports, public-use airports, and other public-use transit and intermodal facilities that are within an area that is part of an official state declaration of emergency pursuant to chapter 252 and all other applicable laws. Such loans:

a. May not exceed 24 months in duration except in extreme circumstances, for which the Secretary of Transportation may grant up to 36 months upon making written findings specifying the conditions requiring a 36-month term.

b. Require application from the recipient to the department that includes documentation of damage claims filed with the Federal Emergency Management Agency or an applicable insurance carrier and documentation of the recipient's overall financial condition.

c. Are subject to approval by the Secretary of Transportation and the Legislative Budget Commission.

2. Loans provided under this paragraph must be repaid upon receipt by the recipient of eligible program funding for damages in accordance with the claims filed with the Federal Emergency Management Agency or an applicable insurance carrier, but no later than the duration of the loan.

(d) *Beginning July 1, 2017, applications for the development and construction of natural gas fuel production or distribution facilities used primarily to support the transportation activities at seaports or intermodal facilities. Loans under this paragraph may be used to refinance outstanding debt.*

Section 44. Paragraph (c) is added to subsection (3) of section 339.64, Florida Statutes, and paragraph (a) of subsection (4) of that section is amended, to read:

339.64 Strategic Intermodal System Plan.—

(3)

(c) *The department shall coordinate with federal, regional, and local partners, as well as industry representatives, to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments, in Strategic Intermodal System facilities.*

(4) The Strategic Intermodal System Plan shall include the following:

(a) A needs assessment *that must include, but is not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

Section 45. *Section 341.0532, Florida Statutes, is repealed.*

Section 46. Paragraphs (a) and (b) of subsection (2) of section 343.92, Florida Statutes, are amended to read:

343.92 Tampa Bay Area Regional Transportation Authority.—

(2) The governing board of the authority shall consist of *15 voting* ~~16~~ members.

(a) ~~There shall be one nonvoting, ex officio member of the board who shall be appointed by the secretary of the department shall appoint two advisors to the board but~~ who must be the district secretary for each ~~one~~

of the department districts within the seven-county area of the authority, ~~at the discretion of the secretary of the department.~~

(b) ~~The~~ There shall be 15 voting members of the board *shall be* as follows:

1. The county commissions of Citrus, Hernando, Hillsborough, Pasco, Pinellas, Manatee, and Sarasota Counties shall each appoint one elected official to the board. Members appointed under this subparagraph shall serve 2-year terms with not more than three consecutive terms being served by any person. If a member under this subparagraph leaves elected office, a vacancy exists on the board to be filled as provided in this subparagraph.

2. The *Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization West-Central Florida M.P.O.* Chairs Coordinating Committee shall appoint one member to the board who must be a chair of one of the six metropolitan planning organizations in the region. The member appointed under this subparagraph shall serve a 2-year term with not more than three consecutive terms being served by any person.

3.a. Two members of the board shall be the mayor, or the mayor's designee, of the largest municipality within the service area of each of the following independent transit agencies or their legislatively created successor agencies: Pinellas Suncoast Transit Authority and Hillsborough Area Regional Transit Authority. The largest municipality is that municipality with the largest population as determined by the most recent United States Decennial Census.

b. Should a mayor choose not to serve, his or her designee must be an elected official selected by the mayor from that largest municipality's city council or city commission. A mayor or his or her designee shall serve a 2-year term with not more than three consecutive terms being served by any person.

c. A designee's term ends if the mayor leaves office for any reason. If a designee leaves elected office on the city council or commission, a vacancy exists on the board to be filled by the mayor of that municipality as provided in sub-subparagraph a.

d. A mayor who has served three consecutive terms on the board must designate an elected official from that largest municipality's city council or city commission to serve on the board for at least one term.

4.a. One membership on the board shall rotate every 2 years between the mayor, or his or her designee, of the largest municipality within Manatee County and the mayor, or his or her designee, of the largest municipality within Sarasota County. The mayor, or his or her designee, from the largest municipality within Manatee County shall serve the first 2-year term. The largest municipality is that municipality with the largest population as determined by the most recent United States Decennial Census.

b. Should a mayor choose not to serve, his or her designee must be an elected official selected by the mayor from that municipality's city council or city commission.

5. The Governor shall appoint to the board four business representatives, each of whom must reside in one of the seven counties governed by the authority, none of whom may be elected officials, and at least one but not more than two of whom shall represent counties within the federally designated Tampa Bay Transportation Management Area. Members appointed by the Governor shall serve 3-year terms with not more than two consecutive terms being served by any person.

Section 47. Paragraphs (d), (e), and (f) of subsection (3) of section 343.922, Florida Statutes, are amended, and paragraph (g) is added to that subsection, to read:

343.922 Powers and duties.—

(3)

(d) After its adoption, the master plan shall be updated every *5* ~~2~~ years before July 1.

(e) The authority shall present the original master plan and updates to the governing bodies of the counties within the seven-county region,

to the ~~TBARTA Metropolitan Planning Organization West-Central Florida M.P.O.~~ Chairs Coordinating Committee, and to the legislative delegation members representing those counties within 90 days after adoption.

(f) The authority shall coordinate plans and projects with the ~~TBARTA Metropolitan Planning Organization West-Central Florida M.P.O.~~ Chairs Coordinating Committee, to the extent practicable, and participate in the regional M.P.O. planning process to ensure regional comprehension of the authority's mission, goals, and objectives.

(g) *The authority shall provide administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee as provided in s. 339.175(6)(i).*

Section 48. Subsection (3) of section 348.565, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

348.565 Revenue bonds for specified projects.—The existing facilities that constitute the Tampa-Hillsborough County Expressway System are hereby approved to be refinanced by revenue bonds issued by the Division of Bond Finance of the State Board of Administration pursuant to s. 11(f), Art. VII of the State Constitution and the State Bond Act or by revenue bonds issued by the authority pursuant to s. 348.56(1)(b). In addition, the following projects of the Tampa-Hillsborough County Expressway Authority are approved to be financed or refinanced by the issuance of revenue bonds in accordance with this part and s. 11(f), Art. VII of the State Constitution:

(3) Lee Roy Selmon Crosstown Expressway System widening, and any extensions thereof.

(5) *Capital projects that the authority is authorized to acquire, construct, reconstruct, equip, operate, and maintain pursuant to this part, including, without limitation, s. 348.54(15), provided that any financing of such projects does not pledge the full faith and credit of the state.*

Section 49. Subsection (20) is added to section 479.16, Florida Statutes, to read:

479.16 Signs for which permits are not required.—The following signs are exempt from the requirement that a permit for a sign be obtained under this chapter but are required to comply with s. 479.11(4)-(8), and ~~the provisions of subsections (15)-(20) (15)-(19)~~ may not be implemented or continued if the Federal Government notifies the department that implementation or continuation will adversely affect the allocation of federal funds to the department:

(20) *Signs that are located within the controlled area of a federal-aid primary highway but that are on a parcel adjacent to an off-ramp to the termination point of a turnpike system, if there is no directional decision to be made by a driver, the signs are primarily facing the off-ramp, and the signs have been in existence since at least 1995.*

If the exemptions in subsections (15)-(20) ~~(15)-(19)~~ are not implemented or continued due to notification from the Federal Government that the allocation of federal funds to the department will be adversely impacted, the department shall provide notice to the sign owner that the sign must be removed within 30 days after receipt of the notice. If the sign is not removed within 30 days after receipt of the notice by the sign owner, the department may remove the sign, and the costs incurred in connection with the sign removal shall be assessed against and collected from the sign owner.

Section 50. Section 563.13, Florida Statutes, is created to read:

563.13 *Florida brewery directional signs; fees.—Upon the request of a brewery licensed under s. 561.221(2) or (3) which produces a minimum of 2,500 barrels per year on the premises, is open to the public at least 30 hours per week, and is available for tours, the Department of Transportation shall install directional signs for the brewery on the rights-of-way of interstate highways and primary and secondary roads in accordance with Florida's Highway Guide Sign Program as provided in chapter 14-51, Florida Administrative Code. A brewery licensed in this state which requests placement of a directional sign through the department's permit process shall pay all associated costs.*

Section 51. Paragraph (a) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

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

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

3. If the offender commits any grand theft and:

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

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

c. *In the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,*

the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 52. *The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall study the use and safe operation of driver-assistive truck platooning technology, as defined in s. 316.003, Florida Statutes, for the purpose of developing a pilot project to test vehicles that are equipped to operate using driver-assistive truck platooning technology.*

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

(2) *Notwithstanding ss. 316.0895 and 316.303, Florida Statutes, the Department of Transportation may conduct the pilot project in such a manner and at such locations as determined by the Department of Transportation based on the study.*

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

(4) *Upon conclusion of the pilot project, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall submit the results of the study and any findings or recommendations from the pilot project to the Governor, the President of the Senate, and the Speaker of the House of Representatives.*

Section 53. (1)(a) *The Office of Economic and Demographic Research shall evaluate and determine the economic benefits, as defined in s. 288.005(1), Florida Statutes, of the state's investment in the Department of Transportation's adopted work program developed in accordance with s. 339.135(5), Florida Statutes, for fiscal year 2016-2017 and the following 4 fiscal years. At a minimum, a separate return on investment shall be projected for each of the following areas:*

1. Roads and highways.
2. Rails.
3. Public transit.
4. Aviation.
5. Seaports.

(b) *The evaluation shall be limited to the funding anticipated by the adopted work program but may address the continuing economic impact for those transportation projects in the 5 years after the conclusion of the adopted work program. The evaluation must also determine the number*

of jobs created, the increase or decrease in personal income, and the impact on gross domestic product from the direct, indirect, and induced effects on the state's investment in each area.

(2) The Department of Transportation and each of its district offices shall provide the Office of Economic and Demographic Research full access to all data necessary to complete the evaluation, including any confidential data.

(3) The Office of Economic and Demographic Research shall submit the evaluation to the President of the Senate and the Speaker of the House of Representatives by January 1, 2017.

Section 54. Section 316.87, Florida Statutes, is created to read:

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

Section 55. *Transportation facility designations; Department of Transportation to erect suitable markers.—*

(1) *That portion of C.R. 155/Meridian Road between Meridian Hills Road and the Georgia state line in Leon County is designated as “Dubose Ausley Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.*

Section 56. *Transportation facility designations; Department of Transportation to erect suitable markers.—*

(1) *Bridge number 429958 on S.R. 842/Broward Boulevard at North Fork New River in Broward County is designated as the “Senator Christopher L. Smith Bridge.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the transportation facility as described in this section.*

Section 57. *Transportation facility designations; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 922 from N.E. 10th Avenue east to the North Miami City Limits in Miami-Dade County is designated as “Stanley G. Tate Boulevard.”*

(2) *That portion of Miami Avenue between N.E. 5th Street and U.S. 41/S.R. 90/S.E. 7th Street in Miami-Dade County is designated as “Robert L. Shevin Memorial Boulevard.”*

(3) *Bridge number 870054 on S.R. 112/W. 41st Street/Arthur Godfrey Road in Miami Beach is designated as the “Senator Paul B. Steinberg Bridge.”*

(4) *The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.*

Section 58. Section 1 of chapter 26497, Laws of Florida, 1951, is amended to read:

Section 1. That the following described route be and the same is hereby declared, designated and established as a State Road, forming a part of the connecting system of the State of Florida, and shall be known as the **SHEPARD BROAD CAUSEWAY BOULEVARD**.

Beginning at the intersection of State Road AIA and 96th Street in Dade County, Florida, and running in a Westerly direction, as near as possible in a direct line, through the Town of Bay Harbor Islands,

Florida, across Broad Causeway, spanning Biscayne Bay, and through the Town of North Miami, Florida, to the point where such highway shall intersect with State Road Number 7, along the most practicable and feasible route to be determined by the State Road Department.

Section 59. Paragraph (c) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles:

1. When a motor vehicle is leased or rented for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

Section 60. Subsection (1) of section 316.1303, Florida Statutes, is amended to read:

316.1303 Traffic regulations to assist mobility-impaired persons.—

(1) Whenever a pedestrian who is mobility impaired is in the process of crossing a public street or highway with the assistance of a guide dog or service animal designated as such with a visible means of identification, a walker, a crutch, an orthopedic cane, or a wheelchair, the driver of a vehicle approaching the intersection, ~~as defined in s. 316.003(17)~~, shall bring his or her vehicle to a full stop before arriving at the intersection and, before proceeding, shall take precautions necessary to avoid injuring the pedestrian.

Section 61. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 316.545, Florida Statutes, are amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(2)

(b) The officer or inspector shall inspect the license plate or registration certificate of the commercial vehicle, ~~as defined in s. 316.003(66)~~, to determine *whether* if its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the

declared weight, the penalty shall be 5 cents per pound on the difference between such weights. In those cases when the commercial vehicle, ~~as defined in s. 316.003(66)~~, is being operated over the highways of the state with an expired registration or with no registration from this or any other jurisdiction or is not registered under the applicable provisions of chapter 320, the penalty herein shall apply on the basis of 5 cents per pound on that scaled weight which exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen commercial motor vehicle. If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed \$1,000. In the case of special mobile equipment ~~as defined in s. 316.003(48)~~, which qualifies for the license tax provided for in s. 320.08(5)(b), being operated on the highways of the state with an expired registration or otherwise not properly registered under the applicable provisions of chapter 320, a penalty of \$75 shall apply in addition to any other penalty which may apply in accordance with this chapter. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of chapter 320 is not subject to the delinquent fee authorized in s. 320.07 if such person obtains a valid registration certificate within 10 working days after such penalty was assessed.

(4)(a) A ~~no~~ commercial vehicle ~~may not, as defined in s. 316.003(66),~~ shall be operated over the highways of this state unless it has been properly registered under the provisions of s. 207.004. Whenever any law enforcement officer identified in s. 207.023(1), upon inspecting the vehicle or combination of vehicles, determines that the vehicle is in violation of s. 207.004, a penalty in the amount of \$50 shall be assessed, and the vehicle may be detained until payment is collected by the law enforcement officer.

Section 62. Subsection (2) of section 316.605, Florida Statutes, is amended to read:

316.605 Licensing of vehicles.—

(2) Any commercial motor vehicle, ~~as defined in s. 316.003(66)~~, operating over the highways of this state with an expired registration, with no registration from this or any other jurisdiction, or with no registration under the applicable provisions of chapter 320 shall be in violation of s. 320.07(3) and shall subject the owner or operator of such vehicle to the penalty provided. In addition, a commercial motor vehicle found in violation of this section may be detained by any law enforcement officer until the owner or operator produces evidence that the vehicle has been properly registered and that any applicable delinquent penalties have been paid.

Section 63. Subsection (6) of section 316.6105, Florida Statutes, is amended to read:

316.6105 Violations involving operation of motor vehicle in unsafe condition or without required equipment; procedure for disposition.—

(6) This section does not apply to commercial motor vehicles ~~as defined in s. 316.003(66)~~ or transit buses owned or operated by a governmental entity.

Section 64. Paragraph (a) of subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term “motor vehicle” means a motor vehicle as defined in s. 316.003 that is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus as defined in s. 316.003(66) ~~316.003(45)~~.

Section 65. Subsection (8) of section 316.622, Florida Statutes, is amended to read:

316.622 Farm labor vehicles.—

(8) The department shall provide to the Department of Business and Professional Regulation each quarter a copy of each accident report involving a farm labor vehicle, ~~as defined in s. 316.003(62), commencing with the first quarter of the 2006-2007 fiscal year.~~

Section 66. Paragraph (b) of subsection (1) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(1)

(b) The department shall prepare, and supply to every traffic enforcement agency in the state, an appropriate affidavit-of-compliance form that shall be issued along with the form traffic citation for any violation of s. 316.610 and that indicates the specific defect needing to be corrected. However, such affidavit of compliance ~~may~~ shall not be issued in the case of a violation of s. 316.610 by a commercial motor vehicle ~~as defined in s. 316.003(66)~~. Such affidavit-of-compliance form shall be distributed in the same manner and to the same parties as is the form traffic citation.

Section 67. Subsection (1) of section 316.70, Florida Statutes, is amended to read:

316.70 Nonpublic sector buses; safety rules.—

(1) The Department of Transportation shall establish and revise standards to ~~ensure~~ assure the safe operation of nonpublic sector buses, ~~as defined in s. 316.003(78)~~, which standards shall be those contained in 49 C.F.R. parts 382, 385, and 390-397 and which shall be directed ~~to-ward ensuring towards~~ assuring that:

(a) Nonpublic sector buses are safely maintained, equipped, and operated.

(b) Nonpublic sector buses are carrying the insurance required by law and carrying liability insurance on the checked baggage of passengers not to exceed the standard adopted by the United States Department of Transportation.

(c) Florida license tags are purchased for nonpublic sector buses pursuant to s. 320.38.

(d) The driving records of drivers of nonpublic sector buses are checked by their employers at least once each year to ascertain whether the driver has a suspended or revoked driver license.

Section 68. Paragraph (a) of subsection (1) of section 320.01, Florida Statutes, is amended to read:

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

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, special mobile equipment as defined in s. 316.003 ~~316.003(48)~~, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

Section 69. Section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2) ~~316.003(2)~~, tri-vehicles as defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: \$10 flat.

(b) Any moped: \$5 flat.

(c) Upon registration of a motorcycle, motor-driven cycle, or moped, in addition to the license taxes specified in this subsection, a non-refundable motorcycle safety education fee in the amount of \$2.50 shall be paid. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.

(d) An ancient or antique motorcycle: \$7.50 flat, of which \$2.50 shall be deposited into the General Revenue Fund.

(2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

(a) An ancient or antique automobile, as defined in s. 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

(b) Net weight of less than 2,500 pounds: \$14.50 flat.

(c) Net weight of 2,500 pounds or more, but less than 3,500 pounds: \$22.50 flat.

(d) Net weight of 3,500 pounds or more: \$32.50 flat.

(3) TRUCKS.—

(a) Net weight of less than 2,000 pounds: \$14.50 flat.

(b) Net weight of 2,000 pounds or more, but not more than 3,000 pounds: \$22.50 flat.

(c) Net weight more than 3,000 pounds, but not more than 5,000 pounds: \$32.50 flat.

(d) A truck defined as a “goat,” or other vehicle if used in the field by a farmer or in the woods for the purpose of harvesting a crop, including naval stores, during such harvesting operations, and which is not principally operated upon the roads of the state: \$7.50 flat. The term “goat” means a motor vehicle designed, constructed, and used principally for the transportation of citrus fruit within citrus groves or for the transportation of crops on farms, and which can also be used for hauling associated equipment or supplies, including required sanitary equipment, and the towing of farm trailers.

(e) An ancient or antique truck, as defined in s. 320.086: \$7.50 flat.

(4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS VEHICLE WEIGHT.—

(a) Gross vehicle weight of 5,001 pounds or more, but less than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be deposited into the General Revenue Fund.

(b) Gross vehicle weight of 6,000 pounds or more, but less than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

(c) Gross vehicle weight of 8,000 pounds or more, but less than 10,000 pounds: \$103 flat, of which \$27 shall be deposited into the General Revenue Fund.

(d) Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.

(e) Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.

(f) Gross vehicle weight of 20,000 pounds or more, but less than 26,001 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.

(g) Gross vehicle weight of 26,001 pounds or more, but less than 35,000: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

(h) Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.

(i) Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$773 flat, of which \$201 shall be deposited into the General Revenue Fund.

(j) Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$916 flat, of which \$238 shall be deposited into the General Revenue Fund.

(k) Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.

(l) Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(m) Notwithstanding the declared gross vehicle weight, a truck tractor used within a 150-mile radius of its home address is eligible for a license plate for a fee of \$324 flat if:

1. The truck tractor is used exclusively for hauling forestry products; or

2. The truck tractor is used primarily for the hauling of forestry products, and is also used for the hauling of associated forestry harvesting equipment used by the owner of the truck tractor.

Of the fee imposed by this paragraph, \$84 shall be deposited into the General Revenue Fund.

(n) A truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products within a 150-mile radius of its home address, is eligible for a restricted license plate for a fee of:

1. If such vehicle’s declared gross vehicle weight is less than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

2. If such vehicle’s declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports from the point of production to the point of primary manufacture; to the point of assembling the same; or to a shipping point of a rail, water, or motor transportation company, \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products may be incidentally used to haul farm implements and fertilizers delivered direct to the growers. The department may require any documentation deemed necessary to determine eligibility prior to issuance of this license plate. For the purpose of this paragraph, “not-for-hire” means the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of the farm implements and fertilizer being delivered.

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(a)1. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$13.50 flat per registration year or any part thereof, of which \$3.50 shall be deposited into the General Revenue Fund.

2. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$68 flat per permanent registration, of which \$18 shall be deposited into the General Revenue Fund.

(b) A motor vehicle equipped with machinery and designed for the exclusive purpose of well drilling, excavation, construction, spraying, or similar activity, and which is not designed or used to transport loads other than the machinery described above over public roads: \$44 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(c) A school bus used exclusively to transport pupils to and from school or school or church activities or functions within their own county: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(d) A wrecker, as defined in s. 320.01, which is used to tow a vessel as defined in s. 327.02, a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01, or a replacement motor vehicle as defined in s. 320.01: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(e) A wrecker that is used to tow any nondisabled motor vehicle, a vessel, or any other cargo unless used as defined in paragraph (d), as follows:

1. Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.

2. Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.

3. Gross vehicle weight of 20,000 pounds or more, but less than 26,000 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.

4. Gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

5. Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.

6. Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$772 flat, of which \$200 shall be deposited into the General Revenue Fund.

7. Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$915 flat, of which \$237 shall be deposited into the General Revenue Fund.

8. Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.

9. Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(f) A hearse or ambulance: \$40.50 flat, of which \$10.50 shall be deposited into the General Revenue Fund.

(6) MOTOR VEHICLES FOR HIRE.—

(a) Under nine passengers: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Nine passengers and over: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(7) TRAILERS FOR PRIVATE USE.—

(a) Any trailer weighing 500 pounds or less: \$6.75 flat per year or any part thereof, of which \$1.75 shall be deposited into the General Revenue Fund.

(b) Net weight over 500 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1 per cwt, of which 25 cents shall be deposited into the General Revenue Fund.

(8) TRAILERS FOR HIRE.—

(a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Net weight 2,000 pounds or more: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(9) RECREATIONAL VEHICLE-TYPE UNITS.—

(a) A travel trailer or fifth-wheel trailer, as defined by s. 320.01(1)(b), that does not exceed 35 feet in length: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

(b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(c) A motor home, as defined by s. 320.01(1)(b)4.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(d) A truck camper as defined by s. 320.01(1)(b)3.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(e) A private motor coach as defined by s. 320.01(1)(b)5.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS; 35 FEET TO 40 FEET.—

(a) Park trailers.—Any park trailer, as defined in s. 320.01(1)(b)7.: \$25 flat.

(b) A travel trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

(11) MOBILE HOMES.—

(a) A mobile home not exceeding 35 feet in length: \$20 flat.

(b) A mobile home over 35 feet in length, but not exceeding 40 feet: \$25 flat.

(c) A mobile home over 40 feet in length, but not exceeding 45 feet: \$30 flat.

(d) A mobile home over 45 feet in length, but not exceeding 50 feet: \$35 flat.

(e) A mobile home over 50 feet in length, but not exceeding 55 feet: \$40 flat.

(f) A mobile home over 55 feet in length, but not exceeding 60 feet: \$45 flat.

(g) A mobile home over 60 feet in length, but not exceeding 65 feet: \$50 flat.

(h) A mobile home over 65 feet in length: \$80 flat.

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund.

(13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or official license plate: \$4 flat, of which \$1 shall be deposited into the General Revenue Fund.

(14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor vehicle for hire operated wholly within a city or within 25 miles thereof: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(15) TRANSPORTER.—Any transporter license plate issued to a transporter pursuant to s. 320.133: \$101.25 flat, of which \$26.25 shall be deposited into the General Revenue Fund.

Section 70. Subsection (1) of section 320.0801, Florida Statutes, is amended to read:

320.0801 Additional license tax on certain vehicles.—

(1) In addition to the license taxes specified in s. 320.08 and in subsection (2), there is hereby levied and imposed an annual license tax of 10 cents for the operation of a motor vehicle, as defined in s. 320.01, and moped, as defined in s. 316.003 ~~316.003(77)~~, which tax shall be paid to the department or its agent upon the registration or renewal of registration of the vehicle. Notwithstanding the provisions of s. 320.20, revenues collected from the tax imposed in this subsection shall be deposited in the Emergency Medical Services Trust Fund and used solely for the purpose of carrying out the provisions of ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter 87-399, Laws of Florida.

Section 71. Section 320.38, Florida Statutes, is amended to read:

320.38 When nonresident exemption not allowed.—The provisions of s. 320.37 authorizing the operation of motor vehicles over the roads of this state by nonresidents of this state when such vehicles are duly registered or licensed under the laws of some other state or foreign country do not apply to any nonresident who accepts employment or engages in any trade, profession, or occupation in this state, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~. In every case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in any trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 10 days after the commencement of such employment or education, register his or her motor vehicles in this state if such motor vehicles are proposed to be operated on the roads of this state. Any person who is enrolled as a student in a college or university and who is a nonresident but who is in this state for a period of up to 6 months engaged in a work-study program for which academic credits are earned from a college whose credits or degrees are accepted for credit by at least three accredited institutions of higher learning, as defined in s. 1005.02, is not required to have a Florida registration for the duration of the work-study program if the person's vehicle is properly registered in another jurisdiction. Any nonresident who is enrolled as a full-time student in such institution of higher learning is also exempt for the duration of such enrollment.

Section 72. Subsection (1) of section 322.031, Florida Statutes, is amended to read:

322.031 Nonresident; when license required.—

(1) In each case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in a trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 30 days after beginning such employment or education, be required to obtain a Florida driver license if such nonresident operates a motor vehicle on the highways of this state. The spouse or dependent child of such nonresident shall also be required to obtain a Florida driver license within that 30-day period before operating a motor vehicle on the highways of this state.

Section 73. For the purpose of incorporating the amendment made by this act to section 333.01, Florida Statutes, in a reference thereto, subsection (6) of section 350.81, Florida Statutes, is reenacted to read:

350.81 Communications services offered by governmental entities.—

(6) To ensure the safe and secure transportation of passengers and freight through an airport facility, as defined in s. 159.27(17), an airport authority or other governmental entity that provides or is proposing to provide communications services only within the boundaries of its airport layout plan, as defined in s. 333.01(6), to subscribers which are integral and essential to the safe and secure transportation of passen-

gers and freight through the airport facility, is exempt from this section. An airport authority or other governmental entity that provides or is proposing to provide shared-tenant service under s. 364.339, but not dial tone enabling subscribers to complete calls outside the airport layout plan, to one or more subscribers within its airport layout plan which are not integral and essential to the safe and secure transportation of passengers and freight through the airport facility is exempt from this section. An airport authority or other governmental entity that provides or is proposing to provide communications services to one or more subscribers within its airport layout plan which are not integral and essential to the safe and secure transportation of passengers and freight through the airport facility, or to one or more subscribers outside its airport layout plan, is not exempt from this section. By way of example and not limitation, the integral, essential subscribers may include airlines and emergency service entities, and the nonintegral, nonessential subscribers may include retail shops, restaurants, hotels, or rental car companies.

Section 74. Subsection (3) of section 450.181, Florida Statutes, is amended to read:

450.181 Definitions.—As used in part II, unless the context clearly requires a different meaning:

(3) The term “migrant laborer” has the same meaning as migrant or seasonal farm *worker* ~~workers~~ as defined in s. 316.003 ~~316.003(61)~~.

Section 75. Subsection (5) of section 559.903, Florida Statutes, is amended to read:

559.903 Definitions.—As used in this act:

(5) “Motor vehicle” means any automobile, truck, bus, recreational vehicle, motorcycle, motor scooter, or other motor powered vehicle, but does not include trailers, mobile homes, travel trailers, trailer coaches without independent motive power, watercraft or aircraft, or special mobile equipment as defined in s. 316.003 ~~316.003(48)~~.

Section 76. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

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

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(76)(a) ~~316.003(53)(a)~~ or (b), including any adjacent sidewalk, as defined in s. 316.003 ~~316.003(47)~~.

Section 77. Paragraph (b) of subsection (2) of section 732.402, Florida Statutes, is amended to read:

732.402 Exempt property.—

(2) Exempt property shall consist of:

(b) Two motor vehicles as defined in s. 316.003 ~~316.003(21)~~, which do not, individually as to either such motor vehicle, have a gross vehicle weight in excess of 15,000 pounds, held in the decedent's name and regularly used by the decedent or members of the decedent's immediate family as their personal motor vehicles.

Section 78. Subsection (1) of section 860.065, Florida Statutes, is amended to read:

860.065 Commercial transportation; penalty for use in commission of a felony.—

(1) It is unlawful for any person to attempt to obtain, solicit to obtain, or obtain any means of public or commercial transportation or conveyance, including vessels, aircraft, railroad trains, or commercial vehicles as defined in s. 316.003 ~~316.003(66)~~, with the intent to use such public or commercial transportation or conveyance to commit any felony or to facilitate the commission of any felony.

Section 79. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to transportation; amending s. 288.1097, F.S.; authorizing members of certain qualified job training organizations to participate in a self-insurance fund; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee under the direction of the Florida Seaport Transportation and Economic Development Council; providing membership and duties; directing the council to establish a Seaport Security Grant Program to assist in the implementation of security at specified seaports; directing the council to review applications, make recommendations to the council, and adopt rules; amending s. 316.003, F.S.; revising and providing definitions; amending s. 316.0745, F.S.; revising the circumstances under which the Department of Transportation is authorized to direct the removal of certain traffic control devices; requiring the public agency erecting or installing such a device to bring it into compliance with certain requirements or remove it upon the direction of the department; creating s. 316.2069, F.S.; authorizing the governing body of a municipality or a county to authorize the operation of commercial megacycles on or across streets or roads under the specified conditions; authorizing the Department of Transportation to prohibit the operation of commercial megacycles on or across any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety; excluding commercial megacycle passengers from certain provisions regarding possession of open containers of alcoholic beverages in vehicles under specified conditions; providing that use of an auxiliary motor under certain circumstances is not prohibited; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 316.640, F.S.; expanding the authority of a chartered municipal parking enforcement specialist to enforce state, county, and municipal parking laws and ordinances within the boundaries of certain counties pursuant to a memorandum of understanding; amending s. 316.85, F.S.; revising the circumstances under which a licensed driver is authorized to operate an autonomous vehicle in autonomous mode; amending s. 316.86, F.S.; deleting a provision authorizing the operation of vehicles equipped with autonomous technology on roads in this state for testing purposes by certain persons or research organizations; deleting a requirement that a human operator be present in an autonomous vehicle for testing purposes; deleting certain financial responsibility requirements for entities performing such testing; amending s. 319.145, F.S.; revising provisions relating to required equipment and operation of autonomous vehicles; amending s. 319.30, F.S.; authorizing insurance companies to receive a salvage certificate of title or certificate of destruction from the Department of Highway Safety and Motor Vehicles after a specified number of days after payment of a claim as of a specified date, subject to certain requirements; requiring insurance companies seeking such title or certificate of destruction to follow a specified procedure; providing requirements for the request; amending s. 320.525, F.S.; revising the definition of the term "port vehicles and equipment"; amending ss. 322.051 and 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license or identification card of a person who is deaf or hard of hearing; providing applicability; amending s. 332.08, F.S.; extending the authorized term of certain airport-related leases; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation's aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department's requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance

to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of airspace obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment provided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; creating s. 335.085, F.S.; providing a short title; requiring the department to install roadside barriers to shield water bodies contiguous with state roads at certain locations by a specified date under certain circumstances; providing applicability; requiring the department to review specified information related to certain motor vehicle accidents on state roads contiguous with water bodies which occurred during a specified timeframe, subject to certain requirements; requiring the department to submit a report to the Legislature by a specified date, subject to certain requirements; amending s. 337.0261, F.S.; requiring local governments to consider information provided by the department regarding the effect that approving or denying certain regulations may have on the cost of construction aggregate materials in the local area, the region, and the state; amending s. 337.18, F.S.; revising conditions for waiver of a required surety bond; amending s. 338.165, F.S.; deleting an authorization to issue certain bonds secured by toll revenues collected on the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; requiring the department to transfer certain funds to the Florida Turnpike Enterprise for certain purposes; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; deleting provisions relating to the use of revenues from the turnpike system to pay the principal and interest of a specified series of bonds and certain expenses of the Sawgrass Expressway; amending s. 339.175, F.S., relating to the Tampa Bay Area Regional Transportation Authority; revising provisions for a coordinating committee composed of metropolitan planning organizations; designating the committee as the "TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee"; revising membership of the commit-

tee; providing duties of the authority, M.P.O.'s, and the department; requiring certain long-range transportation plans to include assessment of capital investment and other measures necessary to make the most efficient use of existing transportation facilities to improve safety; requiring the assessments to include consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology; amending s. 339.2818, F.S.; increasing the population ceiling in the definition of the term "small county" for purposes of the Small County Outreach Program; deleting an alternative definition of the term "small county" for a specified fiscal year; amending s. 339.55, F.S.; revising the purpose of the state-funded infrastructure bank within the department to include constructing and improving ancillary facilities that produce or distribute natural gas or fuel; authorizing the department to consider applications for loans from the bank for development and construction of natural gas fuel production or distribution facilities used primarily to support transportation activities at seaports or intermodal facilities beginning on a specified date; authorizing use of such loans to refinance outstanding debt; amending s. 339.64, F.S.; requiring the department to coordinate with certain partners and industry representatives to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology in Strategic Intermodal System facilities; requiring the Strategic Intermodal System Plan to include a needs assessment regarding such infrastructure and technological improvements; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 343.92, F.S.; revising the membership of the governing board of the Tampa Bay Area Regional Transportation Authority; requiring the secretary of the department to appoint two advisors to the board subject to certain requirements, rather than appointing one nonvoting, ex officio member of the board; amending s. 343.922, F.S.; increasing the period of time in which a master plan must be updated; requiring the authority to present a certain master plan and updates to, and coordinate projects and plans with, the Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization Chairs Coordinating Committee, rather than the West Central Florida M.P.O. Chairs Coordinating Committee; requiring the authority to provide certain administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee; amending s. 348.565, F.S.; expanding the list of projects of the Tampa-Hillsborough County Expressway Authority which are approved to be financed or refinanced by the issuance of certain revenue bonds; amending s. 479.16, F.S.; exempting certain signs from a specified permit, subject to certain requirements and restrictions; creating s. 563.13, F.S.; requiring the Department of Transportation to install directional signs for certain breweries on the rights-of-way of interstate highways and primary and secondary roads, subject to certain requirements; requiring a brewery that requests a directional sign to pay certain costs; amending s. 812.014, F.S.; specifying a certain criminal penalty for offenders committing any grand theft who in the course of committing the offense use any type of device to interfere with a global positioning system or similar system under certain circumstances; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and the Legislature; directing the Office of Economic and Demographic Research to determine the economic benefits of the Department of Transportation's adopted work program; directing the department to provide access to necessary data; creating s. 316.87, F.S.; providing that certain providers of nonemergency medical transportation services may not be required to use certain vehicles; providing applicability; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an honorary designation of a specified transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, and 322.031, F.S.; conforming cross-references; reenacting s. 350.81(6), F.S., relating to the definition of the term "airport layout plan," to incorporate the amendment made to s. 333.01, F.S., in a reference thereto; amending ss. 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Evers moved the following amendment to **Amendment 1 (691108)** which was adopted by two-thirds vote:

Amendment 1A (407876) (with title amendment)—Between lines 14 and 15 insert:

Section 2. Present subsection (3) of section 296.11, Florida Statutes, is renumbered as subsection (4), and a new subsection (3) is added to that section, to read:

296.11 Funds of home and disposition of moneys.—

(3) *All moneys received pursuant to s. 320.089 from the sale of Woman Veteran license plates shall be deposited into the Grants and Donations Trust Fund. All such moneys must be expended solely for the purpose of creating and implementing programs to benefit women veterans.*

Section 3. Subsection (2) of section 296.38, Florida Statutes, is amended to read:

296.38 Funds of home and disposition of moneys.—

(2)(a) The home shall be empowered to receive and accept gifts, grants, and endowments in the name of the home. All such gifts, grants, and endowments are to be used for the benefit of the home and its residents. The administrator, together with the director, shall have the authority to determine how these gifts, grants, and endowments could best benefit the home and its residents unless the benefactor requests or instructs that the gift, grant, or endowment be used for a specific purpose. The home shall deposit all moneys received pursuant to this subsection into the Grants and Donations Trust Fund. *Except as provided in paragraph (b), moneys in the Grants and Donations Trust Fund shall be expended for the common benefit of the residents of the home, such as recreational equipment, improved facilities, recreational supplies, and goods and services offered or available to all residents.*

(b) *All moneys received pursuant to s. 320.089 from the sale of Woman Veteran license plates shall be deposited into the Grants and Donations Trust Fund. All such moneys must be expended solely for the purpose of creating and implementing programs to benefit women veterans.*

Section 4. Paragraph (c) of subsection (1) of section 320.089, Florida Statutes, is amended to read:

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

(1)

(c) Any revenue generated from the sale of Woman Veteran license plates must be deposited into the ~~Grants and Donations~~ ~~Operations and Maintenance~~ Trust Fund administered by the Department of Veterans' Affairs pursuant to s. 20.375(2) ~~20.375(3)~~ and must be used solely for the purpose of creating and implementing programs to benefit women veterans. Notwithstanding any provisions of law to the contrary, an applicant for a Pearl Harbor Survivor license plate or a Purple Heart license plate who also qualifies for a disabled veteran's license plate under s. 320.084 shall be issued the appropriate special license plate without payment of the license tax imposed by s. 320.08.

And the title is amended as follows:

Delete line 3126 and insert: a self-insurance fund; amending ss. 296.11 and 296.38, F.S.; requiring moneys received from the sale of Woman Veteran license plates to be used for certain purposes;

amending s. 320.089, F.S.; requiring that revenue generated from the sale of Woman Veteran license plates be deposited into the Grants and Donations Trust Fund, rather than the Operations and Maintenance Trust Fund; amending s. 311.12, F.S.;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment to **Amendment 1 (691108)** which was adopted by two-thirds vote:

Amendment 1B (627276) (with title amendment)—Between lines 747 and 748 insert:

Section 8. Paragraph (b) of subsection (3) of section 316.515, Florida Statutes, is amended to read:

316.515 Maximum width, height, length.—

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

(b) *Semitrailers.*—

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

2. A semitrailer which is more than 48 feet but not more than 57 ~~53~~ feet in extreme overall outside dimension, as measured pursuant to subparagraph 1., may operate on public roads, except roads on the State Highway System which are restricted by the Department of Transportation or other roads restricted by local authorities, if:

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

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

And the title is amended as follows:

Delete line 3164 and insert: in vehicles; amending s. 316.515, F.S.; extending the allowable length of certain semitrailers authorized to operate on public roads under certain conditions; amending s. 316.640, F.S.; expanding the

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Brandes moved the following amendments to **Amendment 1 (691108)** which were adopted by two-thirds vote:

Amendment 1C (650266) (with title amendment)—Delete line 14 and insert:

624.4625. A self-insuring organization must demonstrate to the Office of Insurance Regulation that it has the financial ability to pay for retained risk.

And the title is amended as follows:

Delete line 3126 and insert: a self-insurance fund; requiring such an organization to demonstrate financial abilities to the Office of Insurance Regulation; amending s. 311.12, F.S.;

Amendment 1D (886230) (with title amendment)—Between lines 14 and 15 insert:

Section 2. Subsection (2) of section 311.07, Florida Statutes, is amended to read:

311.07 Florida seaport transportation and economic development funding.—

(2) A minimum of ~~\$25~~ **\$15** million per year shall be made available from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program. The Florida Seaport Transportation and Economic Development Council created in s. 311.09 shall develop guidelines for project funding. Council staff, the Department of Transportation, and the Department of Economic Opportunity shall work in cooperation to review projects and allocate funds in accordance with the schedule required for the Department of Transportation to include these projects in the tentative work program developed pursuant to s. 339.135(4).

Section 3. Subsection (9) of section 311.09, Florida Statutes, is amended to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(9) The Department of Transportation shall include *at least \$25* ~~no less than \$15~~ million per year in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program funded under s. 311.07. Such budget *must* ~~shall~~ include funding for projects approved by the council which have been determined by each agency to be consistent. The department shall include the specific approved Florida Seaport Transportation and Economic Development Program projects to be funded under s. 311.07 during the ensuing fiscal year in the tentative work program developed pursuant to s. 339.135(4). The total amount of funding to be allocated to Florida Seaport Transportation and Economic Development Program projects

under s. 311.07 during the successive 4 fiscal years shall also be included in the tentative work program developed pursuant to s. 339.135(4). The council may submit to the department a list of approved projects that could be made production-ready within the next 2 years. The list shall be submitted by the department as part of the needs and project list prepared pursuant to s. 339.135(2)(b). However, the department shall, upon written request of the Florida Seaport Transportation and Economic Development Council, submit work program amendments pursuant to s. 339.135(7) to the Governor within 10 days after the later of the date the request is received by the department or the effective date of the amendment, termination, or closure of the applicable funding agreement between the department and the affected seaport, as required to release the funds from the existing commitment. Notwithstanding s. 339.135(7)(c), any work program amendment to transfer prior year funds from one approved seaport project to another seaport project is subject to the procedures in s. 339.135(7)(d). Notwithstanding any provision of law to the contrary, the department may transfer unexpended budget between the seaport projects as identified in the approved work program amendments.

And the title is amended as follows:

Delete line 3126 and insert: a self-insurance fund; amending s. 311.07, F.S.; increasing the minimum amount that must be made available annually from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program; amending s. 311.09, F.S.; increasing the amount per year the department must include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; amending s. 311.12, F.S.;

Amendment 1E (761354) (with title amendment)—Between lines 2470 and 2471 insert:

Section 55. Subsection (4) of section 320.02, Florida Statutes, is amended to read:

320.02 Registration required; application for registration; forms.—

(4) *Except as provided in ss. 775.21, 775.261, 943.0435, 944.607, and 985.4815, the owner of any motor vehicle registered in the state shall notify the department in writing of any change of address within 30 20 days of such change. The notification shall include the registration license plate number, the vehicle identification number (VIN) or title certificate number, year of vehicle make, and the owner's full name.*

Section 56. Paragraph (a) of subsection (3) of section 320.07, Florida Statutes, is amended to read:

320.07 Expiration of registration; renewal required; penalties.—

(3) The operation of any motor vehicle without having attached thereto a registration license plate and validation stickers, or the use of any mobile home without having attached thereto a mobile home sticker, for the current registration period shall subject the owner thereof, if he or she is present, or, if the owner is not present, the operator thereof to the following penalty provisions:

(a) Any person whose motor vehicle or mobile home registration has been expired for a period of 6 months or less commits a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318. *However, a law enforcement officer may not issue a citation for a violation under this paragraph until midnight on the last day of the owner's birth month of the year the registration expires.*

Section 57. Subsection (9) of section 322.051, Florida Statutes, is amended to read:

322.051 Identification cards.—

(9) Notwithstanding any other provision of this section or s. 322.21 to the contrary, the department shall issue or renew a card at no charge to a person who presents evidence satisfactory to the department that he or she is homeless as defined in s. 414.0252(7), *to a juvenile offender who is in the custody or under the supervision of the Department of Juvenile Justice and receiving services pursuant to s. 985.461, to an inmate receiving a card issued pursuant to s. 944.605(7), or, if necessary, to an inmate receiving a replacement card if the department determines that he or she has a valid state identification card. If the*

replacement state identification card is scheduled to expire within 6 months, the department may also issue a temporary permit valid for at least 6 months after the release date. *The department's mobile issuing units shall process the identification cards for juvenile offenders and inmates at no charge, as provided by s. 944.605 (7)(a) and (b).*

Section 58. Subsections (1) and (2) of section 322.19, Florida Statutes, are amended to read:

322.19 Change of address or name.—

(1) *Except as provided in ss. 775.21, 775.261, 943.0435, 944.607, and 985.4815, whenever any person, after applying for or receiving a driver license or identification card, changes his or her legal name, that person must within 30 40 days thereafter obtain a replacement license or card that reflects the change.*

(2) *If a ~~Whenever any~~ person, after applying for or receiving a driver license or identification card, changes the legal residence or mailing address in the application, or license, or card, the person must, within 30 40 calendar days after making the change, obtain a replacement license or card that reflects the change. A written request to the department must include the old and new addresses and the driver license or identification card number. Any person who has a valid, current student identification card issued by an educational institution in this state is presumed not to have changed his or her legal residence or mailing address. This subsection does not affect any person required to register a permanent or temporary address change pursuant to s. 775.13, s. 775.21, s. 775.25, or s. 943.0435.*

Section 59. Paragraph (f) of subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is \$25, except that an applicant who presents evidence satisfactory to the department that he or she is homeless as defined in s. 414.0252(7); ~~or~~ his or her annual income is at or below 100 percent of the federal poverty level; *or he or she is a juvenile offender who is in the custody or under the supervision of the Department of Juvenile Justice, is receiving services pursuant to s. 985.461, and whose identification card is issued by the department's mobile issuing units is exempt from such fee. Funds collected from fees for original, renewal, or replacement identification cards shall be distributed as follows:*

1. For an original identification card issued pursuant to s. 322.051, the fee shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051, \$6 shall be deposited into the Highway Safety Operating Trust Fund, and \$19 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051, \$9 shall be deposited into the Highway Safety Operating Trust Fund, and \$16 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of the driver license issuance services, if the replacement identification card is issued by the tax collector, the tax collector shall retain the \$9 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.

Section 60. Present subsections (2) and (3) of section 765.521, Florida Statutes, are redesignated as subsections (3) and (4), respectively, and a new subsection (2) is added to that section, to read:

765.521 Donations as part of driver license or identification card process.—

(2) *The department shall maintain an integrated link on its website referring a visitor renewing a driver license or conducting other business to the donor registry operated under s. 765.5155.*

And the title is amended as follows:

Delete line 3414 and insert: certain vehicles; providing applicability; amending s. 320.02, F.S.; increasing the timeframe within which the owner of any motor vehicle registered in the state must notify the department of a change of address; providing exceptions to such notification; amending s. 320.07, F.S.; prohibiting a law enforcement officer from issuing a citation for a specified violation until a certain date; amending s. 322.051, F.S.; requiring the department to issue or renew an identification card to certain juvenile offenders; requiring that the department's mobile issuing units process certain identification cards at no charge; amending s. 322.19, F.S.; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in his or her legal name; providing exceptions to such requirement; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in the legal residence or mailing address in his or her application, license, or card; amending s. 322.21, F.S.; exempting certain juvenile offenders from a specified fee for an original, renewal, or replacement identification card; amending s. 765.521, F.S.; requiring the department to maintain an integrated link on its website referring certain visitors to a donor registry; providing

Amendment 1 (691108), as amended, was adopted by two-thirds vote.

On motion by Senator Brandes, **CS for CS for HB 7061**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 184, with 3 amendments, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 184—A bill to be entitled An act relating to military and veterans affairs; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver license or identification card to include a voluntary checkoff authorizing veterans to request written or electronic information on federal, state, and local benefits and services for veterans; requiring the requested information to be delivered by a third-party provider; requiring the Department of Highway Safety and Motor Vehicles to report monthly to the Department of Veterans' Affairs the names and mailing or e-mail addresses of veterans who request information; requiring the Department of Veterans' Affairs to disseminate veteran contact information to the third-party provider; requiring that the third-party provider be a nonprofit organization; defining the term "nonprofit organization"; requiring that the Department of Veterans' Affairs provide veteran contact information to the appropriate county or city veteran service officer; specifying that a third-party provider may use veteran contact information only as authorized; prohibiting a third-party provider from selling veteran contact information; requiring a third-party provider to maintain con-

fidentiality of veteran contact information under specified provisions; providing a penalty; creating the Military and Overseas Voting Assistance Task Force within the Department of State; specifying membership of the task force; authorizing reimbursement for per diem and travel expenses; prescribing duties of the task force; requiring submission of a report to the Governor and the Legislature by a specified date; providing for expiration of the task force; providing for staffing; providing legislative findings and intent regarding continuing education for veterans of the United States Armed Forces; providing legislative intent to require collaboration between the State Board of Education and the Board of Governors of the State University System in achieving specified goals regarding educational opportunities for veterans; providing an effective date.

House Amendment 1 (980175) (with title amendment)—Between lines 45 and 46, insert:

Section 1. Section 83.683, Florida Statutes, is created to read:

83.683 Rental application by a servicemember.—

(1) *If a landlord requires a prospective tenant to complete a rental application before residing in a rental unit, the landlord must complete processing of a rental application submitted by a prospective tenant who is a servicemember, as defined in s. 250.01, within 7 days after submission and must, within that 7-day period, notify the servicemember in writing of an application approval or denial and, if denied, the reason for denial. Absent a timely denial of the rental application, the landlord must lease the rental unit to the servicemember if all other terms of the application and lease are complied with.*

(2) *If a condominium association, as defined in chapter 718, a cooperative association, as defined in chapter 719, or a homeowners' association, as defined in chapter 720, requires a prospective tenant of a condominium unit, cooperative unit, or parcel within the association's control to complete a rental application before residing in a rental unit or parcel, the association must complete processing of a rental application submitted by a prospective tenant who is a servicemember, as defined in s. 250.01, within 7 days after submission and must, within that 7-day period, notify the servicemember in writing of an application approval or denial and, if denied, the reason for denial. Absent a timely denial of the rental application, the association must allow the unit or parcel owner to lease the rental unit or parcel to the servicemember and the landlord must lease the rental unit or parcel to the servicemember if all other terms of the application and lease are complied with.*

(3) *The provisions of this section may not be waived or modified by the agreement of the parties under any circumstances.*

And the title is amended as follows:

Between lines 2 and 3, insert: creating s. 83.683, F.S.; requiring a landlord, a condominium association, a cooperative association, or a homeowners' association to complete the processing of a rental application submitted by a servicemember within a specified timeframe; providing applicability;

House Amendment 2 (908953) (with title amendment)—Between lines 92 and 93, insert:

Section 2. Subsection (4) of section 265.003, Florida Statutes, is amended to read:

265.003 Florida Veterans' Hall of Fame.—

(4)(a) *The Florida Veterans' Hall of Fame Council shall annually accept nominations of persons to be considered for induction into the Florida Veterans' Hall of Fame and shall transmit a list of up to 20 nominees to the Department of Veterans' Affairs for submission to the Governor and the Cabinet who will select the nominees to be inducted.*

(b) *In selecting its nominees for submission to the Governor and the Cabinet, the Florida Veterans' Hall of Fame council shall give preference to veterans who were born in Florida or adopted Florida as their home state or base of operation and who have made a significant contribution to the state in civic, business, public service, or other pursuits.*

(c) For purposes of this section, the term “veteran” or “military veteran” means a person who meets the definition of the term in s. 1.01(14) or a former member of the Florida National Guard.

Section 3. Section 489.1131, Florida Statutes, is created to read:

489.1131 Credit for relevant military training and education.-

(1) The department shall provide a method by which honorably discharged veterans may apply for licensure. The method must include a veteran-specific application and provide:

(a) To the fullest extent possible, credit toward the requirements for licensure for military experience, training, and education received and completed during service in the United States Armed Forces if the military experience, training, or education is substantially similar to the experience, training, or education required for licensure.

(b) Acceptance of up to 3 years of active duty service in the United States Armed Forces, regardless of duty or training, to meet the experience requirements of s. 489.111(2)(c). At least 1 additional year of active experience as a foreman in the trade, either civilian or military, is required to fulfill the experience requirement of s. 489.111(2)(c).

The board may adopt rules pursuant to s. 120.536(1) and s. 120.54 to implement this subsection.

(2) Notwithstanding any other provision of law, beginning October 1, 2017, and annually thereafter, the department, in conjunction with the board, is directed to prepare and submit a report titled “Construction and Electrical Contracting Veteran Applicant Statistics” to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include statistics and information relating to this section and s. 489.5161 which detail:

- (a) The number of applicants who identified themselves as veterans.
- (b) The number of veterans whose application for a license was approved.
- (c) The number of veterans whose application for a license was denied, including the reasons for denial.
- (d) Data on the application processing times for veterans.
- (e) Recommendations on ways to improve the department’s ability to meet the needs of veterans which would effectively address the challenges that veterans face when separating from military service and seeking a license regulated by the department pursuant to part I of chapter 489.

Section 4. Paragraph (b) of subsection (1) of section 489.511, Florida Statutes, is amended to read:

489.511 Certification; application; examinations; endorsement.—

(1)

(b) Any person desiring to be certified as a contractor shall apply to the department in writing and must meet the following criteria:

1. Be of good moral character;
2. Pass the certification examination, achieving a passing grade as established by board rule; and
3. Meet eligibility requirements according to one of the following criteria:

a. Has, within the 6 years immediately preceding the filing of the application, at least 3 years of ~~years~~ proven management experience in the trade or education equivalent thereto, or a combination thereof, but not more than one-half of such experience may be educational equivalent;

b. Has, within the 8 years immediately preceding the filing of the application, at least 4 years of ~~years~~ experience as a supervisor or contractor in the trade for which he or she is making application, or at least 4 years of experience as a supervisor in electrical or alarm system work with the United States Armed Forces;

c. Has, within the 12 years immediately preceding the filing of the application, at least 6 years of comprehensive training, technical education, or supervisory experience associated with an electrical or alarm system contracting business, or at least 6 years of technical experience, education, or training in electrical or alarm system work with the United States Armed Forces or a governmental entity;

d. Has, within the 12 years immediately preceding the filing of the application, been licensed for 3 years as a professional engineer who is qualified by education, training, or experience to practice electrical engineering; or

e. Has any combination of qualifications under sub-subparagraphs a.-c. totaling 6 years of experience.

Section 5. Section 489.5161, Florida Statutes, is created to read:

489.5161 Credit for relevant military training and education.-

(1) The department shall provide a method by which honorably discharged veterans may apply for licensure. The method must include a veteran-specific application and provide, to the fullest extent possible, credit toward the requirements for licensure for military experience, training, and education received and completed during service in the United States Armed Forces if the military experience, training, or education is substantially similar to the experience, training, or education required for licensure. The board may adopt rules pursuant to s. 120.536(1) and s. 120.54 to implement this subsection.

(2) Notwithstanding any other provision of law, beginning October 1, 2017, and annually thereafter, the department, in conjunction with the board, is directed to prepare and submit a report titled “Construction and Electrical Contracting Veteran Applicant Statistics” to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall include statistics and information relating to this section and s. 489.1131 which detail:

- (a) The number of applicants who identified themselves as veterans.
- (b) The number of veterans whose application for a license was approved.
- (c) The number of veterans whose application for a license was denied, including data on the reasons for denial.
- (d) Data on the application processing times for veterans.
- (e) Recommendations on ways to improve the department’s ability to meet the needs of veterans which would effectively address the challenges that veterans face when separating from military service and seeking a license regulated by the department pursuant to part II of chapter 489.

Section 6. Section 493.61035, Florida Statutes, is created to read:

493.61035 Credit for relevant military training and education.—

(1) The department shall provide a method by which honorably discharged veterans may apply for licensure. The method must include:

(a) To the fullest extent possible, credit toward the requirements for licensure for military training and education received and completed during service in the United States Armed Forces if the military training or education is substantially similar to the training or education required for licensure.

(b) Identification of overlaps and gaps between the requirements for licensure and the military training or education received and completed by the veteran, and subsequent notification to the veteran of the overlaps and gaps.

(c) Assistance in identifying programs that offer training and education needed to meet the requirements for licensure.

(2) Notwithstanding any other provision of law, beginning October 1, 2017, and annually thereafter, the department is directed to prepare and submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. In addition to any other information that the Legislature may require, the report must include statistics and relevant information which detail:

- (a) *The number of applicants who identified themselves as veterans.*
- (b) *The number of veterans whose application for a license was approved.*
- (c) *The number of veterans whose application for a license was denied, including the reasons for denial.*
- (d) *Data on the application processing times for veterans.*
- (e) *The department's efforts to assist veterans in identifying programs that offer training and education needed to meet the requirements for licensure.*
- (f) *The department's identification of the most common overlaps and gaps between the requirements for licensure and the military training and education received and completed by the veterans.*

(g) *Recommendations on ways to improve the department's ability to meet the needs of veterans which would effectively address the challenges that veterans face when separating from military service and seeking a license for a profession or occupation regulated by the department pursuant to chapter 493.*

Section 7. (1) *The Department of Highway Safety and Motor Vehicles and the Department of Military Affairs shall jointly conduct a pilot program to provide onsite commercial motor vehicle driver license testing opportunities to qualified members of the Florida National Guard pursuant to the Department of Highway Safety and Motor Vehicles commercial motor vehicle driver license skills test waiver under s. 322.12, Florida Statutes. Testing must be held at a Florida National Guard Armory, a Florida United States Armed Forces Reserve Center, or the Camp Blanding Joint Training Center. The pilot program shall be accomplished using existing funds appropriated to each department.*

(2) *By June 30, 2017, the Department of Highway Safety and Motor Vehicles and the Department of Military Affairs shall jointly submit a report on the results of the pilot program to the President of the Senate and the Speaker of the House of Representatives.*

(3) *This section is repealed October 1, 2017, and shall not be codified in the Florida Statutes.*

And the title is amended as follows:

Remove line 27 and insert: provisions; providing a penalty; amending s. 265.003, F.S.; defining the term "veteran" or "military veteran" for purposes of determining persons the Florida Veterans' Hall of Fame Council may consider as nominees for the Florida Veterans' Hall of Fame; creating s. 489.1131, F.S.; directing the Department of Business and Professional Regulation to provide a method by which honorably discharged veterans may apply for construction contracting licensure; authorizing the Construction Industry Licensing Board to adopt rules; directing the department, in conjunction with the board, to annually prepare and submit a specified report to the Governor and Legislature; amending s. 489.511, F.S.; revising eligibility criteria for taking the electrical or alarm system contractor certification examination; creating s. 489.5161, F.S.; directing the Department of Business and Professional Regulation to provide a method by which honorably discharged veterans may apply for electrical or alarm system contracting licensure; authorizing the Electrical Contractors' Licensing Board to adopt rules; directing the department, in conjunction with the board, to annually prepare and submit a specified report to the Governor and Legislature; creating s. 493.61035, F.S.; directing the Department of Agriculture and Consumer Services to provide a method by which honorably discharged veterans may apply for private investigative, private security, and repossession services licensure; authorizing the department to adopt rules; directing the department to annually prepare and submit a specified report to the Governor and Legislature; directing the Department of Highway Safety and Motor Vehicles and the Department of Military Affairs to conduct a commercial motor vehicle driver license testing pilot program; specifying testing locations and funding; requiring the departments to submit a report to the Legislature by a specified date; providing for repeal of the program; creating the Military

House Amendment 3 (349137) (with title amendment)—Remove lines 149-185

And the title is amended as follows:

Remove lines 35-41 and insert: providing an effective

On motion by Senator Bean, the Senate concurred in the House amendments.

CS for SB 184 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Grimsley

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1604, with 3 amendments, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for SB 1604—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending s. 499.003, F.S.; providing, revising, and deleting definitions for purposes of the Florida Drug and Cosmetic Act; requiring rulemaking; specifying a default rule until the Department of Business and Professional Regulation adopts a rule; amending s. 499.005, F.S.; revising prohibited acts related to the distribution of prescription drugs; conforming a cross-reference; amending s. 499.0051, F.S.; prohibiting the distribution of prescription drugs without delivering a transaction history, transaction information, and transaction statement; providing penalties; deleting provisions and revising terminology related to pedigree papers, to conform to changes made by the act; amending s. 499.006, F.S.; conforming provisions; amending s. 499.01, F.S.; requiring nonresident prescription drug repackagers to obtain an operating permit; authorizing a manufacturer to engage in the wholesale distribution of prescription drugs; providing for the issuance of virtual prescription drug manufacturer permits and virtual nonresident prescription drug manufacturer permits to certain persons; providing exceptions from certain virtual manufacturer requirements; requiring a nonresident prescription drug repackager permit for certain persons; deleting surety bond requirements for prescription drug wholesale distributors; requiring that certain persons obtain an out-of-state prescription drug wholesale distributor permit; providing that a restricted prescription drug distributor permit is not required for distributions between certain pharmacies; requiring the Department of Business and Professional Regulation to establish by rule when such distribution constitutes regular and systematic supplying of a prescription drug; requiring certain third party logistic providers to be licensed; requiring research and development labeling on certain prescription drug active pharmaceutical ingredient packaging; requiring certain manufacturers to create and maintain certain records; requiring certain prescription drug distributors to provide certain information to health care entities for which they repackage prescription drugs; requiring the department to adopt rules concerning repackaged prescription drug safety and integrity; amending s. 499.012, F.S.; providing for issuance of a prescription drug manufacturer permit or retail

pharmacy drug wholesale distributor permit when an applicant at the same address is a licensed nuclear pharmacy or community pharmacy; providing for the expiration of deficient permit applications; requiring trade secret information submitted by an applicant to be maintained as a trade secret; authorizing the quadrennial renewal of permits; providing for calculation of fees for such permit renewals; revising procedures and application requirements for permit renewals; providing for late renewal fees; allowing a permittee who submits a renewal application to continue operations; removing certain application requirements for renewal of a permit; requiring bonds or other surety of a specified amount; requiring proof of inspection of establishments used in wholesale distribution; authorizing the Department of Business and Professional Regulation to contract for the collection of electronic fingerprints under certain circumstances; providing information that may be submitted in lieu of certain application requirements for specified permits and certifications; removing provisions relating to annual renewal and expiration of permits; conforming cross-references; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; revising prescription drug recordkeeping requirements; specifying recordkeeping requirements for manufacturers and repackagers of medical devices, over-the-counter drugs, and cosmetics; increasing the quantity of unit doses of a controlled substance that may be ordered in any given month by a customer without triggering a requirement that a wholesale distributor perform a reasonableness assessment; conforming provisions; amending s. 499.015, F.S.; providing for the expiration, renewal, and issuance of certain drug, device, and cosmetic product registrations; providing for product registration fees; amending ss. 499.03, 499.05, and 499.051, F.S.; conforming provisions to changes made by the act; amending s. 499.066, F.S.; authorizing the issuance of non-disciplinary citations; authorizing the department to adopt rules designating violations for which a citation may be issued; authorizing the department to recover investigative costs pursuant to the citation; specifying a time limitation for issuance of a citation; providing for service of a citation; amending s. 499.82, F.S.; revising the definition of "wholesale distribution" for purposes of medical gas requirements; amending s. 499.83, F.S.; authorizing licensed hospices to obtain on behalf of, and sell medical oxygen to, their patients without obtaining a medical oxygen retail establishment permit in certain circumstances; specifying recordkeeping requirements; amending s. 499.89, F.S.; conforming provisions; repealing s. 499.01212, F.S., relating to pedigree papers; amending ss. 409.9201, 499.067, 794.075, and 921.0022, F.S.; conforming cross-references; providing an effective date.

House Amendment 1 (914947) (with title amendment)—Between lines 108 and 109, insert:

Section 1. Subsection (2) of section 385.211, Florida Statutes, is amended to read:

385.211 Refractory and intractable epilepsy treatment and research at recognized medical centers.—

(2) Notwithstanding chapter 893, medical centers recognized pursuant to s. 381.925, or an academic medical research institution legally affiliated with a licensed children's specialty hospital as defined in s. 395.002(28) that contracts with the Department of Health, may conduct research on cannabidiol and low-THC cannabis. This research may include, but is not limited to, the agricultural development, production, clinical research, and use of liquid medical derivatives of cannabidiol and low-THC cannabis for the treatment for refractory or intractable epilepsy. The authority for recognized medical centers to conduct this research is derived from 21 C.F.R. parts 312 and 316. Current state or privately obtained research funds may be used to support the activities described in this section.

And the title is amended as follows:

Between lines 2 and 3, insert: amending s. 385.211, F.S.; authorizing a certain type of specialty hospital to conduct research on cannabidiol and low-THC cannabis if contracted with the Department of Health to perform such research;

House Amendment 2 (720097) (with title amendment)—Remove lines 2651-2687

And the title is amended as follows:

Remove lines 87-94 and insert: by the act; amending s. 499.82, F.S.; revising the

House Amendment 3 (509371) (with title amendment)—Between lines 2971 and 2972, insert:

Section 22. Section 893.30, Florida Statutes, is created to read:

893.30 *Controlled substance safety education and awareness.*—

(1) *This section may be cited as the "Victoria Siegel Controlled Substance Safety Education and Awareness Act."*

(2) *The department shall develop a written pamphlet relating to controlled substances which includes educational information about the following:*

- (a) *Precautions regarding the use of pain management prescriptions.*
- (b) *The potential for misuse and abuse of controlled substances by adults and children.*
- (c) *The risk of controlled substance dependency and addiction.*
- (d) *The proper storage and disposal of controlled substances.*
- (e) *Controlled substance addiction support and treatment resources.*
- (f) *Telephone helplines and website links that provide counseling and emergency assistance for individuals dealing with substance abuse.*

(3) *The department shall encourage health care providers, including, but not limited to, hospitals, county health departments, physicians, and nurses, to disseminate and display information about controlled substance safety, including, but not limited to, the pamphlet created pursuant to subsection (2).*

(4) *The department shall encourage consumers to discuss the risks of controlled substance use with their health care providers.*

(5) *The State Surgeon General shall make publicly available, by posting on the department's website, the pamphlet created pursuant to subsection (2) and additional resources as appropriate.*

(6) *The department shall fund the promotion of controlled substance safety education and awareness under this section through grants from private or federal sources.*

(7) *The department is encouraged to collaborate with other agencies, organizations, and institutions to create a systematic approach to increasing public awareness regarding controlled substance safety.*

And the title is amended as follows:

Remove line 105 and insert: references; creating s. 893.30, F.S.; creating the "Victoria Siegel Controlled Substances Safety Education and Awareness Act"; requiring the Department of Health to develop an educational pamphlet relating to certain controlled substance issues; requiring the department to encourage health care providers to disseminate certain educational information; requiring the department to encourage consumers to discuss controlled substance risks with certain health care providers; requiring the State Surgeon General to provide certain educational resources on the department's website; requiring the department to fund controlled substance safety education and awareness with certain grants; encouraging the department to collaborate with other entities to create a systematic approach to increasing public awareness regarding controlled substance safety; providing an effective date.

On motion by Senator Grimsley, further consideration of **CS for CS for SB 1604** with pending **House Amendment 1 (914947)**, **House Amendment 2 (720097)**, and **House Amendment 3 (509371)** was deferred.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (375628), concurred in the same as

amended, and passed CS/CS/HB 931 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for HB 931—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss projection models in establishing certain rates; authorizing the use of specified information by certain entities in analyzing risks or developing rating plans; prohibiting the use of such information for the direct solicitation of policyholders; requiring the corporation to revise certain programs by a specified date; requiring the corporation to publish a periodic schedule of cycles for certain purposes; specifying information required to be included in certain take-out requests; requiring the corporation to maintain and make available specified lists of insurers requesting to take out a policy; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding policy renewal options; providing an effective date.

House Amendment 1 (544853) (with title amendment) to Senate Amendment 1 (375628)—Remove lines 751-761 of the amendment

And the title is amended as follows:

Remove lines 794-796 of the amendment and insert: offers; providing an effective date.

On motion by Senator Flores, the Senate concurred in the House amendment to the Senate amendment.

CS for CS for HB 931 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Sachs
Braynon	Hukill	Simmons
Bullard	Hutson	Simpson
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—1

Garcia

Vote after roll call:

Yea—Bean, Evers

By direction of the President, the Senate resumed consideration of the returning message on—

CS for CS for SB 1604—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending s. 499.003, F.S.; providing, revising, and deleting definitions for purposes of the Florida Drug and Cosmetic Act; requiring rulemaking; specifying a default rule until the Department of Business and Professional Regulation adopts a rule; amending s. 499.005, F.S.; revising prohibited acts related to the distribution of prescription drugs; conforming a cross-reference; amending s. 499.0051, F.S.; prohibiting the distribution of prescription drugs without delivering a transaction history, transaction information, and transaction statement; providing penalties; deleting provisions and revising terminology related to pedigree papers, to conform to changes made by the

act; amending s. 499.006, F.S.; conforming provisions; amending s. 499.01, F.S.; requiring nonresident prescription drug repackagers to obtain an operating permit; authorizing a manufacturer to engage in the wholesale distribution of prescription drugs; providing for the issuance of virtual prescription drug manufacturer permits and virtual nonresident prescription drug manufacturer permits to certain persons; providing exceptions from certain virtual manufacturer requirements; requiring a nonresident prescription drug repackager permit for certain persons; deleting surety bond requirements for prescription drug wholesale distributors; requiring that certain persons obtain an out-of-state prescription drug wholesale distributor permit; providing that a restricted prescription drug distributor permit is not required for distributions between certain pharmacies; requiring the Department of Business and Professional Regulation to establish by rule when such distribution constitutes regular and systematic supplying of a prescription drug; requiring certain third party logistic providers to be licensed; requiring research and development labeling on certain prescription drug active pharmaceutical ingredient packaging; requiring certain manufacturers to create and maintain certain records; requiring certain prescription drug distributors to provide certain information to health care entities for which they repackage prescription drugs; requiring the department to adopt rules concerning repackaged prescription drug safety and integrity; amending s. 499.012, F.S.; providing for issuance of a prescription drug manufacturer permit or retail pharmacy drug wholesale distributor permit when an applicant at the same address is a licensed nuclear pharmacy or community pharmacy; providing for the expiration of deficient permit applications; requiring trade secret information submitted by an applicant to be maintained as a trade secret; authorizing the quadrennial renewal of permits; providing for calculation of fees for such permit renewals; revising procedures and application requirements for permit renewals; providing for late renewal fees; allowing a permittee who submits a renewal application to continue operations; removing certain application requirements for renewal of a permit; requiring bonds or other surety of a specified amount; requiring proof of inspection of establishments used in wholesale distribution; authorizing the Department of Business and Professional Regulation to contract for the collection of electronic fingerprints under certain circumstances; providing information that may be submitted in lieu of certain application requirements for specified permits and certifications; removing provisions relating to annual renewal and expiration of permits; conforming cross-references; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; revising prescription drug recordkeeping requirements; specifying recordkeeping requirements for manufacturers and repackagers of medical devices, over-the-counter drugs, and cosmetics; increasing the quantity of unit doses of a controlled substance that may be ordered in any given month by a customer without triggering a requirement that a wholesale distributor perform a reasonableness assessment; conforming provisions; amending s. 499.015, F.S.; providing for the expiration, renewal, and issuance of certain drug, device, and cosmetic product registrations; providing for product registration fees; amending ss. 499.03, 499.05, and 499.051, F.S.; conforming provisions to changes made by the act; amending s. 499.066, F.S.; authorizing the issuance of non-disciplinary citations; authorizing the department to adopt rules designating violations for which a citation may be issued; authorizing the department to recover investigative costs pursuant to the citation; specifying a time limitation for issuance of a citation; providing for service of a citation; amending s. 499.82, F.S.; revising the definition of “wholesale distribution” for purposes of medical gas requirements; amending s. 499.83, F.S.; authorizing licensed hospices to obtain on behalf of, and sell medical oxygen to, their patients without obtaining a medical oxygen retail establishment permit in certain circumstances; specifying recordkeeping requirements; amending s. 499.89, F.S.; conforming provisions; repealing s. 499.01212, F.S., relating to pedigree papers; amending ss. 409.9201, 499.067, 794.075, and 921.0022, F.S.; conforming cross-references; providing an effective date.

—which was previously considered this day with pending **House Amendment 1 (914947)**, **House Amendment 2 (720097)**, and **House Amendment 3 (509371)**.

On motion by Senator Grimsley, the Senate concurred in the House amendments.

CS for CS for SB 1604 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Gaetz

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1508, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 1508—A bill to be entitled An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation's aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department's requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of airspace obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a

political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment provided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; providing an effective date.

House Amendment 3 (606825) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 333.01, Florida Statutes, is amended to read:

333.01 Definitions.—~~As used in For the purpose of this chapter, the term following words, terms, and phrases shall have the meanings herein given, unless otherwise specifically defined, or unless another intention clearly appears, or the context otherwise requires:~~

(1) “Aeronautical study” means a Federal Aviation Administration study, conducted in accordance with the standards of 14 C.F.R. part 77, subpart C, and Federal Aviation Administration policy and guidance, on the effect of proposed construction or alteration on the operation of air navigation facilities and the safe and efficient use of navigable airspace ~~“Aeronautics” means transportation by aircraft; the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities, and air instruction.~~

(2) “Airport” means any area of land or water designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purpose.

(3) “Airport hazard” means an obstruction to air navigation that affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities ~~any structure or tree or use of land which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 and which obstructs the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has previously obtained a permit or variance pursuant to s. 333.025 or s. 333.07.~~

(4) “Airport hazard area” means any area of land or water upon which an airport hazard might be established ~~if not prevented as provided in this chapter.~~

(5) “Airport land use compatibility zoning” means airport zoning regulations governing ~~restricting~~ the use of land on, adjacent to, or in the immediate vicinity of airports ~~in the manner enumerated in s. 333.03(2) to activities and purposes compatible with the continuation of normal airport operations including landing and takeoff of aircraft in order to promote public health, safety, and general welfare.~~

(6) "Airport layout plan" means a set of scaled drawings that provides a graphic representation of the existing and future development plan for the airport and demonstrates the preservation and continuity of safety, utility, and efficiency of the airport detailed, scale engineering drawing, including pertinent dimensions, of an airport's current and planned facilities, their locations, and runway usage.

(7) "Airport master plan" means a comprehensive plan of an airport which typically describes current and future plans for airport development designed to support existing and future aviation demand.

(8) "Airport protection zoning regulations" means airport zoning regulations governing airport hazards.

(9) "Department" means the Department of Transportation.

(10) "Educational facility" means any structure, land, or use thereof that includes a public or private K-12 school, charter school, magnet school, college campus, or university campus. The term does not include space used for educational purposes within a multi-tenant building.

(11) "Landfill" has the same meaning as provided in s. 403.703.

(12)(7) "Obstruction" means any object of natural growth or terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus, or alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein, existing or proposed, which exceeds manmade object or object of natural growth or terrain that violates the federal obstruction standards contained in 14 C.F.R. part 77, subpart C ss. 77.21, 77.23, 77.25, 77.28, and 77.29.

(13)(8) "Person" means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

(14)(9) "Political subdivision" means the local government of any county, city, town, village, or other subdivision or agency thereof, or any district or special district, port commission, port authority, or other such agency authorized to establish or operate airports in the state.

(15) "Public-use airport" means an airport, publicly or privately owned, licensed by the state, which is open for use by the public.

(16)(10) "Runway protection clear zone" means an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground a runway clear zone as defined in 14 C.F.R. s. 151.9(b).

(17)(11) "Structure" means any object, constructed, erected, altered, or installed by humans, including, but without limitation thereof, buildings, towers, smokestacks, utility poles, power generation equipment, and overhead transmission lines.

(18) "Substantial modification" means any repair, reconstruction, rehabilitation, or improvement of a structure the actual cost of which equals or exceeds 50 percent of the market value of the structure.

(12) "Tree" includes any plant of the vegetable kingdom.

Section 2. Section 333.025, Florida Statutes, is amended to read:

333.025 Permit required for obstructions structures exceeding federal obstruction standards.—

(1) A person proposing the construction or alteration of an obstruction shall obtain a permit from the department in order to prevent the erection of structures dangerous to air navigation, subject to the provisions of subsections (2), (3), and (4), each person shall secure from the Department of Transportation a permit for the erection, alteration, or modification of any structure the result of which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the department are of Transportation will be required only within an airport hazard area where federal obstruction standards are exceeded and if the proposed construction or alteration is within a 10-nautical-mile radius of the airport reference point, located at the approximate geometric geo-

graphical center of all usable runways of a public-use airport or a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.

(2) Existing, planned, and proposed Affected airports will be considered as having those facilities on public-use airports contained in an which are shown on the airport master plan, on or an airport layout plan submitted to the Federal Aviation Administration Airport District Office, or in comparable military documents shall, and will be so protected from airport hazards. Planned or proposed public-use airports which are the subject of a notice or proposal submitted to the Federal Aviation Administration or to the Department of Transportation shall also be protected.

(3) A permit is not required for existing structures that requirements of subsection (1) shall not apply to projects which received construction permits from the Federal Communications Commission for structures exceeding federal obstruction standards before prior to May 20, 1975, and a permit is not required for provided such structures now exist; nor shall it apply to previously approved structures now existing, or any necessary replacement or repairs to such existing structures provided, so long as the height and location are is unchanged.

(4) When political subdivisions have, in compliance with this chapter, adopted adequate airport airspace protection zoning regulations, placed in compliance with s. 333.03, and such regulations are on file with the department's Aviation and Spaceports Office Department of Transportation, and established a permitting process, a permit for such structure is shall not be required from the department of Transportation. Upon receipt of a complete permit application, the local government shall provide a copy of the application to the department's Aviation and Spaceports Office by certified mail, return receipt requested, or by delivery service that provides a receipt evidencing delivery. To evaluate technical consistency with this subsection, the department has a 15-day review period following receipt of the application, which runs concurrently with the local government permitting process. Cranes, construction equipment, and other temporary structures in use or in place for a period not to exceed 18 consecutive months are exempt from department review unless such review is requested by the department.

(5) The department of Transportation shall, within 30 days after of the receipt of an application for a permit, issue or deny a permit for the construction or erection, alteration, or modification of an obstruction. The department shall review permit applications in conformity with s. 120.60 any structure the result of which would exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29.

(6) In determining whether to issue or deny a permit, the department shall consider:

(a) The safety of persons on the ground and in the air.

(b) The safe and efficient use of navigable airspace.

(c)(a) The nature of the terrain and height of existing structures.

(d) The effect of the construction or alteration of an obstruction on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.

(b) Public and private interests and investments.

(e)(c) The character of existing and planned flight flying operations and planned developments at public-use of airports.

(f)(d) Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.

(g)(e) The effect of Whether the construction or alteration of an obstruction on of the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

(f) Technological advances.

(g) The safety of persons on the ground and in the air.

(h) Land use density.

~~(i) The safe and efficient use of navigable airspace.~~

~~(h)(4) The cumulative effects on navigable airspace of all existing obstructions structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all other known proposed obstructions structures in the area.~~

~~(7) When issuing a permit under this section, the department of Transportation shall, as a specific condition of such permit, require the owner of the obstruction to install, operate, and maintain thereon, at the owner's expense, marking and lighting in conformance with the specific standards established by the Federal Aviation Administration of the permitted structure as provided in s. 333.07(3)(b).~~

~~(8) The department may of Transportation shall not approve a permit for the construction or alteration of an obstruction erection of a structure unless the applicant submits both documentation showing compliance with the federal requirement for notification of proposed construction or alteration and a valid aeronautical study. A evaluation, and no permit may not shall be approved solely because the Federal Aviation Administration determines that the proposed obstruction is not an airport hazard on the basis that such proposed structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.~~

~~(9) The denial of a permit under this section is subject to administrative review under chapter 120.~~

Section 3. Section 333.03, Florida Statutes, is amended to read:

333.03 ~~Power to adopt~~ Airport protection zoning regulations.—

~~(1)(a) In order to prevent the creation or establishment of airport hazards, Every political subdivision having an airport hazard area within its territorial limits shall, by October 1, 1977, adopt, administer, and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed in this section, airport protection zoning regulations for such airport hazard area.~~

~~(b) When Where an airport is owned or controlled by a political subdivision and any other political subdivision has land upon which an obstruction may be constructed or altered, which land underlies any of the surfaces of the airport described in 14 C.F.R. part 77, subpart C, the political subdivisions airport hazard area appertaining to such airport is located wholly or partly outside the territorial limits of said political subdivision, the political subdivision owning or controlling the airport and the political subdivision within which the airport hazard area is located, shall either:~~

~~1. By interlocal agreement, in accordance with the provisions of chapter 163, adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question; or~~

~~2. By ordinance, regulation, or resolution duly adopted, create a joint airport protection zoning board that, which board shall have the same power to adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question as that vested in paragraph (a) in the political subdivision within which such area is located. The Each such joint airport protection zoning board shall have as voting members two representatives appointed by each participating political subdivision participating in its creation and in addition a chair elected by a majority of the members so appointed. However, The airport manager or a representative of each airport in managers of the participating affected political subdivisions shall serve on the board in a nonvoting capacity.~~

~~(c) Airport protection zoning regulations adopted under paragraph (a) shall, at as a minimum, require:~~

~~1. A permit variance for the construction or erection, alteration, or modification of any obstruction structure which would cause the structure to exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29;~~

~~2. Obstruction Marking and lighting for obstructions structures as specified in s. 333.07(2);~~

~~3. Documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a~~

~~valid aeronautical study evaluation submitted by each person applying for a permit variance;~~

~~4. Consideration of the criteria in s. 333.025(6), when determining whether to issue or deny a permit variance; and~~

~~5. That a permit may not no variance shall be approved solely because the Federal Aviation Administration determines that the proposed obstruction is not an airport hazard on the basis that such proposed structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.~~

~~(d) The department shall be available to provide assistance to political subdivisions with regard to issue copies of the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material distributed pursuant to this subsection shall be at no cost to authorized recipients.~~

~~(2) In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce interim airport land use compatibility zoning regulations shall be adopted. Airport land use compatibility zoning regulations shall, at a minimum, address When political subdivisions have adopted land development regulations in accordance with the provisions of chapter 163 which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall consider the following:~~

~~(a) Prohibiting any new landfills and restricting any existing Whether sanitary landfills are located within the following areas:~~

~~1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine turbojet or turboprop aircraft.~~

~~2. Within 5,000 feet from the nearest point of any runway used only by nonturbine piston type aircraft.~~

~~3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. s. 77.19 part 77.25. Case-by-case review of such landfills is advised.~~

~~(b) Where Whether any landfill is located and constructed so that it attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The operator of such a landfill must be required to political subdivision shall request from the airport authority or other governing body operating the airport a report on such bird feeding or roosting areas that at the time of the request are known to the airport. In preparing its report, the authority, or other governing body, shall consider whether the landfill will incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft. The airport authority or other governing body shall respond to the political subdivision no later than 30 days after receipt of such request.~~

~~(c) Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150 or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration. Noncompatible land uses, as established in the noise study under Appendix A to 14 C.F.R. part 150 or as a part of an alternative public study approved by the Federal Aviation Administration, are not permitted within the noise contours established by such study, except where such land use is specifically contemplated by such study with appropriate mitigation or similar techniques described in the study, neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. part 150, Appendix A or an equivalent noise level as established by other types of noise studies.~~

(d) Where an airport authority or other governing body operating a ~~publicly owned~~, public-use airport has not conducted a noise study, ~~neither Residential construction and nor any educational facility as defined in chapter 1013, with the exception of an aviation school facility facilities, are not shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.~~

~~(e)(3) Restricting In the manner provided in subsection (1), airport zoning regulations shall be adopted which restrict new incompatible uses, activities, or substantial modifications to existing incompatible uses construction within runway protection clear zones, including uses, activities, or construction in runway clear zones which are incompatible with normal airport operations or endanger public health, safety, and welfare by resulting in congregations of people, emissions of light or smoke, or attraction of birds. Such regulations shall prohibit the construction of an educational facility of a public or private school at either end of a runway of a publicly owned, public use airport within an area which extends 5 miles in a direct line along the centerline of the runway, and which has a width measuring one half the length of the runway. Exceptions approving construction of an educational facility within the delineated area shall only be granted when the political subdivision administering the zoning regulations makes specific findings detailing how the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a location.~~

~~(4) The procedures outlined in subsections (1), (2), and (3) for the adoption of such regulations are supplemental to any existing procedures utilized by political subdivisions in the adoption of such regulations.~~

~~(3)(5) Political subdivisions shall provide The Department of Transportation shall provide technical assistance to any political subdivision requesting assistance in the preparation of an airport zoning code: a copy of all local airport protection zoning codes, rules, and regulations and airport land use compatibility zoning regulations, together with any related amendments, to the department's Aviation and Spaceports Office within 30 days after adoption, and amendments and proposed and granted variances thereto, shall be filed with the department.~~

~~(4)(6) Nothing in Subsection (2) does not or subsection (3) shall be construed to require the removal, alteration, sound conditioning, or other change to, or to interfere with the continued use or adjacent expansion of, any educational facility structure or site in existence on July 1, 1993, or be construed to prohibit the construction of any new structure for which a site has been determined as provided in former s. 235.10, as of July 1, 1993.~~

~~(5) This section does not preclude an airport authority, political subdivision or its administrative agency, or other governing body operating a public-use airport from establishing airport zoning regulations more restrictive than prescribed in this section in order to protect the health, safety, and welfare of the public in the air and on the ground.~~

Section 4. Section 333.04, Florida Statutes, is amended to read:

333.04 Comprehensive plans or policies ~~zoning regulations~~; most stringent zoning regulations to prevail where conflicts occur.—

(1) INCORPORATION.—~~If In the event that a political subdivision has adopted, or hereafter adopts, a comprehensive plan or policy that regulates zoning ordinance regulating, among other things, the height of buildings, structures, and natural objects, and uses of property, any airport zoning regulations applicable to the same area or portion thereof may be incorporated in and made a part of such comprehensive plan or policy zoning regulations, and be administered and enforced in connection therewith.~~

(2) CONFLICT.—~~If there is a In the event of conflict between any airport zoning regulations adopted under this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or vegetation trees, the use of land, or any other matter, and whether such regulations were adopted by the political subdivision that which adopted the airport zoning regulations or by some other political subdivision, the more stringent limitation or requirement shall govern and prevail.~~

Section 5. Section 333.05, Florida Statutes, is amended to read:

333.05 Procedure for adoption of zoning regulations.—

(1) NOTICE AND HEARING.—~~No Airport zoning regulations may not shall be adopted, amended, or repealed changed under this chapter except by action of the legislative body of the political subdivision or affected subdivisions in question, or the joint board provided for in s. 333.03(1)(b)2. 333.03(1)(b) by the bodies therein provided and set forth, after a public hearing on the adoption, amendment, or repeal in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the hearing shall be published at least once a week for 2 consecutive weeks in a newspaper an official paper, or a paper of general circulation, in the political subdivision or subdivisions where in which are located the airport zoning regulations are areas to be adopted, amended, or deleted zoned.~~

(2) AIRPORT ZONING COMMISSION.—~~Before Prior to the initial zoning of any airport area under this chapter, the political subdivision or joint airport zoning board that which is to adopt, administer, and enforce the regulations shall appoint a commission, to be known as the airport zoning commission, to recommend the boundaries of the various zones to be established and the regulations to be adopted therefor. The Such commission shall make a preliminary report and hold public hearings on the preliminary report thereon before submitting its final report, and The legislative body of the political subdivision or the joint airport zoning board may shall not hold its public hearings or take any action until it has received the final report of the such commission, and at least 15 days have elapsed shall elapse between the receipt of the final report of the commission and the hearing to be held by the legislative body or the latter board. Where a planning city plan commission, airport commission, or comprehensive zoning commission already exists, it may be appointed as the airport zoning commission.~~

Section 6. Section 333.06, Florida Statutes, is amended to read:

333.06 Airport zoning regulation requirements.—

(1) REASONABLENESS.—All airport zoning regulations adopted under this chapter shall be reasonable and ~~none shall not~~ impose any requirement or restriction that which is not reasonably necessary to effectuate the purposes of this chapter. In determining what regulations it may adopt, each political subdivision and joint airport zoning board shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area and runway protection clear zones, the character of the neighborhood, the uses to which the property to be zoned is put and adaptable, and the impact of any new use, activity, or construction on the airport's operating capability and capacity.

(2) INDEPENDENT JUSTIFICATION.—The purpose of all airport zoning regulations adopted under this chapter is to provide both airspace protection and land uses use compatible with airport operations. Each aspect of this purpose requires independent justification in order to promote the public interest in safety, health, and general welfare. Specifically, construction in a runway protection clear zone which does not exceed airspace height restrictions is not *conclusive evidence per se* that such use, activity, or construction is compatible with airport operations.

(3) NONCONFORMING USES.—~~No Airport protection zoning regulations adopted under this chapter may not shall require the removal, lowering, or other change or alteration of any obstruction structure or tree not conforming to the regulations when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in s. 333.07(1) and (3).~~

(4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED LOCAL GOVERNMENTS.—An airport master plan shall be prepared by each public-use publicly owned and operated airport licensed by the department of Transportation under chapter 330. The authorized entity having responsibility for governing the operation of the airport, when either requesting from or submitting to a state or federal governmental agency with funding or approval jurisdiction a "finding of no significant impact," an environmental assessment, a site-selection study, an airport master plan, or any amendment to an airport master plan, shall submit simultaneously a copy of said request, submittal, assessment, study, plan, or amendments by certified mail to all

affected local governments. For the purposes of this subsection, "affected local government" means ~~is defined as~~ any city or county having jurisdiction over the airport and any city or county located within 2 miles of the boundaries of the land subject to the airport master plan.

Section 7. Section 333.07, Florida Statutes, is amended to read:

333.07 *Local government permitting of airspace obstructions* ~~Permits and variances.~~—

(1) PERMITS.—

(a) ~~A person proposing to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the airport protection zoning regulations adopted under this chapter shall apply for a permit. Any airport zoning regulations adopted under this chapter may require that a permit be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed or substantially altered or repaired. In any event, however, all such regulations shall provide that before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the administrative agency authorized to administer and enforce the regulations, authorizing such replacement, change, or repair. No permit may not shall be issued granted that would allow the establishment or creation of an airport hazard or that would permit a nonconforming obstruction structure or tree or nonconforming use to be made or become higher or to become a greater hazard to air navigation than it was when the applicable airport protection zoning regulation was adopted that allowed the establishment or creation of the obstruction or than it is when the application for a permit is made.~~

(b) ~~Whenever the political subdivision or its administrative agency determines that a nonconforming obstruction use or nonconforming structure or tree has been abandoned or that is more than 80 percent of the obstruction is torn down, destroyed, deteriorated, or decayed, a no permit may not shall be granted that would allow the obstruction said structure or tree to exceed the applicable height limit or otherwise deviate from the airport protection zoning regulations.; and, Regardless of whether an application is made for a permit under this subsection or not, the said agency may by appropriate action, compel the owner of the nonconforming obstruction may be required structure or tree, at his or her own expense, to lower, remove, reconstruct, alter, or equip such obstruction object as may be necessary to conform to the current airport protection zoning regulations. If the owner of the nonconforming obstruction fails or refuses structure or tree shall neglect or refuse to comply with such requirement within order for 10 days after notice thereof, the administrative said agency may report the violation to the political subdivision involved therein, which subdivision, through its appropriate agency, may proceed to have the obstruction object so lowered, removed, reconstructed, altered, or equipped; and assess the cost and expense thereof upon the owner of the obstruction object or the land whereon it is or was located; and, unless such an assessment is paid within 90 days from the service of notice thereof on the owner or the owner's agent, of such object or land, the sum shall be a lien on said land, and shall bear interest thereafter at the rate of 6 percent per annum until paid, and shall be collected in the same manner as taxes on real property are collected by said political subdivision, or, at the option of said political subdivision, said lien may be enforced in the manner provided for enforcement of liens by chapter 85.~~

(c) ~~Except as provided herein, applications for permits shall be granted, provided the matter applied for meets the provisions of this chapter and the regulations adopted and in force hereunder.~~

(2) *CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.*—*In determining whether to issue or deny a permit, the political subdivision or its administrative agency shall consider the following, as applicable:*

- (a) *The safety of persons on the ground and in the air.*
- (b) *The safe and efficient use of navigable airspace.*
- (c) *The nature of the terrain and height of existing structures.*

(d) *The effect of the construction or alteration on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.*

(e) *The character of existing and planned flight operations and developments at public-use airports.*

(f) *Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.*

(g) *The effect of the construction or alteration of the proposed structure on the minimum descent altitude or the decision height at the affected airport.*

(h) *The cumulative effects on navigable airspace of all existing structures and all other known proposed structures in the area.*

(i) *Additional requirements adopted by the political subdivision or administrative agency pertinent to evaluation and protection of airspace and airport operations.*

(2) ~~VARIANCES.~~—

(a) ~~Any person desiring to erect any structure, increase the height of any structure, permit the growth of any tree, or otherwise use his or her property in violation of the airport zoning regulations adopted under this chapter or any land development regulation adopted pursuant to the provisions of chapter 163 pertaining to airport land use compatibility, may apply to the board of adjustment for a variance from the zoning regulations in question. At the time of filing the application, the applicant shall forward to the department by certified mail, return receipt requested, a copy of the application. The department shall have 45 days from receipt of the application to comment and to provide its comments or waiver of that right to the applicant and the board of adjustment. The department shall include its explanation for any objections stated in its comments. If the department fails to provide its comments within 45 days of receipt of the application, its right to comment is waived. The board of adjustment may proceed with its consideration of the application only upon the receipt of the department's comments or waiver of that right as demonstrated by the filing of a copy of the return receipt with the board. Noncompliance with this section shall be grounds to appeal pursuant to s. 333.08 and to apply for judicial relief pursuant to s. 333.11. Such variances may only be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and where the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations and this chapter. However, any variance may be allowed subject to any reasonable conditions that the board of adjustment may deem necessary to effectuate the purposes of this chapter.~~

(b) ~~The Department of Transportation shall have the authority to appeal any variance granted under this chapter pursuant to s. 333.08, and to apply for judicial relief pursuant to s. 333.11.~~

(3) *OBSTRUCTION MARKING AND LIGHTING.*—

(a) ~~When issuing a In granting any permit or variance under this section, the political subdivision or its administrative agency or board of adjustment shall require the owner of the obstruction structure or tree in question to install, operate, and maintain thereon, at the owner's his or her own expense, such marking and lighting in conformance with the specific standards established by the Federal Aviation Administration as may be necessary to indicate to aircraft pilots the presence of an obstruction.~~

(b) ~~Such marking and lighting shall conform to the specific standards established by rule by the Department of Transportation.~~

(c) ~~Existing structures not in compliance on October 1, 1988, shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within 5 years of October 1, 1988, whichever occurs first.~~

Section 8. Section 333.09, Florida Statutes, is amended to read:

333.09 *Administration of airport zoning regulations.*—

(1) *ADMINISTRATION.*—All airport zoning regulations adopted under this chapter shall provide for the administration and enforcement of such regulations by *the political subdivision or its an administrative agency which may be an agency created by such regulations or any official, board, or other existing agency of the political subdivision adopting the regulations or of one of the political subdivisions which participated in the creation of the joint airport zoning board adopting the regulations, if satisfactory to that political subdivision, but in no case shall such administrative agency be or include any member of the board of adjustment.* The duties of *an any administrative agency designated pursuant to this chapter shall include that of hearing and deciding all permits under s. 333.07 333.07(1), deciding all matters under s. 333.07(3), as they pertain to such agency, and all other matters under this chapter applying to such said agency, but such agency shall not have or exercise any of the powers herein delegated to the board of adjustment.*

(2) *LOCAL GOVERNMENT PROCESS.*—

(a) *A political subdivision required to adopt airport zoning regulations under this chapter shall provide a process to:*

1. *Issue or deny permits consistent with s. 333.07.*
2. *Provide the department with a copy of a complete application consistent with s. 333.025(4).*
3. *Enforce the issuance or denial of a permit or other determination made by the administrative agency with respect to airport zoning regulations.*

(b) *If a zoning board or permitting body already exists within a political subdivision, the zoning board or permitting body may implement the airport zoning regulation permitting and appeals processes.*

(3) *APPEALS.*—

(a) *A person, a political subdivision or its administrative agency, or a joint airport zoning board that contends that a decision made by a political subdivision or its administrative agency is an improper application of airport zoning regulations may use the process established for an appeal.*

(b) *All appeals taken under this section must be taken within a reasonable time, as provided by the political subdivision or its administrative agency, by filing with the entity from which appeal is taken a notice of appeal specifying the grounds for appeal.*

(c) *An appeal shall stay all proceedings in the underlying action appealed from, unless the entity from which the appeal is taken certifies, pursuant to the rules for appeal, that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed except by order of the political subdivision or its administrative agency on notice to the entity from which the appeal is taken and for good cause shown.*

(d) *The political subdivision or its administrative agency shall set a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest, and decide the issue within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.*

(e) *The political subdivision or its administrative agency may, in conformity with this chapter, affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.*

Section 9. Section 333.11, Florida Statutes, is amended to read:

333.11 Judicial review.—

(1) *A Any person, aggrieved, or taxpayer affected, by any decision of a board of adjustment, or any governing body of a political subdivision, or the Department of Transportation or any joint airport zoning board affected by a decision of a political subdivision, or its of any administrative agency hereunder, may apply for judicial relief to the circuit court in the judicial circuit where the political subdivision board of adjustment is located within 30 days after rendition of the decision by the board of adjustment. Review shall be by petition for writ of cer-*

tiorari, which shall be governed by the Florida Rules of Appellate Procedure.

(2) ~~Upon presentation of such petition to the court, it may allow a writ of certiorari, directed to the board of adjustment, to review such decision of the board. The allowance of the writ shall not stay the proceedings upon the decision appealed from, but the court may, on application, on notice to the board, on due hearing and due cause shown, grant a restraining order.~~

(3) ~~The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.~~

(2)(4) ~~The court has shall have exclusive jurisdiction to affirm, reverse, or modify, or set aside the decision on the permit or other determination from which the appeal is taken brought up for review, in whole or in part, and, if appropriate need be, to order further proceedings by the political subdivision or its administrative agency board of adjustment. The findings of fact by the political subdivision or its administrative agency board, if supported by substantial evidence, shall be accepted by the court as conclusive, and an no objection to a decision of the political subdivision or its administrative agency may not board shall be considered by the court unless such objection was raised in the underlying proceeding shall have been urged before the board, or, if it was not so urged, unless there were reasonable grounds for failure to do so.~~

(3)(5) ~~In any case in which airport zoning regulations adopted under this chapter, although generally reasonable, are held by a court to interfere with the use and enjoyment of a particular structure or parcel of land to such an extent, or to be so onerous in their application to such a structure or parcel of land, as to constitute a taking or deprivation of that property in violation of the State Constitution or the Constitution of the United States, such holding shall not affect the application of such regulations to other structures and parcels of land, or such regulations as are not involved in the particular decision.~~

(4)(6) ~~A judicial No appeal to any court may not shall be or is permitted under this section until the appellant has exhausted all of its remedies through application for local government permits, exceptions, and appeals, to any courts, as herein provided, save and except an appeal from a decision of the board of adjustment, the appeal herein provided being from such final decision of such board only, the appellant being hereby required to exhaust his or her remedies hereunder of application for permits, exceptions and variances, and appeal to the board of adjustment, and gaining a determination by said board, before being permitted to appeal to the court hereunder.~~

Section 10. Section 333.12, Florida Statutes, is amended to read:

333.12 Acquisition of air rights.—~~If In any case which it is desired to remove, lower or otherwise terminate a nonconforming obstruction is determined to be an airport hazard and the owner will not remove, lower, or otherwise eliminate it structure or use; if or the approach protection necessary cannot, because of constitutional limitations, be provided by airport regulations under this chapter; or if it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations, the political subdivision within which the property or nonconforming obstruction use is located, or the political subdivision owning or operating the airport or being served by it, may acquire, by purchase, grant, or condemnation in the manner provided by chapter 73; such property, air right, aviation navigation easement, or other estate, portion, or interest in the property or nonconforming obstruction structure or use or such interest in the air above such property, tree, structure, or use, in question, as may be necessary to effectuate the purposes of this chapter, and in so doing, if by condemnation, may to have the right to take immediate possession of the property, interest in property, air right, or other right sought to be condemned, at the time, and in the manner and form, and as authorized by chapter 74. If the political subdivision acquires any In the case of the purchase of any property, or any easement, or estate or interest therein by purchase or the acquisition of the same by the power of eminent domain, the political subdivision making such purchase or exercising such power shall, in addition to the damages for the taking, injury, or~~

destruction of property, ~~also~~ pay the cost of the removal and relocation of any structure or any public utility *that must* ~~which is required to~~ be moved to a new location.

Section 11. Section 333.13, Florida Statutes, is amended to read:

333.13 Enforcement and remedies.—

(1) A ~~Each~~ violation of this chapter or of any airport zoning regulations, orders, or rulings ~~adopted promulgated or made under pursuant to~~ this chapter ~~is shall constitute~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and each day a violation continues to exist ~~constitutes shall constitute~~ a separate offense.

(2) In addition, the political subdivision or agency adopting the airport zoning regulations under this chapter may institute in any court of competent jurisdiction an action to prevent, restrain, correct, or abate ~~a any~~ violation of this chapter, ~~any or of~~ airport zoning regulations adopted under this chapter, or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this chapter and of the regulations adopted and orders and rulings made pursuant thereto.

(3) The department of ~~Transportation~~ may institute a civil action for injunctive relief in the appropriate circuit court to prevent violation of ~~any provision of~~ this chapter.

Section 12. Section 333.135, Florida Statutes, is created to read:

333.135 Transition provisions.—

(1) For those political subdivisions that have not adopted airport zoning regulations pursuant to this chapter, the department shall administer the permitting process as provided in s. 333.025.

(2) By July 1, 2017:

(a) Any airport zoning regulation in effect on July 1, 2016, that includes provisions in conflict with this chapter shall be amended to conform to the requirements of this chapter.

(b) Any political subdivision having an airport within its territorial limits which has not adopted airport zoning regulations shall adopt airport zoning regulations consistent with this chapter.

Section 13. Sections 333.065, 333.08, 333.10, and 333.14, Florida Statutes, are repealed.

Section 14. For the purpose of incorporating the amendment made by this act to section 333.01, Florida Statutes, in a reference thereto, subsection (6) of section 350.81, Florida Statutes, is reenacted to read:

350.81 Communications services offered by governmental entities.—

(6) To ensure the safe and secure transportation of passengers and freight through an airport facility, as defined in s. 159.27(17), an airport authority or other governmental entity that provides or is proposing to provide communications services only within the boundaries of its airport layout plan, as defined in s. 333.01(6), to subscribers which are integral and essential to the safe and secure transportation of passengers and freight through the airport facility, is exempt from this section. An airport authority or other governmental entity that provides or is proposing to provide shared-tenant service under s. 364.339, but not dial tone enabling subscribers to complete calls outside the airport layout plan, to one or more subscribers within its airport layout plan which are not integral and essential to the safe and secure transportation of passengers and freight through the airport facility is exempt from this section. An airport authority or other governmental entity that provides or is proposing to provide communications services to one or more subscribers within its airport layout plan which are not integral and essential to the safe and secure transportation of passengers and freight through the airport facility, or to one or more subscribers outside its airport layout plan, is not exempt from this section. By way of example and not limitation, the integral, essential subscribers may include airlines and emergency service entities, and the nonintegral, nonessential subscribers may include retail shops, restaurants, hotels, or rental car companies.

Section 15. This act shall take effect July 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: An act relating to the Airport Zoning Law of 1945; amending s. 333.01, F.S.; revising and providing definitions; amending s. 333.025, F.S.; revising requirements for a permit to construct or alter an obstruction; revising procedures for issuing such permit; revising duties of the Department of Transportation relating to issuance of the permit; providing for administrative review of a denial of a permit; amending s. 333.03, F.S.; revising requirements and procedures for certain local political subdivisions to adopt and enforce airport zoning regulations; directing the department to provide assistance to political subdivisions with regard to federal obstruction standards; providing minimum requirements for airport land use compatibility zoning regulations; directing political subdivisions to provide the department with copies of airport protection zoning regulations and airport land use compatibility zoning regulations; providing applicability and effect; amending s. 333.04, F.S.; revising provisions for incorporation of zoning regulations with a political subdivision's comprehensive regulations; revising provisions for a conflict between airport zoning regulations and other regulations; amending s. 333.05, F.S.; revising procedure for adoption of zoning regulations; revising provisions relating to an airport zoning commission; amending s. 333.06, F.S.; revising airport zoning regulation requirements; revising requirements for adoption of an airport master plan and amendments thereto; amending s. 333.07, F.S.; requiring a permit to construct, alter, or allow an airport obstruction in an airport hazard area under certain circumstances; providing conditions for issuance or denial of such permit; revising provisions to compel conformance; removing provisions for obtaining a variance to zoning regulations; removing reference to a board of adjustment; revising provisions directing a political subdivision to require an owner to install and maintain certain lighting or marking of obstructions; amending s. 333.09, F.S.; revising requirements for administration of airport protection zoning regulations; requiring the political subdivision to provide a process for permitting, notifications to the department, and enforcement; providing for appeal of decisions made by the political subdivision; amending s. 333.11, F.S.; revising provisions for judicial review of decisions by a political subdivision; revising jurisdiction of the court relating to decisions of the political subdivision; removing reference to a board of adjustment; requiring certain procedures before an appeal to a court; amending s. 333.12, F.S.; revising provisions for acquisition of property when a nonconforming obstruction is determined to be an airport hazard; amending s. 333.13, F.S.; revising penalty provisions; creating s. 333.135, F.S.; providing a timeframe for compliance by political subdivisions; repealing ss. 333.065, 333.08, 333.10, and 333.14, F.S., relating to guidelines regarding land use near airports, appeals, boards of adjustment, and a short title; reenacting s. 350.81(6), F.S., relating to communications services offered by governmental entities, to incorporate the amendment made by the act to s. 333.01, F.S., in a reference thereto; providing an effective date.

On motion by Senator Simpson, the Senate concurred in the House amendment.

CS for SB 1508 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SENATOR RICHTER PRESIDING**SENATOR HAYS PRESIDING****SPECIAL GUESTS**

Senator Altman recognized his daughter, McKenzie Altman, who was present in the gallery.

SENATOR MARGOLIS PRESIDING**THE PRESIDENT PRESIDING**

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (773730) and concurred in the same as amended, and passed CS/CS/HB 1175 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for HB 1175—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under chapter 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; requiring a licensed facility to post certain payment information regarding defined bundles of services and procedures and other specified consumer information and notifications on its website; requiring a facility to provide a good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding its financial assistance policy to a patient or a prospective patient; providing a penalty for failing to provide such estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; amending s. 395.107, F.S.; defining the term "facility" to mean an urgent care center or a diagnostic-imaging center operated by a licensed hospital but not located on the hospital premises; requiring a facility to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the facility's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis; revising requirements for the collection and use of health-related data by the Agency for Health Care Administration; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes and a state-specific data set available to the public; providing vendor qualifications; requiring the agency to design a patient safety culture survey for hospitals and ambulatory surgical centers licensed under chapter 395, F.S.; requiring the survey to measure certain aspects of a facility's patient safety practices; exempting certain licensed facilities from survey requirements; prohibiting the agency from establishing a certain database without express legislative authority; revising the duties of the members of the State Consumer Health Information and Policy Advisory Council; revising provisions relating to the use of certain fees; revising the agency's rulemaking authority; deleting an obsolete provision; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; amending s. 408.810, F.S.; requiring certain licensed hospitals and ambulatory surgical centers to submit a facility patient safety culture survey to the agency; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a good faith estimate of anticipated charges to a patient upon request within a certain timeframe; providing for disciplinary action and a fine for failure to comply; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain information and a method for policyholders to estimate certain health care services costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to provide notice in insurance policies that certain information is available on its website; requiring a health insurer that participates in the state group health

insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health insurers; requiring that an insurer and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 641.54, F.S.; requiring a health maintenance organization to make certain information available to its subscribers on its website; requiring a health insurer to provide a hyperlink to certain health information on its website; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health maintenance organizations; requiring that a health maintenance organization and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 409.967, F.S.; requiring managed care plans to contribute all Florida claims data to the contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to contribute certain data to the vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to contribute Florida claims data to the contracted vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 400.991, 408.07, 408.18, 408.8065, 408.820, 465.0244, and 627.6499, F.S.; conforming cross-references and provisions to changes made by the act; providing intent of the act; declaring all persons or entities required to submit, receive, or publish data under the act to be acting pursuant to state requirements contained therein; exempting such persons or entities from state anti-trust laws; providing an appropriation and authorizing a position; providing an effective date.

House Amendment 1 (766465) to Senate Amendment 1 (773730) (with title amendment)—Remove lines 250-254 of the amendment and insert: address of the agency to which the issue may be sent for review.

Remove lines 868-926 of the amendment

Remove lines 1343-1348 of the amendment

And the title is amended as follows:

Remove lines 1385-1456 of the amendment and insert: information; amending s. 395.107, F.S.; providing a definition; making technical changes; amending s. 408.05, F.S.; revising requirements for the collection and use of health-related data by the agency; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes; requiring potential vendors to have certain qualifications; prohibiting the agency from establishing a certain database under certain circumstances; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; requiring submitted information considered a trade secret to be clearly designated; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a patient upon his or her request a written or electronic good faith estimate of anticipated charges within a certain timeframe; setting a maximum amount for total fines assessed in certain disciplinary actions; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain methods that a policyholder can use to make estimates of certain costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to make available on its website a hyperlink to certain health information; requiring a health insurer to include certain notice; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency by a specified date; excluding from the contributed claims data certain types of coverage; amending s. 641.54, F.S.; revising a requirement that a health maintenance organization make certain information available to its subscribers; requiring a health maintenance organization that participates in the state group health insurance plan or Medicaid managed care to provide all claims data to a contracted vendor selected by the agency by a specified date; excluding from the contributed claims data certain types of coverage; amending s. 409.967, F.S.; requiring managed care plans to provide all claims data to a contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to provide certain data to the contracted vendor for the price transparency database established by the

agency; requiring a contracted vendor for the state group health insurance plan to provide claims data to the vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 408.07, 408.18, and 465.0244, F.S.; conforming provisions to changes made by the act; providing legislative intent; providing an appropriation; providing an effective

On motion by Senator Bradley, the Senate concurred in the House amendment to the Senate amendment.

CS for CS for HB 1175 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Negron
Abruzzo	Gaetz	Richter
Altman	Galvano	Ring
Bean	Garcia	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Smith
Braynon	Hutson	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—1

Gibson

Vote after roll call:

Yea—Brandes, Detert, Grimsley, Montford, Sachs

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 12, with 1 amendment, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for SB 12—A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.001, F.S.; providing legislative intent regarding mental illness for purposes of the child welfare system; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child’s care in residential treatment under certain circumstances; amending s. 39.507, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; amending s. 39.521, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in disposition hearings; providing requirements for certain court orders; amending s. 394.455, F.S.; defining terms; revising definitions; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and the Legislature by a specified date; redefining terms; providing essential elements of a coordinated system of care; providing requirements for the department’s annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual’s representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person’s guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; deleting exceptions to such requirements; amending s. 394.463, F.S.; authorizing

county or circuit courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certifications to managing entities and the department, rather than the Agency for Health Care Administration; requiring the managing entity and department to receive certain orders, certificates, and reports; requiring the managing entity and the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be released to law enforcement custody; providing exceptions; amending s. 394.4655, F.S.; providing for involuntary outpatient services; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; making technical changes; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; requiring a facility filing a petition for involuntary inpatient placement to send a copy to the department and managing entity; revising criteria for a hearing on involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient’s attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient’s incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.656, F.S.; revising the membership of the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; authorizing the agency and the department to develop a plan for revenue maximization; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.875, F.S.; requiring the department to modify licensure rules and procedures to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; renaming the Crisis Stabilization Services Utilization Database as the Acute Care Utilization Database and requiring certain substance abuse providers to provide utilization data; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.311, F.S.; defining the terms “informed consent” and “involuntary services”; revising the definition of the term “qualified professional”; conforming a cross-reference; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.679, F.S.; specifying the licensed professionals who may complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person with a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons who may deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons who may file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization; amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; requiring a managing entity to be notified of certain recommendations; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; requiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; authorizing a court to order a respondent to undergo treatment through a privately funded licensed service provider under certain circumstances; prohibiting a court from ordering involuntary outpatient services under certain circumstances; requiring the service provider to document certain inquiries; requiring the managing entity to document

certain efforts; requiring a copy of the court's order to be sent to the department and managing entity; providing procedures for modifications to such orders; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; providing a list of persons prohibited from being appointed as an individual's guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment services coordination; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children's substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children's substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children's substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children's substance abuse services; amending ss. 39.407, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.966, 409.972, 440.102, 744.704, and 790.065, F.S.; conforming cross-references; requiring the Department of Children and Families to create a workgroup on the use of advance directives for substance use disorders; requiring a report to the Governor, President of the Senate, and Speaker of the House of Representatives; providing an effective date.

House Amendment 1 (171349) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (e) is added to subsection (10) of section 29.004, Florida Statutes, to read:

29.004 State courts system.—For purposes of implementing s. 14, Art. V of the State Constitution, the elements of the state courts system to be provided from state revenues appropriated by general law are as follows:

(10) Case management. Case management includes:

(e) *Service referral, coordination, monitoring, and tracking for mental health programs under chapter 394.*

Case management may not include costs associated with the application of therapeutic jurisprudence principles by the courts. Case management also may not include case intake and records management conducted by the clerk of court.

Section 2. Subsections (65) through (79) of section 39.01, Florida Statutes, are renumbered as subsections (66) through (80), respectively, and a new subsection (65) is added to that section to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(65) *“Qualified professional” means a physician or a physician assistant licensed under chapter 458 or chapter 459; a psychiatrist licensed under chapter 458 or chapter 459; a psychologist as defined in s.*

490.003(7) or a professional licensed under chapter 491; or a psychiatric nurse as defined in s. 394.455.

Section 3. Paragraph (c) of subsection (6) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(6) Children who are in the legal custody of the department may be placed by the department, without prior approval of the court, in a residential treatment center licensed under s. 394.875 or a hospital licensed under chapter 395 for residential mental health treatment only pursuant to this section or may be placed by the court in accordance with an order of involuntary examination or involuntary placement entered pursuant to s. 394.463 or s. 394.467. All children placed in a residential treatment program under this subsection must have a guardian ad litem appointed.

(c) Before a child is admitted under this subsection, the child shall be assessed for suitability for residential treatment by a qualified evaluator who has conducted a personal examination and assessment of the child and has made written findings that:

1. The child appears to have an emotional disturbance serious enough to require residential treatment and is reasonably likely to benefit from the treatment.

2. The child has been provided with a clinically appropriate explanation of the nature and purpose of the treatment.

3. All available modalities of treatment less restrictive than residential treatment have been considered, and a less restrictive alternative that would offer comparable benefits to the child is unavailable.

A copy of the written findings of the evaluation and suitability assessment must be provided to the department, ~~and~~ to the guardian ad litem, *and, if the child is a member of a Medicaid managed care plan, to the plan that is financially responsible for the child's care in residential treatment, all of whom must be provided with ~~who shall have~~ the opportunity to discuss the findings with the evaluator.*

Section 4. Section 394.453, Florida Statutes, is amended to read:

394.453 Legislative intent.—

(1) It is the intent of the Legislature:

(a) To authorize and direct the Department of Children and Families to evaluate, research, plan, and recommend to the Governor and the Legislature programs designed to reduce the occurrence, severity, duration, and disabling aspects of mental, emotional, and behavioral disorders.

(b) ~~It is the intent of the Legislature~~ That treatment programs for such disorders ~~shall~~ include, but not be limited to, comprehensive health, social, educational, and rehabilitative services to persons requiring intensive short-term and continued treatment in order to encourage them to assume responsibility for their treatment and recovery. It is intended that:

1. Such persons be provided with emergency service and temporary detention for evaluation when required;

2. ~~Such persons that they~~ be admitted to treatment facilities on a voluntary basis when extended or continuing care is needed and unavailable in the community;

3. ~~that~~ Involuntary placement be provided only when expert evaluation determines ~~that~~ it is necessary;

4. ~~that~~ Any involuntary treatment or examination be accomplished in a setting ~~that which~~ is clinically appropriate and most likely to facilitate the person's return to the community as soon as possible; and

5. ~~that~~ Individual dignity and human rights be guaranteed to all persons who are admitted to mental health facilities or who are being held under s. 394.463.

(c) That services provided to persons in this state use the coordination-of-care principles characteristic of recovery-oriented services and include social support services, such as housing support, life skills and vocational training, and employment assistance, necessary for persons with mental health disorders and co-occurring mental health and substance use disorders to live successfully in their communities.

(d) That state policy and funding decisions be driven by data concerning the populations served and the effectiveness of the services provided.

(e) That licensed, qualified health professionals be authorized to practice to the fullest extent of their education and training in the performance of professional functions necessary to carry out the intent of this part.

~~(2) It is the further intent of the Legislature that the least restrictive means of intervention be employed based on the individual needs of each person, within the scope of available services. It is the policy of this state that the use of restraint and seclusion on clients is justified only as an emergency safety measure to be used in response to imminent danger to the client or others. It is, therefore, the intent of the Legislature to achieve an ongoing reduction in the use of restraint and seclusion in programs and facilities serving persons with mental illness.~~

Section 5. Section 394.4573, Florida Statutes, is amended to read:

394.4573 ~~Coordinated system of care; annual assessment; essential elements~~ ~~Continuity of care management system~~; measures of performance; system improvement grants; reports.—*On or before December 1 of each year, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives an assessment of the behavioral health services in this state. The assessment shall consider, at a minimum, the extent to which designated receiving systems function as no-wrong-door models, the availability of treatment and recovery services that use recovery-oriented and peer-involved approaches, the availability of less-restrictive services, and the use of evidence-informed practices. The department's assessment shall consider, at a minimum, the needs assessments conducted by the managing entities pursuant to s. 394.9082(5). Beginning in 2017, the department shall compile and include in the report all plans submitted by managing entities pursuant to s. 394.9082(8) and the department's evaluation of each plan.*

(1) As used in ~~For the purposes of~~ this section:

(a) “Care coordination” means intensive activities undertaken across systems and providers to facilitate the delivery of treatment services and recovery supports to individuals with complex needs who are not yet effectively connected with such services and supports.

~~(b)~~ (a) “Case management” means those direct services provided to a client in order to assess his or her activities aimed at assessing client needs, plan or arrange planning services, coordinate service providers, link linking the service system to a client, monitor coordinating the various system components, monitoring service delivery, and evaluate patient outcomes evaluating the effect of service delivery.

~~(b)~~ “Case manager” means an individual who works with clients, and their families and significant others, to provide case management.

~~(c)~~ “Client manager” means an employee of the department who is assigned to specific provider agencies and geographic areas to ensure that the full range of needed services is available to clients.

~~(c)~~ (d) “Coordinated system ~~Continuity of care management system~~” means a system that assures, within available resources, that clients have access to the full array of behavioral and related services in a region or community offered by all service providers, whether participating under contract with the managing entity or by another method of community partnership or mutual agreement within the mental health services delivery system.

(d) “No-wrong-door model” means a model for the delivery of acute care services to persons who have mental health or substance use disorders, or both, which optimizes access to care, regardless of the entry point to the behavioral health care system.

(2) The essential elements of a coordinated system of care include:

(a) Community interventions, such as prevention, primary care for behavioral health needs, therapeutic and supportive services, crisis response services, and diversion programs.

(b) A designated receiving system that consists of one or more facilities serving a defined geographic area and responsible for assessment and evaluation, both voluntary and involuntary, and treatment or triage of patients who have a mental health or substance use disorder, or co-occurring disorders.

1. A county or several counties shall plan the designated receiving system using a process that includes the managing entity and is open to participation by individuals with behavioral health needs and their families, service providers, law enforcement agencies, and other parties. The county or counties, in collaboration with the managing entity, shall document the designated receiving system through written memoranda of agreement or other binding arrangements. The county or counties and the managing entity shall approve and implement the designated receiving system by July 1, 2017, and the county or counties and the managing entity shall review, update as necessary, and reapprove the designated receiving system at least once every 3 years.

2. To the extent permitted by available resources, the designated receiving system shall function as a no-wrong-door model. The designated receiving system may be organized in any manner which functions as a no-wrong-door model that responds to individual needs and integrates services among various providers. Such models include, but are not limited to:

a. A central receiving system that consists of a designated central receiving facility that serves as a single entry point for persons with mental health or substance use disorders, or co-occurring disorders. The central receiving facility shall be capable of assessment, evaluation, and triage or treatment of various conditions and circumstances.

b. A coordinated receiving system that consists of multiple entry points that are linked by shared data systems, formal referral agreements, and cooperative arrangements for care coordination and case management. Each entry point shall be a designated receiving facility and shall, within existing resources, provide or arrange for necessary services following an initial assessment and evaluation.

c. A tiered receiving system that consists of multiple entry points, some of which offer only specialized or limited services. Each service provider shall be classified according to its capabilities as either a designated receiving facility, or another type of service provider such as a triage center, or an access center. All participating service providers shall, within existing resources, be linked by methods to share data, formal referral agreements, and cooperative arrangements for care coordination and case management.

An accurate inventory of the participating service providers which specifies the capabilities and limitations of each provider and its ability to accept patients under the designated receiving system agreements and the transportation plan developed pursuant to this section shall be maintained and made available at all times to all first responders in the service area.

(c) Transportation in accordance with a plan developed under s. 394.462.

(d) Crisis services, including mobile response teams, crisis stabilization units, addiction receiving facilities, and detoxification facilities.

(e) Case management. Each case manager or person directly supervising a case manager who provides Medicaid-funded targeted case management services shall hold a valid certification from a department-approved credentialing entity as defined in s. 397.311(9) by July 1, 2017, and within 6 months after hire thereafter.

(f) Care coordination that involves coordination with other local systems and entities, public and private, which are involved with the individual, such as primary care, child welfare, behavioral health care, and criminal and juvenile justice organizations. The department shall define the priority populations for receiving care coordination. In defining the priority populations, the department shall take into account the availability of resources for that purpose and consider:

1. The number and duration of involuntary admissions within a specified time.

2. The degree of involvement with the criminal justice system and the risk to public safety posed by the individual.

3. Whether the individual has recently resided in or is currently awaiting admission to or discharge from a treatment facility as defined in s. 394.455.

4. The degree of utilization of behavioral health services.

5. Whether the individual is a parent or caregiver who is involved with the child welfare system.

(g) Outpatient services.

(h) Residential services.

(i) Hospital inpatient care.

(j) Aftercare and other post-discharge services.

(k) Medication-assisted treatment and medication management.

(l) Recovery support, including, but not limited to, support for competitive employment, educational attainment, independent living skills development, family support and education, wellness management and self-care, and assistance in obtaining housing that meets the individual's needs. Such housing shall include mental health residential treatment facilities, limited mental health assisted living facilities, adult family care homes, and supportive housing. Housing provided using state funds shall provide a safe and decent environment free from abuse and neglect. The care plan shall assign specific responsibility for initial and ongoing evaluation of the supervision and support needs of the individual and the identification of housing that meets such needs. For purposes of this paragraph, the term "supervision" means oversight of and assistance with compliance with the clinical aspects of an individual's care plan.

(3) Subject to a specific appropriation by the Legislature, the department may award system improvement grants to managing entities based on the submission of a detailed plan to enhance services, coordination, or performance measurement to address the needs identified in the department's assessment under this section. Such a grant must be awarded through a performance-based contract that links payments to the documented and measurable achievement of system improvements. ~~The department is directed to implement a continuity of care management system for the provision of mental health care, through the provision of client and case management, including clients referred from state treatment facilities to community mental health facilities. Such system shall include a network of client managers and case managers throughout the state designed to:~~

~~(a) Reduce the possibility of a client's admission or readmission to a state treatment facility.~~

~~(b) Provide for the creation or designation of an agency in each county to provide single intake services for each person seeking mental health services. Such agency shall provide information and referral services necessary to ensure that clients receive the most appropriate and least restrictive form of care, based on the individual needs of the person seeking treatment. Such agency shall have a single telephone number, operating 24 hours per day, 7 days per week, where practicable, at a central location, where each client will have a central record.~~

~~(c) Advocate on behalf of the client to ensure that all appropriate services are afforded to the client in a timely and dignified manner.~~

~~(d) Require that any public receiving facility initiating a patient transfer to a licensed hospital for acute care mental health services not accessible through the public receiving facility shall notify the hospital of such transfer and send all records relating to the emergency psychiatric or medical condition.~~

~~(3) The department is directed to develop and include in contracts with service providers measures of performance with regard to goals and objectives as specified in the state plan. Such measures shall use, to the extent practical, existing data collection methods and reports and shall not require, as a result of this subsection, additional reports on the~~

~~part of service providers. The department shall plan monitoring visits of community mental health facilities with other state, federal, and local governmental and private agencies charged with monitoring such facilities.~~

Section 6. Section 394.461, Florida Statutes, is amended to read:

394.461 Designation of receiving and treatment facilities *and receiving systems*.—The department is authorized to designate and monitor receiving facilities, ~~and~~ treatment facilities, *and receiving systems* and may suspend or withdraw such designation for failure to comply with this part and rules adopted under this part. Unless designated by the department, facilities are not permitted to hold or treat involuntary patients under this part.

(1) RECEIVING FACILITY.—The department may designate any community facility as a receiving facility. Any other facility within the state, including a private facility or a federal facility, may be so designated by the department, provided that such designation is agreed to by the governing body or authority of the facility.

(2) TREATMENT FACILITY.—The department may designate any state-owned, state-operated, or state-supported facility as a state treatment facility. A civil patient shall not be admitted to a state treatment facility without previously undergoing a transfer evaluation. Before a court hearing for involuntary placement in a state treatment facility, the court shall receive and consider the information documented in the transfer evaluation. Any other facility, including a private facility or a federal facility, may be designated as a treatment facility by the department, provided that such designation is agreed to by the appropriate governing body or authority of the facility.

(3) PRIVATE FACILITIES.—Private facilities designated as receiving and treatment facilities by the department may provide examination and treatment of involuntary patients, as well as voluntary patients, and are subject to all the provisions of this part.

(4) REPORTING REQUIREMENTS.—

(a) A facility designated as a public receiving or treatment facility under this section shall report to the department on an annual basis the following data, unless these data are currently being submitted to the Agency for Health Care Administration:

1. Number of licensed beds.
2. Number of contract days.
3. Number of admissions by payor class and diagnoses.
4. Number of bed days by payor class.
5. Average length of stay by payor class.
6. Total revenues by payor class.

(b) For the purposes of this subsection, "payor class" means Medicare, Medicare HMO, Medicaid, Medicaid HMO, private-pay health insurance, private-pay health maintenance organization, private preferred provider organization, the Department of Children and Families, other government programs, self-pay patients, and charity care.

(c) The data required under this subsection shall be submitted to the department no later than 90 days following the end of the facility's fiscal year. A facility designated as a public receiving or treatment facility shall submit its initial report for the 6-month period ending June 30, 2008.

(d) The department shall issue an annual report based on the data required pursuant to this subsection. The report shall include individual facilities' data, as well as statewide totals. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(5) RECEIVING SYSTEM.—*The department may designate as a receiving system one or more facilities serving a defined geographic area developed pursuant to s. 394.4573 that is responsible for assessment and evaluation, both voluntary and involuntary, and treatment or triage for patients who present with mental illness, substance use disorder, or co-*

occurring disorders. Any transportation plans developed pursuant to s. 394.462 must support the operation of the receiving system.

(6)(~~5~~) RULES.—The department *may* ~~shall~~ adopt rules relating to:

(a) Procedures and criteria for receiving and evaluating facility applications for designation, which may include onsite facility inspection and evaluation of an applicant's licensing status and performance history, as well as consideration of local service needs.

(b) Minimum standards consistent with this part that a facility must meet and maintain in order to be designated as a receiving or treatment facility and procedures for monitoring continued adherence to such standards.

(c) *Procedures and criteria for designating receiving systems, which may include consideration of the adequacy of services provided by facilities within the receiving system to meet the needs of the geographic area within available resources.*

(d)(~~e~~) Procedures for receiving complaints against a designated facility or designated receiving system and for initiating inspections and investigations of facilities or receiving systems alleged to have violated the provisions of this part or rules adopted under this part.

(e)(~~d~~) Procedures and criteria for the suspension or withdrawal of designation as a receiving facility or receiving system.

Section 7. *Section 394.675, Florida Statutes, is repealed.*

Section 8. Subsection (3) and paragraph (b) of subsection (4) of section 394.75, Florida Statutes, are amended to read:

394.75 State and district substance abuse and mental health plans.—

(3) The district health and human services board shall prepare an integrated district substance abuse and mental health plan. The plan shall be prepared and updated on a schedule established by the Alcohol, Drug Abuse, and Mental Health Program Office. The plan shall reflect the needs and program priorities established by the department and the needs of the district established under ss. 394.4573 and 394.674 and ~~394.675~~. The plan must list in order of priority the mental health and the substance abuse treatment needs of the district and must rank each program separately. The plan shall include:

(a) A record of the total amount of money available in the district for mental health and substance abuse services.

(b) A description of each service that will be purchased with state funds.

(c) A record of the amount of money allocated for each service identified in the plan as being purchased with state funds.

(d) A record of the total funds allocated to each provider.

(e) A record of the total funds allocated to each provider by type of service to be purchased with state funds.

(f) Input from community-based persons, organizations, and agencies interested in substance abuse and mental health treatment services; local government entities that contribute funds to the public substance abuse and mental health treatment systems; and consumers of publicly funded substance abuse and mental health services, and their family members. The plan must describe the means by which this local input occurred.

The plan shall be submitted by the district board to the district administrator and to the governing bodies for review, comment, and approval.

(4) The district plan shall:

(b) Provide the means for meeting the needs of the district's eligible clients, specified in ss. 394.4573 and 394.674 and ~~394.675~~, for substance abuse and mental health services.

Section 9. Paragraph (a) of subsection (3) of section 394.76, Florida Statutes, is amended to read:

394.76 Financing of district programs and services.—If the local match funding level is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, such funding level shall be provided as follows:

(3) The state share of financial participation shall be determined by the following formula:

(a) The state share of approved program costs shall be a percentage of the net balance determined by deducting from the total operating cost of services and programs, as specified in s. 394.4573 ~~394.675(1)~~, those expenditures which are ineligible for state participation as provided in subsection (7) and those ineligible expenditures established by rule of the department pursuant to s. 394.78.

Section 10. Paragraphs (d) and (e) of subsection (2) of section 394.4597, Florida Statutes, are amended to read:

394.4597 Persons to be notified; patient's representative.—

(2) INVOLUNTARY PATIENTS.—

(d) When the receiving or treatment facility selects a representative, first preference shall be given to a health care surrogate, if one has been previously selected by the patient. If the patient has not previously selected a health care surrogate, the selection, except for good cause documented in the patient's clinical record, shall be made from the following list in the order of listing:

1. The patient's spouse.
2. An adult child of the patient.
3. A parent of the patient.
4. The adult next of kin of the patient.
5. An adult friend of the patient.

~~6. The appropriate Florida local advocacy council as provided in s. 402.166.~~

(e) *The following persons are prohibited from selection as a patient's representative:*

1. *A professional providing clinical services to the patient under this part.*
2. *The licensed professional who initiated the involuntary examination of the patient, if the examination was initiated by professional certificate.*
3. *An employee, an administrator, or a board member of the facility providing the examination of the patient.*
4. *An employee, an administrator, or a board member of a treatment facility providing treatment for the patient.*
5. *A person providing any substantial professional services to the patient, including clinical services.*
6. *A creditor of the patient.*
7. *A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the patient was the petitioner.*

8. *A person subject to an injunction for protection against repeat violence, stalking, sexual violence, or dating violence under s. 784.046, whether the order of injunction is temporary or final, and for which the patient was the petitioner. A licensed professional providing services to the patient under this part, an employee of a facility providing direct services to the patient under this part, a department employee, a person providing other substantial services to the patient in a professional or business capacity, or a creditor of the patient shall not be appointed as the patient's representative.*

Section 11. Subsections (2) through (7) of section 394.4598, Florida Statutes, are renumbered as subsections (3) through (8), respectively, a new subsection (2) is added to that section, and present subsections (3) and (4) of that section are amended, to read:

394.4598 Guardian advocate.—

(2) *The following persons are prohibited from appointment as a patient's guardian advocate:*

(a) *A professional providing clinical services to the patient under this part.*

(b) *The licensed professional who initiated the involuntary examination of the patient, if the examination was initiated by professional certificate.*

(c) *An employee, an administrator, or a board member of the facility providing the examination of the patient.*

(d) *An employee, an administrator, or a board member of a treatment facility providing treatment of the patient.*

(e) *A person providing any substantial professional services, excluding public and professional guardians, to the patient, including clinical services.*

(f) *A creditor of the patient.*

(g) *A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the patient was the petitioner.*

(h) *A person subject to an injunction for protection against repeat violence, stalking, sexual violence, or dating violence under s. 784.046, whether the order of injunction is temporary or final, and for which the patient was the petitioner.*

(4)(3) *In lieu of the training required of guardians appointed pursuant to chapter 744, Prior to a guardian advocate must, at a minimum, participate in a 4-hour training course approved by the court before exercising his or her authority; the guardian advocate shall attend a training course approved by the court. At a minimum, this training course, of not less than 4 hours, must include, at minimum, information about the patient rights, psychotropic medications, the diagnosis of mental illness, the ethics of medical decisionmaking, and duties of guardian advocates. This training course shall take the place of the training required for guardians appointed pursuant to chapter 744.*

(5)(4) *The required training course and the information to be supplied to prospective guardian advocates before prior to their appointment and the training course for guardian advocates must be developed and completed through a course developed by the department, and approved by the chief judge of the circuit court, and taught by a court-approved organization, which—Court approved organizations may include, but is are not limited to, a community college community or junior colleges, a guardianship organization guardianship organizations, a and the local bar association, or The Florida Bar. The training course may be web-based, provided in video format, or other electronic means but must be capable of ensuring the identity and participation of the prospective guardian advocate. The court may, in its discretion, waive some or all of the training requirements for guardian advocates or impose additional requirements. The court shall make its decision on a case-by-case basis and, in making its decision, shall consider the experience and education of the guardian advocate, the duties assigned to the guardian advocate, and the needs of the patient.*

Section 12. Section 394.462, Florida Statutes, is amended to read:

394.462 Transportation.—*A transportation plan shall be developed and implemented by each county by July 1, 2017, in collaboration with the managing entity in accordance with this section. A county may enter into a memorandum of understanding with the governing boards of nearby counties to establish a shared transportation plan. When multiple counties enter into a memorandum of understanding for this purpose, the counties shall notify the managing entity and provide it with a copy of the agreement. The transportation plan shall describe methods of transport to a facility within the designated receiving system for individuals subject to involuntary examination under s. 394.463 or in-*

voluntary admission under s. 397.6772, s. 397.679, s. 397.6798, or s. 397.6811, and may identify responsibility for other transportation to a participating facility when necessary and agreed to by the facility. The plan may rely on emergency medical transport services or private transport companies, as appropriate. The plan shall comply with the transportation provisions of this section and ss. 397.6772, 397.6795, 397.6822, and 397.697.

(1) TRANSPORTATION TO A RECEIVING FACILITY.—

(a) Each county shall designate a single law enforcement agency within the county, or portions thereof, to take a person into custody upon the entry of an ex parte order or the execution of a certificate for involuntary examination by an authorized professional and to transport that person to the appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or to the nearest receiving facility if neither apply ~~for examination.~~

(b)1. The designated law enforcement agency may decline to transport the person to a receiving facility only if:

a.1. The jurisdiction designated by the county has contracted on an annual basis with an emergency medical transport service or private transport company for transportation of persons to receiving facilities pursuant to this section at the sole cost of the county; and

b.2. The law enforcement agency and the emergency medical transport service or private transport company agree that the continued presence of law enforcement personnel is not necessary for the safety of the person or others.

2.3. ~~The entity providing transportation jurisdiction designated by the county~~ may seek reimbursement for transportation expenses. The party responsible for payment for such transportation is the person receiving the transportation. The county shall seek reimbursement from the following sources in the following order:

a. From a private or public third-party payor ~~an insurance company, health care corporation, or other source~~, if the person receiving the transportation has applicable coverage ~~is covered by an insurance policy or subscribes to a health care corporation or other source for payment of such expenses.~~

b. From the person receiving the transportation.

c. From a financial settlement for medical care, treatment, hospitalization, or transportation payable or accruing to the injured party.

(c)(b) ~~A Any~~ company that transports a patient pursuant to this subsection is considered an independent contractor and is solely liable for the safe and dignified ~~transport transportation~~ of the patient. Such company must be insured and provide no less than \$100,000 in liability insurance with respect to the ~~transport transportation~~ of patients.

(d)(e) Any company that contracts with a governing board of a county to transport patients shall comply with the applicable rules of the department to ensure the safety and dignity of ~~the~~ patients.

(e)(d) When a law enforcement officer takes custody of a person pursuant to this part, the officer may request assistance from emergency medical personnel if such assistance is needed for the safety of the officer or the person in custody.

(f)(e) When a member of a mental health overlay program or a mobile crisis response service is a professional authorized to initiate an involuntary examination pursuant to s. 394.463 or s. 397.675 and that professional evaluates a person and determines that transportation to a receiving facility is needed, the service, at its discretion, may transport the person to the facility or may call on the law enforcement agency or other transportation arrangement best suited to the needs of the patient.

(g)(f) When any law enforcement officer has custody of a person based on either noncriminal or minor criminal behavior that meets the statutory guidelines for involuntary examination pursuant to s. 394.463 ~~under this part~~, the law enforcement officer shall transport the person to the appropriate facility within the designated receiving system pur-

suant to a transportation plan or an exception under subsection (4), or to the nearest receiving facility if neither apply for examination.

(h)(g) When any law enforcement officer has arrested a person for a felony and it appears that the person meets the statutory guidelines for involuntary examination or placement under this part, such person *must* ~~shall~~ first be processed in the same manner as any other criminal suspect. The law enforcement agency shall thereafter immediately notify *the appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or to the nearest public receiving facility if neither apply. The receiving facility,* which shall be responsible for promptly arranging for the examination and treatment of the person. A receiving facility is not required to admit a person charged with a crime for whom the facility determines and documents that it is unable to provide adequate security, but shall provide ~~mental health~~ examination and treatment to the person where he or she is held.

(i)(h) If the appropriate law enforcement officer believes that a person has an emergency medical condition as defined in s. 395.002, the person may be first transported to a hospital for emergency medical treatment, regardless of whether the hospital is a designated receiving facility.

(j)(i) The costs of transportation, evaluation, hospitalization, and treatment incurred under this subsection by persons who have been arrested for violations of any state law or county or municipal ordinance may be recovered as provided in s. 901.35.

(k)(j) *The appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or the nearest receiving facility if neither apply, must accept persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county for involuntary examination pursuant to s. 394.463.*

(l)(k) Each law enforcement agency *designated pursuant to paragraph (a) shall establish a policy that develop a memorandum of understanding with each receiving facility within the law enforcement agency's jurisdiction which reflects a single set of protocols approved by the managing entity for the safe and secure transportation of the person and transfer of custody of the person. These protocols must also address crisis intervention measures.*

(m)(l) When a jurisdiction has entered into a contract with an emergency medical transport service or a private transport company for transportation of persons to ~~receiving facilities within the designated receiving system,~~ such service or company shall be given preference for transportation of persons from nursing homes, assisted living facilities, adult day care centers, or adult family-care homes, unless the behavior of the person being transported is such that transportation by a law enforcement officer is necessary.

(n)(m) ~~Nothing in~~ This section *may not* ~~shall~~ be construed to limit emergency examination and treatment of incapacitated persons provided in accordance with ~~the provisions of~~ s. 401.445.

(2) TRANSPORTATION TO A TREATMENT FACILITY.—

(a) If neither the patient nor any person legally obligated or responsible for the patient is able to pay for the expense of transporting a voluntary or involuntary patient to a treatment facility, the *transportation plan established by the governing board of the county or counties must specify how in which the hospitalized patient will be transported to, from, and between facilities in a is hospitalized shall arrange for such required transportation and shall ensure the safe and dignified manner transportation of the patient. The governing board of each county is authorized to contract with private transport companies for the transportation of such patients to and from a treatment facility.*

(b) A ~~any~~ company that transports a patient pursuant to this subsection is considered an independent contractor and is solely liable for the safe and dignified transportation of the patient. Such company must be insured and provide no less than \$100,000 in liability insurance with respect to the ~~transport transportation~~ of patients.

(c) A ~~any~~ company that contracts with *one or more counties the governing board of a county* to transport patients *in accordance with*

this section shall comply with the applicable rules of the department to ensure the safety and dignity of the patients.

(d) County or municipal law enforcement and correctional personnel and equipment *may shall* not be used to transport patients adjudicated incapacitated or found by the court to meet the criteria for involuntary placement pursuant to s. 394.467, except in small rural counties where there are no cost-efficient alternatives.

(3) TRANSFER OF CUSTODY.—Custody of a person who is transported pursuant to this part, along with related documentation, shall be relinquished to a responsible individual at the appropriate receiving or treatment facility.

(4) EXCEPTIONS.—An exception to the requirements of this section may be granted by the secretary of the department for the purposes of improving service coordination or better meeting the special needs of individuals. A proposal for an exception must be submitted by the district administrator after being approved by the governing boards of any affected counties, *before prior to* submission to the secretary.

(a) A proposal for an exception must identify the specific provision from which an exception is requested; describe how the proposal will be implemented by participating law enforcement agencies and transportation authorities; and provide a plan for the coordination of services such as case management.

(b) The exception may be granted only for:

1. An arrangement centralizing and improving the provision of services within a district, which may include an exception to the requirement for transportation to the nearest receiving facility;

2. An arrangement by which a facility may provide, in addition to required psychiatric services, an environment and services which are uniquely tailored to the needs of an identified group of persons with special needs, such as persons with hearing impairments or visual impairments, or elderly persons with physical frailties; or

3. A specialized transportation system that provides an efficient and humane method of transporting patients to receiving facilities, among receiving facilities, and to treatment facilities.

(c) Any exception approved pursuant to this subsection shall be reviewed and approved every 5 years by the secretary.

The exceptions provided in this subsection shall expire on June 30, 2017, and no new exceptions shall be granted after that date. After June 30, 2017, the transport of a patient to a facility that is not the nearest facility must be made pursuant to a plan as provided in this section.

Section 13. Section 394.467, Florida Statutes, is amended to read:

394.467 Involuntary inpatient placement.—

(1) CRITERIA.—A person may be *ordered for placed in* involuntary inpatient placement for treatment upon a finding of the court by clear and convincing evidence that:

(a) He or she *has a mental illness is mentally ill* and because of his or her mental illness:

1.a. He or she has refused voluntary *inpatient* placement for treatment after sufficient and conscientious explanation and disclosure of the purpose of *inpatient* placement for treatment; or

b. He or she is unable to determine for himself or herself whether *inpatient* placement is necessary; and

2.a. He or she is *manifestly* incapable of surviving alone or with the help of willing and responsible family or friends, including available alternative services, and, without treatment, is likely to suffer from neglect or refuse to care for himself or herself, and such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; or

b. There is substantial likelihood that in the near future he or she will inflict serious bodily harm on *self or others himself or herself or*

another person, as evidenced by recent behavior causing, attempting, or threatening such harm; and

(b) All available less restrictive treatment alternatives ~~that which~~ would offer an opportunity for improvement of his or her condition have been judged to be inappropriate.

(2) ADMISSION TO A TREATMENT FACILITY.—A patient may be retained by a ~~receiving~~ facility or involuntarily placed in a treatment facility upon the recommendation of the administrator of the ~~receiving~~ facility where the patient has been examined and after adherence to the notice and hearing procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary inpatient placement are met. However, in a county that has a population of fewer than 50,000, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental ~~illness and nervous disorders~~ or by a psychiatric nurse. Any ~~second~~ opinion authorized in this subsection may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation shall be entered on a petition for an involuntary inpatient placement certificate that authorizes the ~~receiving~~ facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

(3) PETITION FOR INVOLUNTARY INPATIENT PLACEMENT.—The administrator of the facility shall file a petition for involuntary inpatient placement in the court in the county where the patient is located. Upon filing, the clerk of the court shall provide copies to the department, the patient, the patient's guardian or representative, and the state attorney and public defender of the judicial circuit in which the patient is located. A ~~no fee may not shall~~ be charged for the filing of a petition under this subsection.

(4) APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary inpatient placement, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(5) CONTINUANCE OF HEARING.—The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. ~~The continuance shall be for a period of up to 4 weeks.~~

(6) HEARING ON INVOLUNTARY INPATIENT PLACEMENT.—

(a)1. The court shall hold the hearing on involuntary inpatient placement within 5 *court working* days, unless a continuance is granted.

2. *Except for good cause documented in the court file, the hearing must shall be held in the county or the facility, as appropriate, where the patient is located, must and shall be as convenient to the patient as is may be consistent with orderly procedure, and shall be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient, and the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioning facility administrator, as the real party in interest in the proceeding.*

3.2. The court may appoint a ~~general or special~~ magistrate to preside at the hearing. One of the professionals who executed the *petition for involuntary inpatient placement*-certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall *ensure that one is provided, as otherwise provided for by law provide for one*. The independent expert's report is ~~shall be~~ confidential and not discoverable, unless the expert is to be called as a witness for the patient at the

hearing. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(b) If the court concludes that the patient meets the criteria for involuntary inpatient placement, it ~~may shall~~ order that the patient be transferred to a treatment facility or, if the patient is at a treatment facility, that the patient be retained there or be treated at any other appropriate ~~receiving or treatment~~ facility, or that the patient receive services ~~from a receiving or treatment facility~~, on an involuntary basis, for ~~a period of up to 90 days 6 months~~. *However, any order for involuntary mental health services in a treatment facility may be for up to 6 months.* The order shall specify the nature and extent of the patient's mental illness. *The court may not order an individual with traumatic brain injury or dementia who lacks a co-occurring mental illness to be involuntarily placed in a state treatment facility.* The facility shall discharge a patient any time the patient no longer meets the criteria for involuntary inpatient placement, unless the patient has transferred to voluntary status.

(c) If at any time ~~before prior to~~ the conclusion of the hearing on involuntary inpatient placement it appears to the court that the person does not meet the criteria for involuntary inpatient placement under this section, but instead meets the criteria for involuntary outpatient ~~services placement~~, the court may order the person evaluated for involuntary outpatient ~~services placement~~ pursuant to s. 394.4655. The petition and hearing procedures set forth in s. 394.4655 shall apply. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, then the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings ~~are shall be~~ governed by chapter 397.

(d) At the hearing on involuntary inpatient placement, the court shall consider testimony and evidence regarding the patient's competence to consent to treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.

(e) The administrator of the ~~petitioning receiving~~ facility shall provide a copy of the court order and adequate documentation of a patient's mental illness to the administrator of a treatment facility ~~if the when~~ ~~ever~~ a patient is ordered for involuntary inpatient placement, whether by civil or criminal court. The documentation ~~must shall~~ include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a *psychiatric nurse, a clinical psychologist, a marriage and family therapist, a mental health counselor, or a clinical social worker*. The administrator of a treatment facility may refuse admission to any patient directed to its facilities on an involuntary basis, whether by civil or criminal court order, who is not accompanied ~~at the same time~~ by adequate orders and documentation.

(7) PROCEDURE FOR CONTINUED INVOLUNTARY INPATIENT PLACEMENT.—

(a) Hearings on petitions for continued involuntary inpatient placement ~~of an individual placed at any treatment facility are shall be~~ administrative hearings and ~~must shall~~ be conducted in accordance with ~~the provisions of~~ s. 120.57(1), except that any order entered by the administrative law judge is ~~shall be~~ final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity ~~are shall be~~ governed by ~~the provisions of~~ s. 916.15.

(b) If the patient continues to meet the criteria for involuntary inpatient placement ~~and is being treated at a treatment facility~~, the administrator shall, ~~before prior to~~ the expiration of the period ~~during which~~ the treatment facility is authorized to retain the patient, file a petition requesting authorization for continued involuntary inpatient placement. The request ~~must shall~~ be accompanied by a statement from the patient's physician, *psychiatrist, psychiatric nurse, or clinical psychologist* justifying the request, a brief description of the patient's treatment during the time he or she was involuntarily placed, and an individualized plan of continued treatment. Notice of the hearing ~~must shall~~ be provided as ~~provided set forth~~ in s. 394.4599. *If a patient's attendance at the hearing is voluntarily waived, the administrative law judge must determine that the waiver is knowing and voluntary before*

waiving the presence of the patient from all or a portion of the hearing. Alternatively, if at the hearing the administrative law judge finds that attendance at the hearing is not consistent with the best interests of the patient, the administrative law judge may waive the presence of the patient from all or any portion of the hearing, unless the patient, through counsel, objects to the waiver of presence. The testimony in the hearing must be under oath, and the proceedings must be recorded.

(c) Unless the patient is otherwise represented or is ineligible, he or she shall be represented at the hearing on the petition for continued involuntary inpatient placement by the public defender of the circuit in which the facility is located.

(d) If at a hearing it is shown that the patient continues to meet the criteria for involuntary inpatient placement, the administrative law judge shall sign the order for continued involuntary inpatient placement for a period up to 90 days not to exceed 6 months. However, any order for involuntary mental health services in a treatment facility may be for up to 6 months. The same procedure shall be repeated before prior to the expiration of each additional period the patient is retained.

(e) If continued involuntary inpatient placement is necessary for a patient admitted while serving a criminal sentence, but his or her whose sentence is about to expire, or for a minor patient involuntarily placed, while a minor but who is about to reach the age of 18, the administrator shall petition the administrative law judge for an order authorizing continued involuntary inpatient placement.

(f) If the patient has been previously found incompetent to consent to treatment, the administrative law judge shall consider testimony and evidence regarding the patient's competence. If the administrative law judge finds evidence that the patient is now competent to consent to treatment, the administrative law judge may issue a recommended order to the court that found the patient incompetent to consent to treatment that the patient's competence be restored and that any guardian advocate previously appointed be discharged.

(g) If the patient has been ordered to undergo involuntary inpatient placement and has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's incompetence. If the patient's competency to consent to treatment is restored, the discharge of the guardian advocate shall be governed by s. 394.4598.

The procedure required in this subsection must be followed before the expiration of each additional period the patient is involuntarily receiving services.

(8) ~~RETURN TO FACILITY OF PATIENTS.~~—If a patient involuntarily held ~~When a patient~~ at a treatment facility under this part leaves the facility without the administrator's authorization, the administrator may authorize a search for the patient and his or her the return of the patient to the facility. The administrator may request the assistance of a law enforcement agency in this regard ~~the search for and return of the patient.~~

Section 14. Section 394.46715, Florida Statutes, is amended to read:

394.46715 Rulemaking authority.—~~The department may adopt rules to administer this part~~ Department of Children and Families shall have rulemaking authority to implement the provisions of ss. 394.455, 394.4598, 394.4615, 394.463, 394.4655, and 394.467 as amended or created by this act. ~~These rules shall be for the purpose of protecting the health, safety, and well-being of persons examined, treated, or placed under this act.~~

Section 15. Subsection (2) of section 394.4685, Florida Statutes, is amended to read:

394.4685 Transfer of patients among facilities.—

(2) TRANSFER FROM PUBLIC TO PRIVATE FACILITIES.—

(a) A patient who has been admitted to a public receiving or public treatment facility and has requested, either personally or through his or her guardian or guardian advocate, and is able to pay for treatment in a private facility shall be transferred at the patient's expense to a private facility upon acceptance of the patient by the private facility.

(b) A public receiving facility initiating a patient transfer to a licensed hospital for acute care mental health services not accessible through the public receiving facility shall notify the hospital of such transfer and send the hospital all records relating to the emergency psychiatric or medical condition.

Section 16. Section 394.656, Florida Statutes, is amended to read:

394.656 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program.—

(1) There is created within the Department of Children and Families the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program. The purpose of the program is to provide funding to counties with which they may use to ~~can~~ plan, implement, or expand initiatives that increase public safety, avert increased spending on criminal justice, and improve the accessibility and effectiveness of treatment services for adults and juveniles who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders and who are in, or at risk of entering, the criminal or juvenile justice systems.

(2) The department shall establish a Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee. The committee shall include:

- (a) One representative of the Department of Children and Families;
 - (b) One representative of the Department of Corrections;
 - (c) One representative of the Department of Juvenile Justice;
 - (d) One representative of the Department of Elderly Affairs; ~~and~~
 - (e) One representative of the Office of the State Courts Administrator;
 - (f) One representative of the Department of Veterans' Affairs;
 - (g) One representative of the Florida Sheriffs Association;
 - (h) One representative of the Florida Police Chiefs Association;
 - (i) One representative of the Florida Association of Counties;
 - (j) One representative of the Florida Alcohol and Drug Abuse Association;
 - (k) One representative of the Florida Association of Managing Entities;
 - (l) One representative of the Florida Council for Community Mental Health;
 - (m) One representative of the National Alliance of Mental Illness;
 - (n) One representative of the Florida Prosecuting Attorneys Association;
 - (o) One representative of the Florida Public Defender Association; and
 - (p) One administrator of an assisted living facility that holds a limited mental health license.
- (3) The committee shall serve as the advisory body to review policy and funding issues that help reduce the impact of persons with mental illness and substance abuse disorders on communities, criminal justice agencies, and the court system. The committee shall advise the department in selecting priorities for grants and investing awarded grant moneys.
- (4) The committee must have experience in substance use and mental health disorders, community corrections, and law enforcement. To the extent possible, the members of the committee shall have expertise in grant review ~~writing, grant reviewing,~~ and grant application scoring.
- (5)(a)(~~3~~)~~(a)~~ A county, or a not-for-profit community provider or managing entity designated by the county planning council or committee, as described in s. 394.657, may apply for a 1-year planning grant or

a 3-year implementation or expansion grant. The purpose of the grants is to demonstrate that investment in treatment efforts related to mental illness, substance abuse disorders, or co-occurring mental health and substance abuse disorders results in a reduced demand on the resources of the judicial, corrections, juvenile detention, and health and social services systems.

(b) To be eligible to receive a 1-year planning grant or a 3-year implementation or expansion grant:

1. A county applicant must have a ~~county~~ planning council or committee that is in compliance with the membership requirements set forth in this section.

2. A not-for-profit community provider or managing entity must be designated by the county planning council or committee and have written authorization to submit an application. A not-for-profit community provider or managing entity must have written authorization for each submitted application.

(c) The department may award a 3-year implementation or expansion grant to an applicant who has not received a 1-year planning grant.

(d) The department may require an applicant to conduct sequential intercept mapping for a project. For purposes of this paragraph, the term "sequential intercept mapping" means a process for reviewing a local community's mental health, substance abuse, criminal justice, and related systems and identifying points of interceptions where interventions may be made to prevent an individual with a substance abuse disorder or mental illness from deeper involvement in the criminal justice system.

(6)(4) The grant review and selection committee shall select the grant recipients and notify the department of ~~Children and Families~~ in writing of the recipients' names of the applicants who have been selected by the committee to receive a grant. Contingent upon the availability of funds and upon notification by the grant review and selection committee of those applicants approved to receive planning, implementation, or expansion grants, the department of ~~Children and Families~~ may transfer funds appropriated for the grant program to a selected grant recipient to ~~any county awarded a grant~~.

Section 17. Section 394.761, Florida Statutes, is created to read:

394.761 Revenue maximization.—The agency and the department shall develop a plan to obtain federal approval for increasing the availability of federal Medicaid funding for behavioral health care. Increased funding shall be used to advance the goal of improved integration of behavioral health services and primary care services for individuals eligible for Medicaid through the development and effective implementation of the behavioral health system of care as described in s. 394.4573. The agency and the department shall submit the written plan to the President of the Senate and the Speaker of the House of Representatives by November 1, 2016. The plan shall identify the amount of general revenue funding appropriated for mental health and substance abuse services which is eligible to be used as state Medicaid match. The plan shall evaluate alternative uses of increased Medicaid funding, including seeking Medicaid eligibility for the severely and persistently mentally ill or persons with substance use disorders, increased reimbursement rates for behavioral health services, adjustments to the capitation rate for Medicaid enrollees with chronic mental illness and substance use disorders, including targeted case management for individuals with substance use disorder as a Medicaid-funded service, supplemental payments to mental health and substance abuse service providers through a designated state health program or other mechanisms, and innovative programs to provide incentives for improved outcomes for behavioral health conditions. The plan shall identify the advantages and disadvantages of each alternative and assess each alternative's potential for achieving improved integration of services. The plan shall identify the types of federal approvals necessary to implement each alternative and project a timeline for implementation.

Section 18. Subsection (5) of section 394.879, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

394.879 Rules; enforcement.—

(5) The agency or the department may not adopt any rule governing the design, construction, erection, alteration, modification, repair, or

demolition of crisis stabilization units. It is the intent of the Legislature to preempt that function to the Florida Building Commission and the State Fire Marshal through adoption and maintenance of the Florida Building Code and the Florida Fire Prevention Code. However, a crisis stabilization unit, short-term residential treatment facility, or integrated adult mental health crisis stabilization and addictions receiving facility which is collocated with a centralized receiving facility may be in a multi-story building and may be authorized on floors other than the ground floor. The agency shall provide technical assistance to the commission and the State Fire Marshal in updating the construction standards of the Florida Building Code and the Florida Fire Prevention Code which govern crisis stabilization units. In addition, the agency may enforce the special-occupancy provisions of the Florida Building Code and the Florida Fire Prevention Code which apply to crisis stabilization units in conducting any inspection authorized under this part or part II of chapter 408.

(6) The department and the Agency for Health Care Administration shall develop a plan for modifying licensure statutes and rules to provide options for a single, consolidated license for a provider that offers multiple types of either mental health services or substance abuse services, or both, regulated under chapters 394 and 397, respectively. The plan shall identify options for license consolidation within the department and the agency and shall identify interagency license consolidation options. The department and the agency shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016.

Section 19. Section 394.9082, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 394.9082, F.S., for present text.)

394.9082 Behavioral health managing entities.—

(1) INTENT AND PURPOSE.—

(a) The Legislature finds that untreated behavioral health disorders constitute major health problems for residents of this state, are a major economic burden to the citizens of this state, and substantially increase demands on the state's juvenile and adult criminal justice systems, the child welfare system, and health care systems. The Legislature finds that behavioral health disorders respond to appropriate treatment, rehabilitation, and supportive intervention. The Legislature finds that local communities have also made substantial investments in behavioral health services, contracting with safety net providers who by mandate and mission provide specialized services to vulnerable and hard-to-serve populations and have strong ties to local public health and public safety agencies. The Legislature finds that a regional management structure that facilitates a comprehensive and cohesive system of coordinated care for behavioral health treatment and prevention services will improve access to care, promote service continuity, and provide for more efficient and effective delivery of substance abuse and mental health services. The Legislature finds that discharge of a mental health consumer from a public receiving facility into homelessness is inappropriate and detrimental to recovery. It is the intent of the Legislature that such consumers not be discharged from a public receiving facility into homelessness. Managing entities, public receiving facilities, homeless services providers, and licensed housing providers shall work to create cooperative agreements and networks that facilitate recovery.

(b) The purpose of the behavioral health managing entities is to plan, coordinate, and contract for the delivery of community mental health and substance abuse services, to improve access to care, to promote service continuity, to purchase services, and to support efficient and effective delivery of services.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Behavioral health services" means mental health services and substance abuse prevention and treatment services as described in this chapter and chapter 397.

(b) "Coordinated system of care" means the array of mental health services and substance abuse services described in s. 394.4573.

(c) "Geographic area" means one or more contiguous counties, circuits, or regions as described in s. 409.966.

(d) “Managed behavioral health organization” means a Medicaid managed care organization currently under contract with the statewide Medicaid managed medical assistance program in this state pursuant to part IV of chapter 409, including a managed care organization operating as a behavioral health specialty plan.

(e) “Managing entity” means a corporation selected by and under contract with the department to manage the daily operational delivery of behavioral health services through a coordinated system of care.

(f) “Provider network” means the group of direct service providers, facilities, and organizations under contract with a managing entity to provide a comprehensive array of emergency, acute care, residential, outpatient, recovery support, and consumer support services, including prevention services.

(g) “Subregion” means a distinct portion of a managing entity’s geographic region defined by unifying service and provider utilization patterns.

(3) **DEPARTMENT DUTIES.**—The department shall:

(a) Contract with organizations to serve as managing entities in accordance with the requirements of this section and conduct a readiness review of any new managing entities before such entities assume their responsibilities.

(b) Specify data reporting requirements and use of shared data systems.

(c) Develop strategies to divert persons with mental illness or substance use disorders from the criminal and juvenile justice systems in collaboration with the court system and the Department of Juvenile Justice and to integrate behavioral health services with the child welfare system.

(d) Support the development and implementation of a coordinated system of care by requiring each provider that receives state funds for behavioral health services through a direct contract with the department to work with the managing entity in the provider’s service area to coordinate the provision of behavioral health services as part of the contract with the department.

(e) Provide technical assistance to the managing entities.

(f) Promote the coordination of behavioral health care and primary care.

(g) Facilitate coordination between the managing entity and other payors of behavioral health care.

(h) Develop and provide a unique identifier for clients receiving behavioral health services through the managing entity to coordinate care.

(i) Coordinate procedures for the referral and admission of patients to, and the discharge of patients from, treatment facilities as defined in s. 394.455 and their return to the community.

(j) Ensure that managing entities comply with state and federal laws, rules, regulations, and grant requirements.

(k) Develop rules for the operations of, and the requirements that shall be met by, the managing entity, if necessary.

(l) Annually review contract and reporting requirements and reduce costly, duplicative, and unnecessary administrative requirements.

(4) **CONTRACT WITH MANAGING ENTITIES.**—

(a) In contracting for services with managing entities under this section, the department shall first attempt to contract with not-for-profit, community-based organizations with competence in managing provider networks serving persons with mental health and substance use disorders to serve as managing entities.

(b) The department shall issue an invitation to negotiate under s. 287.057 to select an organization to serve as a managing entity. If the department receives fewer than two responsive bids to the solicitation, the department shall reissue the solicitation, in which case managed

behavioral health organizations shall also be eligible to bid and be awarded a contract.

(c) If the managing entity is a not-for-profit, community-based organization, it must have a governing board that is representative. At a minimum, the governing board must include consumers and their family members; representatives of local government, area law enforcement agencies, health care facilities, and community-based care lead agencies; business leaders; and providers of substance abuse and mental health services as defined in this chapter and chapter 397.

(d) If the managing entity is a managed behavioral health organization, it must establish an advisory board that meets the same requirements specified in paragraph (c) for a governing board.

(e) If the department issues an invitation to negotiate pursuant to paragraph (b), the department shall consider, at a minimum, the following factors:

1. Experience serving persons with mental health and substance use disorders.

2. Established community partnerships with behavioral health care providers.

3. Demonstrated organizational capabilities for network management functions.

4. Capability to coordinate behavioral health services with primary care services.

5. Willingness to provide recovery-oriented services and systems of care and work collaboratively with persons with mental health and substance use disorders and their families in designing such systems and delivering such services.

(f) The department’s contracts with managing entities must support efficient and effective administration of the behavioral health system and ensure accountability for performance.

(g) A contractor serving as a managing entity shall operate under the same data reporting, administrative, and administrative rate requirements, regardless of whether it is a for-profit or not-for-profit entity.

(h) The contract must designate the geographic area that will be served by the managing entity, which area must be of sufficient size in population, funding, and services to allow for flexibility and efficiency.

(i) The contract must require that, when there is a change in the managing entity in a geographic area, a transition plan be developed and implemented by the department which ensures continuity of care for patients receiving behavioral health services.

(j) By June 30, 2019, if all other contract requirements and performance standards are met and the department determines that a managing entity under contract as of July 1, 2016, has received network accreditation pursuant to subsection (6), the department may continue its contract with the managing entity for up to, but not exceeding, 5 years, including any and all renewals and extensions. Thereafter, the department must issue a competitive solicitation pursuant to paragraph (b).

(5) **MANAGING ENTITY DUTIES.**—A managing entity shall:

(a) Maintain a governing board or, if a managed behavioral health organization, an advisory board as provided in paragraph (4)(c) or paragraph (4)(d), respectively.

(b) Conduct a community behavioral health care needs assessment every 3 years in the geographic area served by the managing entity which specifies needs by subregion. The process for conducting the needs assessment shall include an opportunity for public participation. The assessment shall include, at a minimum, the information the department needs for its annual report to the Governor and Legislature pursuant to s. 394.4573. The managing entity shall provide the needs assessment to the department.

(c) Determine the optimal array of services to meet the needs identified in the community behavioral health care needs assessment and expand the scope of services as resources become available.

(d) Work independently and collaboratively with stakeholders to improve access to and effectiveness, quality, and outcomes of behavioral health services. This work may include, but need not be limited to, facilitating the dissemination and use of evidence-informed practices.

(e) Promote the development and effective implementation of a coordinated system of care pursuant to s. 394.4573.

(f) Submit network management plans and other documents as required by the department.

(g) Develop a comprehensive provider network of qualified providers to deliver behavioral health services. The managing entity is not required to competitively procure network providers but shall publicize opportunities to join the provider network and evaluate providers in the network to determine if they may remain in the network. The managing entity shall publish these processes on its website. The managing entity shall ensure continuity of care for clients if a provider ceases to provide a service or leaves the network.

(h) As appropriate, develop local resources by pursuing third-party payments for services, applying for grants, assisting providers in securing local matching funds and in-kind services, and employing any other method needed to ensure that services are available and accessible.

(i) Provide assistance to counties to develop a designated receiving system pursuant to s. 394.4573 and a transportation plan pursuant to s. 394.462.

(j) Enter into cooperative agreements with local homeless councils and organizations for sharing information about clients, available resources, and other data or information for addressing the homelessness of persons suffering from a behavioral health crisis. All information sharing must comply with federal and state privacy and confidentiality laws, statutes, and regulations.

(k) Work collaboratively with public receiving facilities and licensed housing providers to establish a network of licensed housing resources for mental health consumers that will prevent and reduce readmissions to public receiving facilities.

(l) Monitor network providers' performance and their compliance with contract requirements and federal and state laws, rules, regulations, and grant requirements.

(m) Manage and allocate funds for services to meet federal and state laws, rules, and regulations.

(n) Promote coordination of behavioral health care with primary care.

(o) Implement shared data systems necessary for the delivery of coordinated care and integrated services, the assessment of managing entity performance and provider performance, and the reporting of outcomes and costs of services.

(p) Operate in a transparent manner, providing public access to information, notice of meetings, and opportunities for public participation in managing entity decisionmaking.

(q) Establish and maintain effective relationships with community stakeholders, including individuals served by the behavioral health system of care and their families, local governments, and other community organizations that meet the needs of individuals with mental illness or substance use disorders.

(r) Collaborate with and encourage increased coordination between the provider network and other systems, programs, and entities, such as the child welfare system, law enforcement agencies, the criminal and juvenile justice systems, the Medicaid program, offices of the public defender, and offices of criminal conflict and civil regional counsel.

1. Collaboration with the criminal and juvenile justice systems shall seek, at a minimum, to divert persons with mental illness, substance use disorders, or co-occurring conditions from these systems.

2. Collaboration with the court system shall seek, at a minimum, to develop specific written procedures and agreements to maximize the use of involuntary outpatient services, reduce involuntary inpatient treatment, and increase diversion from the criminal and juvenile justice systems.

3. Collaboration with the child welfare system shall seek, at a minimum, to provide effective and timely services to parents and caregivers involved in the child welfare system.

(6) NETWORK ACCREDITATION AND SYSTEMS COORDINATION AGREEMENTS.—

(a)1. The department shall identify acceptable accreditations which address coordination within a network and, if possible, between the network and major systems and programs with which the network interacts, such as the child welfare system, the courts system, and the Medicaid program. In identifying acceptable accreditations, the department shall consider whether the accreditation facilitates integrated strategic planning, resource coordination, technology integration, performance measurement, and increased value to consumers through choice of and access to services, improved coordination of services, and effectiveness and efficiency of service delivery.

2. All managing entities under contract with the state by July 1, 2016, shall earn accreditation deemed acceptable by the department pursuant to subparagraph 1. by June 30, 2019. Managing entities whose initial contract with the state is executed after July 1, 2016, shall earn network accreditation within 3 years after the contract execution date. Pursuant to paragraph (4)(j), the department may continue the contract of a managing entity under contract as of July 1, 2016, that earns the network accreditation within the required timeframe and maintains it throughout the contract term.

(b) If no accreditations are available or deemed acceptable pursuant to paragraph (a) which address coordination between the provider network and major systems and programs with which the provider network interacts, each managing entity shall enter into memoranda of understanding which details mechanisms for communication and coordination. The managing entity shall enter into such memoranda with any community-based care lead agencies, circuit courts, county courts, sheriffs' offices, offices of the public defender, offices of criminal conflict and civil regional counsel, Medicaid managed medical assistance plans, and homeless coalitions in its service area. Each managing entity under contract on July 1, 2016, shall enter into such memoranda by June 30, 2017, and each managing entity under contract after July 1, 2016, shall enter into such memoranda within 1 year after its contract execution date.

(7) PERFORMANCE MEASUREMENT AND ACCOUNTABILITY.—Managing entities shall collect and submit data to the department regarding persons served, outcomes of persons served, costs of services provided through the department's contract, and other data as required by the department. The department shall evaluate managing entity performance and the overall progress made by the managing entity, together with other systems, in meeting the community's behavioral health needs, based on consumer-centered outcome measures that reflect national standards, if possible, that can be accurately measured. The department shall work with managing entities to establish performance standards, including, but not limited to:

(a) The extent to which individuals in the community receive services, including, but not limited to, parents or caregivers involved in the child welfare system who need behavioral health services.

(b) The improvement in the overall behavioral health of a community.

(c) The improvement in functioning or progress in the recovery of individuals served by the managing entity, as determined using person-centered measures tailored to the population.

(d) The success of strategies to:

1. Divert admissions to acute levels of care, jails, prisons, and forensic facilities as measured by, at a minimum, the total number and percentage of clients who, during a specified period, experience multiple admissions to acute levels of care, jails, prisons, or forensic facilities; and

2. Address the housing needs of individuals being released from public receiving facilities who are homeless.

(e) Consumer and family satisfaction.

(f) The satisfaction of key community constituencies, such as law enforcement agencies, community-based care lead agencies, juvenile justice agencies, the courts, school districts, local government entities, hospitals, and other organizations, as appropriate, for the geographical service area of the managing entity.

(8) **ENHANCEMENT PLANS.**—By November 1 of each year, beginning in 2017, each managing entity shall develop and submit to the department a prioritized plan for phased enhancement of the behavioral health system of care by subregion of the managing entity's service area, if appropriate, based on the assessed behavioral health care needs of the subregion and service gaps. If the plan recommends additional funding, for each recommended use of funds the enhancement plan shall describe, at a minimum, the specific needs that would be met, the specific services that would be purchased, the estimated benefits of the services, the projected costs, the projected number of individuals that would be served, and any other information indicating the estimated benefit to the community. The managing entity shall include consumers and their family members, local governments, law enforcement agencies, service providers, community partners, and other stakeholders when developing the plan. Individual sections of the plan shall address:

(a) The designated receiving systems developed pursuant to s. 394.4573, and shall give consideration to implementation of no-wrong-door models; evidence-based, evidence-informed, and innovative practices for diverting individuals from the acute behavioral health care system; and the most efficient and cost-effective manner to address the needs of individuals once they are in the system.

(b) Treatment and recovery services, and shall emphasize the provision of care coordination to priority populations and the use of recovery-oriented, peer-involved approaches.

(c) Coordination between the behavioral health system of care and other systems, such as the child welfare system, and shall give consideration to approaches for enhancing such coordination.

(9) **FUNDING FOR MANAGING ENTITIES.**—

(a) A contract established between the department and a managing entity under this section shall be funded by general revenue, other applicable state funds, or applicable federal funding sources. A managing entity may carry forward documented unexpended state funds from one fiscal year to the next, but the cumulative amount carried forward may not exceed 8 percent of the annual amount of the contract. Any unexpended state funds in excess of that percentage shall be returned to the department. The funds carried forward may not be used in a way that would increase future recurring obligations or for any program or service that was not authorized under the existing contract with the department. Expenditures of funds carried forward shall be separately reported to the department. Any unexpended funds that remain at the end of the contract period shall be returned to the department. Funds carried forward may be retained through contract renewals and new contract procurements as long as the same managing entity is retained by the department.

(b) The method of payment for a fixed-price contract with a managing entity shall provide for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter.

(10) **ACUTE CARE SERVICES UTILIZATION DATABASE.**—The department shall develop, implement, and maintain standards under which a managing entity shall collect utilization data from all public receiving facilities situated within its geographical service area and all detoxification and addictions receiving facilities under contract with the managing entity. As used in this subsection, the term "public receiving facility" means an entity that meets the licensure requirements of, and is designated by, the department to operate as a public receiving facility under s. 394.875 and that is operating as a licensed crisis stabilization unit.

(a) The department shall develop standards and protocols to be used for data collection, storage, transmittal, and analysis. The standards

and protocols shall allow for compatibility of data and data transmittal between public receiving facilities, detoxification facilities, addictions receiving facilities, managing entities, and the department for the implementation, and to meet the requirements, of this subsection.

(b) A managing entity shall require providers specified in paragraph (a) to submit data, in real time or at least daily, to the managing entity for:

1. All admissions and discharges of clients receiving public receiving facility services who qualify as indigent, as defined in s. 394.4787.

2. All admissions and discharges of clients receiving substance abuse services in an addictions receiving facility or detoxification facility pursuant to parts IV and V of chapter 397 who qualify as indigent.

3. The current active census of total licensed beds, the number of beds purchased by the department, the number of clients qualifying as indigent who occupy those beds, and the total number of unoccupied licensed beds, regardless of funding.

(c) A managing entity shall require providers specified in paragraph (a) to submit data, on a monthly basis, to the managing entity which aggregates the daily data submitted under paragraph (b). The managing entity shall reconcile the data in the monthly submission to the data received by the managing entity under paragraph (b) to check for consistency. If the monthly aggregate data submitted by a provider under this paragraph are inconsistent with the daily data submitted under paragraph (b), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.

(d) A managing entity shall require providers specified in paragraph (a) within its provider network to submit data, on an annual basis, to the managing entity which aggregates the data submitted and reconciled under paragraph (c). The managing entity shall reconcile the data in the annual submission to the data received and reconciled by the managing entity under paragraph (c) to check for consistency. If the annual aggregate data submitted by a provider under this paragraph are inconsistent with the data received and reconciled under paragraph (c), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.

(e) After ensuring the accuracy of data pursuant to paragraphs (c) and (d), the managing entity shall submit the data to the department on a monthly and an annual basis. The department shall create a statewide database for the data described under paragraph (b) and submitted under this paragraph for the purpose of analyzing the payments for and the use of crisis stabilization services funded by the Baker Act and detoxification and addictions receiving services provided pursuant to parts IV and V of chapter 397 on a statewide basis and on an individual provider basis.

Section 20. Subsections (4) through (9) of section 397.305, Florida Statutes, are renumbered as subsections (7) through (12), respectively, and new subsections (4), (5), and (6) are added to that section to read:

397.305 Legislative findings, intent, and purpose.—

(4) It is the intent of the Legislature that licensed, qualified health professionals be authorized to practice to the full extent of their education and training in the performance of professional functions necessary to carry out the intent of this chapter.

(5) It is the intent of the Legislature that state policy and funding decisions be driven by data concerning the populations served and the effectiveness of the services provided.

(6) It is the intent of the Legislature to establish expectations that services provided to persons in this state use the coordination-of-care principles characteristic of recovery-oriented services and include social support services, such as housing support, life skills and vocational training, and employment assistance, necessary for persons with substance use disorders or co-occurring substance use and mental health disorders to live successfully in their communities.

Section 21. Subsections (19) through (45) of section 397.311, Florida Statutes, are renumbered as subsections (20) through (48), respectively, new subsections (19), (21), and (22) are added to that section, and present subsections (30) and (38) of that section are amended, to read:

397.311 Definitions.—As used in this chapter, except part VIII, the term:

(19) *“Incompetent to consent to treatment” means a state in which a person’s judgment is so affected by a substance abuse impairment that he or she lacks the capacity to make a well-reasoned, willful, and knowing decision concerning his or her medical health, mental health, or substance abuse treatment.*

(21) *“Informed consent” means consent voluntarily given in writing by a competent person after sufficient explanation and disclosure of the subject matter involved to enable the person to make a knowing and willful decision without any element of force, fraud, deceit, duress, or other form of constraint or coercion.*

(22) *“Involuntary services” means an array of behavioral health services that may be ordered by the court for persons with substance abuse impairment or co-occurring substance abuse impairment and mental health disorders.*

(33)(30) *“Qualified professional” means a physician or a physician assistant licensed under chapter 458 or chapter 459; a professional nurse licensed under chapter 490 or chapter 491; an advanced registered nurse practitioner having a specialty in psychiatry licensed under part I of chapter 464; or a person who is certified through a department-recognized certification process for substance abuse treatment services and who holds, at a minimum, a bachelor’s degree. A person who is certified in substance abuse treatment services by a state-recognized certification process in another state at the time of employment with a licensed substance abuse provider in this state may perform the functions of a qualified professional as defined in this chapter but must meet certification requirements contained in this subsection no later than 1 year after his or her date of employment.*

(41)(38) *“Service component” or “component” means a discrete operational entity within a service provider which is subject to licensing as defined by rule. Service components include prevention, intervention, and clinical treatment described in subsection (25) (22).*

Section 22. Subsections (16) through (20) of section 397.321, Florida Statutes, are renumbered as subsections (15) through (19), respectively, present subsection (15) is amended, and a new subsection (20) is added to that section, to read:

397.321 Duties of the department.—The department shall:

~~(15) Appoint a substance abuse impairment coordinator to represent the department in efforts initiated by the statewide substance abuse impairment prevention and treatment coordinator established in s. 397.801 and to assist the statewide coordinator in fulfilling the responsibilities of that position.~~

(20) *Develop and prominently display on its website all forms necessary for the implementation and administration of parts IV and V of this chapter. These forms shall include, but are not limited to, a petition for involuntary admission form and all related pleading forms, and a form to be used by law enforcement agencies pursuant to s. 397.6772. The department shall notify law enforcement agencies, the courts, and other state agencies of the existence and availability of such forms.*

Section 23. Section 397.675, Florida Statutes, is amended to read:

397.675 Criteria for involuntary admissions, including protective custody, emergency admission, and other involuntary assessment, involuntary treatment, and alternative involuntary assessment for minors, for purposes of assessment and stabilization, and for involuntary treatment.—A person meets the criteria for involuntary admission if there is good faith reason to believe that the person is substance abuse impaired or has a co-occurring mental health disorder and, because of such impairment or disorder:

(1) Has lost the power of self-control with respect to substance abuse use; and either

(2)(a) ~~Has inflicted, or threatened or attempted to inflict, or unless admitted is likely to inflict, physical harm on himself or herself or another; or~~

~~(b) Is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she the person is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although thereto; however, mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; or~~

(b) *Without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.*

Section 24. Paragraph (g) is added to subsection (1) of section 397.6751, Florida Statutes, to read:

397.6751 Service provider responsibilities regarding involuntary admissions.—

(1) It is the responsibility of the service provider to:

(g) *Submit to the department a copy of any court order, law enforcement report, or professional certificate requiring an individual to undergo involuntary services within 1 working day after it is received.*

Section 25. Subsection (1) of section 397.6772, Florida Statutes, is amended to read:

397.6772 Protective custody without consent.—

(1) If a person in circumstances which justify protective custody as described in s. 397.677 fails or refuses to consent to assistance and a law enforcement officer has determined that a hospital or a licensed detoxification or addictions receiving facility is the most appropriate place for the person, the officer may, after giving due consideration to the expressed wishes of the person:

(a) Take the person to a hospital or to a licensed detoxification or addictions receiving facility against the person’s will but without using unreasonable force. *The officer shall use the standard form developed by the department pursuant to s. 397.321 to execute a written report detailing the circumstances under which the person was taken into custody. The written report shall be included in the patient’s clinical record; or*

(b) In the case of an adult, detain the person for his or her own protection in any municipal or county jail or other appropriate detention facility.

Such detention is not to be considered an arrest for any purpose, and no entry or other record may be made to indicate that the person has been detained or charged with any crime. The officer in charge of the detention facility must notify the nearest appropriate licensed service provider within the first 8 hours after detention that the person has been detained. It is the duty of the detention facility to arrange, as necessary, for transportation of the person to an appropriate licensed service provider with an available bed. Persons taken into protective custody must be assessed by the attending physician within the 72-hour period and without unnecessary delay, to determine the need for further services.

Section 26. Paragraph (a) of subsection (1) of section 397.6773, Florida Statutes, is amended to read:

397.6773 Dispositional alternatives after protective custody.—

(1) An individual who is in protective custody must be released by a qualified professional when:

(a) The individual no longer meets the involuntary admission criteria in s. 397.675 ~~397.675(1)~~;

Section 27. Section 397.679, Florida Statutes, is amended to read:

397.679 Emergency admission; circumstances justifying.—A person who meets the criteria for involuntary admission in s. 397.675 may be admitted to a hospital or to a licensed detoxification facility or addictions receiving facility for emergency assessment and stabilization, or to a less intensive component of a licensed service provider for assessment only, upon receipt by the facility of a ~~the physician's certificate by a physician, an advanced registered nurse practitioner, a clinical psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician assistant working under the scope of practice of the supervising physician, or a master's-level-certified addictions professional for substance abuse services, if the certificate is specific to substance abuse impairment, and the completion of an application for emergency admission.~~

Section 28. Section 397.6791, Florida Statutes, is amended to read:

397.6791 Emergency admission; persons who may initiate.—The following persons may request a certificate for ~~an~~ emergency assessment or admission:

(1) In the case of an adult, any professional who may issue a professional certificate pursuant to s. 397.6793, ~~the certifying physician~~, the person's spouse or legal guardian, any relative of the person, or any other responsible adult who has personal knowledge of the person's substance abuse impairment.

(2) In the case of a minor, the minor's parent, legal guardian, or legal custodian.

Section 29. Section 397.6793, Florida Statutes, is amended to read:

397.6793 *Professional's ~~Physician's~~ certificate for emergency admission.*—

(1) *A physician, a clinical psychologist, a physician assistant working under the scope of practice of the supervising physician, a psychiatric nurse, an advanced registered nurse practitioner, a mental health counselor, a marriage and family therapist, a master's-level-certified addictions professional for substance abuse services, or a clinical social worker may execute a professional's certificate for emergency admission. The professional's ~~physician's~~ certificate must include the name of the person to be admitted, the relationship between the person and the professional executing the certificate ~~physician~~, the relationship between the applicant and the professional ~~physician~~, any relationship between the professional ~~physician~~ and the licensed service provider, and a statement that the person has been examined and assessed within the preceding 5 days after of the application date, and ~~must include~~ factual allegations with respect to the need for emergency admission, including:*

(a) The reason for the ~~physician's~~ belief that the person is substance abuse impaired; ~~and~~

(b) The reason for the ~~physician's~~ belief that because of such impairment the person has lost the power of self-control with respect to substance abuse; and ~~either~~

(c)1. The reason for the belief ~~physician believes~~ that, *without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted or, unless admitted, is likely to inflict, physical harm on himself, or herself, or another ~~others~~ unless admitted; or*

2. The reason for the belief ~~physician believes~~ that the person's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the person is incapable of appreciating his or her need for care and of making a rational decision regarding his or her need for care.

(2) The professional's ~~physician's~~ certificate must recommend the least restrictive type of service that is appropriate for the person. The certificate must be signed by the professional ~~physician~~. *If other less restrictive means are not available, such as voluntary appearance for outpatient evaluation, a law enforcement officer shall take the person named in the certificate into custody and deliver him or her to the appropriate facility for involuntary assessment and stabilization.*

(3) A signed copy of the ~~professional's physician's~~ certificate shall accompany the person; and shall be made a part of the person's clinical record, together with a signed copy of the application. The application and the ~~professional's physician's~~ certificate authorize the involuntary admission of the person pursuant to, and subject to the provisions of, ss. 397.679-397.6797.

(4) *The professional's certificate is valid for 7 days after issuance.*

(5) *The professional's ~~physician's~~ certificate must indicate whether the person requires transportation assistance for delivery for emergency admission and specify, pursuant to s. 397.6795, the type of transportation assistance necessary.*

Section 30. Section 397.6795, Florida Statutes, is amended to read:

397.6795 Transportation-assisted delivery of persons for emergency assessment.—An applicant for a person's emergency admission, ~~or~~ the person's spouse or guardian, ~~or a law enforcement officer, or a health officer~~ may deliver a person named in the ~~professional's physician's~~ certificate for emergency admission to a hospital or a licensed detoxification facility or addictions receiving facility for emergency assessment and stabilization.

Section 31. Subsection (1) of section 397.681, Florida Statutes, is amended to read:

397.681 Involuntary petitions; general provisions; court jurisdiction and right to counsel.—

(1) JURISDICTION.—The courts have jurisdiction of involuntary assessment and stabilization petitions and involuntary treatment petitions for substance abuse impaired persons, and such petitions must be filed with the clerk of the court in the county where the person is located. *The clerk of the court may not charge a fee for the filing of a petition under this section.* The chief judge may appoint a general or special magistrate to preside over all or part of the proceedings. The alleged impaired person is named as the respondent.

Section 32. Subsection (1) of section 397.6811, Florida Statutes, is amended to read:

397.6811 Involuntary assessment and stabilization.—A person determined by the court to appear to meet the criteria for involuntary admission under s. 397.675 may be admitted for a period of 5 days to a hospital or to a licensed detoxification facility or addictions receiving facility, for involuntary assessment and stabilization or to a less restrictive component of a licensed service provider for assessment only upon entry of a court order or upon receipt by the licensed service provider of a petition. Involuntary assessment and stabilization may be initiated by the submission of a petition to the court.

(1) If the person upon whose behalf the petition is being filed is an adult, a petition for involuntary assessment and stabilization may be filed by the respondent's spouse or legal guardian, any relative, a private practitioner, the director of a licensed service provider or the director's designee, or an adult ~~any three adults~~ who has direct ~~have~~ personal knowledge of the respondent's substance abuse impairment.

Section 33. Section 397.6814, Florida Statutes, is amended to read:

397.6814 Involuntary assessment and stabilization; contents of petition.—A petition for involuntary assessment and stabilization must contain the name of the respondent; the name of the applicant or applicants; the relationship between the respondent and the applicant, ~~and;~~ the name of the respondent's attorney, if known, ~~and a statement of the respondent's ability to afford an attorney;~~ and must state facts to support the need for involuntary assessment and stabilization, including:

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired; ~~and~~

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and ~~either~~

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless admitted; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care. If the respondent has refused to submit to an assessment, such refusal must be alleged in the petition.

A fee may not be charged for the filing of a petition pursuant to this section.

Section 34. Subsection (4) is added to section 397.6818, Florida Statutes, to read:

397.6818 Court determination.—At the hearing initiated in accordance with s. 397.6811(1), the court shall hear all relevant testimony. The respondent must be present unless the court has reason to believe that his or her presence is likely to be injurious to him or her, in which event the court shall appoint a guardian advocate to represent the respondent. The respondent has the right to examination by a court-appointed qualified professional. After hearing all the evidence, the court shall determine whether there is a reasonable basis to believe the respondent meets the involuntary admission criteria of s. 397.675.

(4) *The order is valid only for the period specified in the order or, if a period is not specified, for 7 days after the order is signed.*

Section 35. Section 397.6819, Florida Statutes, is amended to read:

397.6819 Involuntary assessment and stabilization; responsibility of licensed service provider.—A licensed service provider may admit an individual for involuntary assessment and stabilization for a period not to exceed 5 days *unless a petition for involuntary services has been initiated and the individual is being retained pursuant to s. 397.6822(3) or a request for an extension of time has been filed with the court pursuant to s. 397.6821.* The individual must be assessed *within 72 hours without unnecessary delay* by a qualified professional. If an assessment is performed by a qualified professional who is not a physician, the assessment must be reviewed by a physician before the end of the assessment period.

Section 36. Section 397.695, Florida Statutes, is amended to read:

397.695 Involuntary services ~~treatment~~; persons who may petition.—

(1) If the respondent is an adult, a petition for involuntary services ~~treatment~~ may be filed by the respondent's spouse or legal guardian, any relative, a service provider, or ~~an adult~~ *any three adults* who has direct ~~have~~ personal knowledge of the respondent's substance abuse impairment and his or her prior course of assessment and treatment.

(2) If the respondent is a minor, a petition for involuntary treatment may be filed by a parent, legal guardian, or service provider.

Section 37. Section 397.6951, Florida Statutes, is amended to read:

397.6951 Contents of petition for involuntary services ~~treatment~~.—A petition for involuntary services ~~treatment~~ must contain the name of the respondent ~~to be admitted~~; the name of the petitioner or petitioners; the relationship between the respondent and the petitioner; the name of the respondent's attorney, if known, ~~and a statement of the petitioner's knowledge of the respondent's ability to afford an attorney~~; the findings and recommendations of the assessment performed by the qualified professional; and the factual allegations presented by the petitioner establishing the need for involuntary *outpatient services*. *The factual allegations must demonstrate treatment, including:*

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired; ~~and~~

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and ~~either~~

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless *the court orders the involuntary services admitted*; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

Section 38. Section 397.6955, Florida Statutes, is amended to read:

397.6955 Duties of court upon filing of petition for involuntary services ~~treatment~~.—

(1) Upon the filing of a petition for ~~the involuntary services for treatment of~~ a substance abuse impaired person with the clerk of the court, the court shall immediately determine whether the respondent is represented by an attorney or whether the appointment of counsel for the respondent is appropriate. *If the court appoints counsel for the person, the clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel, created pursuant to s. 27.511, of the appointment. The office of criminal conflict and civil regional counsel shall represent the person until the petition is dismissed, the court order expires, or the person is discharged from involuntary services. An attorney that represents the person named in the petition shall have access to the person, witnesses, and records relevant to the presentation of the person's case and shall represent the interests of the person, regardless of the source of payment to the attorney.*

(2) The court shall schedule a hearing to be held on the petition within ~~5 to 10~~ days *unless a continuance is granted. The court may appoint a magistrate to preside at the hearing.*

(3) A copy of the petition and notice of the hearing must be provided to the respondent; the respondent's parent, guardian, or legal custodian, in the case of a minor; the respondent's attorney, if known; the petitioner; the respondent's spouse or guardian, if applicable; and such other persons as the court may direct. *If the respondent is a minor, a copy of the petition and notice of the hearing must be and have such petition and order personally delivered to the respondent if he or she is a minor.* The court shall also issue a summons to the person whose admission is sought.

Section 39. Section 397.6957, Florida Statutes, is amended to read:

397.6957 Hearing on petition for involuntary services ~~treatment~~.—

(1) At a hearing on a petition for involuntary services ~~treatment~~, the court shall hear and review all relevant evidence, including the review of results of the assessment completed by the qualified professional in connection with the respondent's protective custody, emergency admission, involuntary assessment, or alternative involuntary admission. The respondent must be present unless the court finds that his or her presence is likely to be injurious to himself or herself or others, in which event the court must appoint a guardian advocate to act in behalf of the respondent throughout the proceedings.

(2) The petitioner has the burden of proving by clear and convincing evidence *that:*

(a) The respondent is substance abuse impaired *and has a history of lack of compliance with treatment for substance abuse;* and

(b) Because of such impairment *the respondent is unlikely to voluntarily participate in the recommended services or is unable to determine for himself or herself whether services are necessary* ~~the respondent has lost the power of self control with respect to substance abuse; and either~~

1. *Without services, the respondent is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that there is a substantial likelihood that without services the respondent will cause serious bodily harm to himself, herself, or another in the near future, as evidenced by recent behavior* ~~The respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless admitted; or~~

2. The respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

(3) *One of the qualified professionals who executed the involuntary services certificate must be a witness. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the respondent's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.*

(4)(3) At the conclusion of the hearing the court shall ~~either~~ dismiss the petition or order the respondent to receive ~~undergo~~ involuntary services from his or her ~~substance abuse treatment, with the respondent's~~ chosen licensed service provider ~~if to deliver the involuntary substance abuse treatment where possible and appropriate.~~

Section 40. Section 397.697, Florida Statutes, is amended to read:

397.697 Court determination; effect of court order for involuntary services ~~substance abuse treatment.~~—

(1) When the court finds that the conditions for involuntary services ~~substance abuse treatment~~ have been proved by clear and convincing evidence, it may order the respondent to receive ~~undergo~~ involuntary services from ~~treatment by a publicly funded~~ licensed service provider for a period not to exceed 90 ~~60~~ days. *The court may also order a respondent to undergo treatment through a privately funded licensed service provider if the respondent has the ability to pay for the treatment, or if any person on the respondent's behalf voluntarily demonstrates a willingness and an ability to pay for the treatment.* If the court finds it necessary, it may direct the sheriff to take the respondent into custody and deliver him or her to the licensed service provider specified in the court order, or to the nearest appropriate licensed service provider, for involuntary services ~~treatment~~. When the conditions justifying involuntary services ~~treatment~~ no longer exist, the individual must be released as provided in s. 397.6971. When the conditions justifying involuntary services ~~treatment~~ are expected to exist after 90 ~~60~~ days of services ~~treatment~~, a renewal of the involuntary services ~~treatment~~ order may be requested pursuant to s. 397.6975 ~~before~~ ~~prior to~~ the end of the 90-day ~~60-day~~ period.

(2) In all cases resulting in an order for involuntary services ~~substance abuse treatment~~, the court shall retain jurisdiction over the case and the parties for the entry of such further orders as the circumstances may require. The court's requirements for notification of proposed release must be included in the original ~~treatment~~ order.

(3) An involuntary services ~~treatment~~ order authorizes the licensed service provider to require the individual to receive services that ~~undergo such treatment as~~ will benefit him or her, including services ~~treatment~~ at any licensable service component of a licensed service provider.

(4) *If the court orders involuntary services, a copy of the order must be sent to the managing entity within 1 working day after it is received from the court. Documents may be submitted electronically though existing data systems, if applicable.*

Section 41. Section 397.6971, Florida Statutes, is amended to read:

397.6971 Early release from involuntary services ~~substance abuse treatment.~~—

(1) At any time ~~before~~ ~~prior to~~ the end of the 90-day ~~60-day~~ involuntary services ~~treatment~~ period, or ~~before~~ ~~prior to~~ the end of any extension granted pursuant to s. 397.6975, an individual receiving ~~admitted for~~ involuntary services ~~treatment~~ may be determined eligible for discharge to the most appropriate referral or disposition for the individual when any of the following apply:

(a) The individual no longer meets the criteria for involuntary admission and has given his or her informed consent to be transferred to voluntary treatment status.;

(b) If the individual was admitted on the grounds of likelihood of infliction of physical harm upon himself or herself or others, such likelihood no longer exists. ~~;~~

(c) If the individual was admitted on the grounds of need for assessment and stabilization or treatment, accompanied by inability to make a determination respecting such need, ~~either~~:

1. Such inability no longer exists; or
2. It is evident that further treatment will not bring about further significant improvements in the individual's condition.;

(d) The individual is no longer in need of services. ~~;~~

(e) The director of the service provider determines that the individual is beyond the safe management capabilities of the provider.

(2) Whenever a qualified professional determines that an individual admitted for involuntary services ~~qualifies treatment is ready~~ for early release ~~under for any of the reasons listed in~~ subsection (1), the service provider shall immediately discharge the individual, and must notify all persons specified by the court in the original treatment order.

Section 42. Section 397.6975, Florida Statutes, is amended to read:

397.6975 Extension of involuntary services ~~substance abuse treatment~~ period.—

(1) Whenever a service provider believes that an individual who is nearing the scheduled date of his or her release from involuntary services ~~treatment~~ continues to meet the criteria for involuntary services ~~treatment~~ in s. 397.693, a petition for renewal of the involuntary services ~~treatment~~ order may be filed with the court at least 10 days before the expiration of the court-ordered services ~~treatment~~ period. The court shall immediately schedule a hearing to be held not more than 15 days after filing of the petition. The court shall provide the copy of the petition for renewal and the notice of the hearing to all parties to the proceeding. The hearing is conducted pursuant to s. 397.6957.

(2) If the court finds that the petition for renewal of the involuntary services ~~treatment~~ order should be granted, it may order the respondent to receive ~~undergo~~ involuntary services ~~treatment~~ for a period not to exceed an additional 90 days. When the conditions justifying involuntary services ~~treatment~~ no longer exist, the individual must be released as provided in s. 397.6971. When the conditions justifying involuntary services ~~treatment~~ continue to exist after an *additional* 90 days of service ~~additional treatment~~, a new petition requesting renewal of the involuntary services ~~treatment~~ order may be filed pursuant to this section.

(3) *Within 1 court working day after the filing of a petition for continued involuntary services, the court shall appoint the office of criminal conflict and civil regional counsel to represent the respondent, unless the respondent is otherwise represented by counsel. The clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel of such appointment. The office of criminal conflict and civil regional counsel shall represent the respondent until the petition is dismissed or the court order expires or the respondent is discharged from involuntary services. Any attorney representing the respondent shall have access to the respondent, witnesses, and records relevant to the presentation of the respondent's case and shall represent the interests of the respondent, regardless of the source of payment to the attorney.*

(4) *Hearings on petitions for continued involuntary services shall be before the circuit court. The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this section shall be in accordance with s. 397.697.*

(5) *Notice of hearing shall be provided to the respondent or his or her counsel. The respondent and the respondent's counsel may agree to a period of continued involuntary services without a court hearing.*

(6) *The same procedure shall be repeated before the expiration of each additional period of involuntary services.*

(7) *If the respondent has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the respondent's competence.*

Section 43. Section 397.6977, Florida Statutes, is amended to read:

397.6977 Disposition of individual upon completion of involuntary services ~~substance abuse treatment~~.—At the conclusion of the 90-day ~~60-day~~ period of court-ordered involuntary services ~~treatment~~, the respondent ~~individual~~ is automatically discharged unless a motion for renewal of the involuntary services ~~treatment~~ order has been filed with the court pursuant to s. 397.6975.

Section 44. Section 397.6978, Florida Statutes, is created to read:

397.6978 Guardian advocate; patient incompetent to consent; substance abuse disorder.—

(1) *The administrator of an addictions receiving facility may petition the court for the appointment of a guardian advocate based upon the opinion of a qualified professional that the patient is incompetent to consent to treatment. If the court finds that a patient is incompetent to consent to treatment and has not been adjudicated incapacitated and that a guardian with the authority to consent to substance abuse treatment has not been appointed, it may appoint a guardian advocate. The patient has the right to have an attorney represent him or her at the hearing. If the person is indigent, the court shall appoint the office of criminal conflict and civil regional counsel to represent him or her at the hearing. The patient has the right to testify, cross-examine witnesses, and present witnesses. The proceeding shall be recorded electronically or stenographically, and testimony must be provided under oath. One of the qualified professionals authorized to give an opinion in support of a petition for involuntary services, as described in s. 397.693, must testify. A guardian advocate must meet the qualifications of a guardian contained in part IV of chapter 744. The person who is appointed as a guardian advocate must agree to the appointment.*

(2) *The following persons are prohibited from appointment as a patient's guardian advocate:*

(a) *A professional providing clinical services to the individual under this part.*

(b) *The qualified professional who initiated the involuntary examination of the individual, if the examination was initiated by a qualified professional's certificate.*

(c) *An employee, an administrator, or a board member of the facility providing the examination of the individual.*

(d) *An employee, an administrator, or a board member of the treatment facility providing treatment of the individual.*

(e) *A person providing any substantial professional services, excluding public guardians or professional guardians, to the individual, including clinical services.*

(f) *A creditor of the individual.*

(g) *A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the individual was the petitioner.*

(h) *A person subject to an injunction for protection against repeat violence, stalking, sexual violence, or dating violence under s. 784.046, whether the order of injunction is temporary or final, and for which the individual was the petitioner.*

(3) *A facility requesting appointment of a guardian advocate must, before the appointment, provide the prospective guardian advocate with information about the duties and responsibilities of guardian advocates, including information about the ethics of medical decisionmaking. Before asking a guardian advocate to give consent to treatment for a patient, the facility must provide to the guardian advocate sufficient information so that the guardian advocate can decide whether to give express and informed consent to the treatment. Such information must include information that demonstrates that the treatment is essential to the care of the patient and does not present an unreasonable risk of serious, hazardous, or irreversible side effects. If possible, before giving consent to treatment, the guardian advocate must personally meet and talk with the patient and the patient's physician. If that is not possible, the discussion may be conducted by telephone. The decision of the*

guardian advocate may be reviewed by the court, upon petition of the patient's attorney, the patient's family, or the facility administrator.

(4) *In lieu of the training required for guardians appointed pursuant to chapter 744, a guardian advocate shall attend at least a 4-hour training course approved by the court before exercising his or her authority. At a minimum, the training course must include information about patient rights, the diagnosis of substance abuse disorders, the ethics of medical decisionmaking, and the duties of guardian advocates.*

(5) *The required training course and the information to be supplied to prospective guardian advocates before their appointment must be developed by the department, approved by the chief judge of the circuit court, and taught by a court-approved organization, which may include, but need not be limited to, a community college, a guardianship organization, a local bar association, or The Florida Bar. The training course may be web-based, provided in video format, or provided in other electronic means but must be capable of ensuring the identity and participation of the prospective guardian advocate. The court may waive some or all of the training requirements for guardian advocates or impose additional requirements. The court shall make its decision on a case-by-case basis and, in making its decision, shall consider the experience and education of the guardian advocate, the duties assigned to the guardian advocate, and the needs of the patient.*

(6) *In selecting a guardian advocate, the court shall give preference to the patient's health care surrogate, if one has already been designated by the patient. If the patient has not previously designated a health care surrogate, the selection shall be made, except for good cause documented in the court record, from among the following persons, listed in order of priority:*

(a) *The spouse of the patient.*

(b) *An adult child of the patient.*

(c) *A parent of the patient.*

(d) *The adult next of kin of the patient.*

(e) *An adult friend of the patient.*

(f) *An adult trained and willing to serve as the guardian advocate for the patient.*

(7) *If a guardian with the authority to consent to medical treatment has not already been appointed, or if the patient has not already designated a health care surrogate, the court may authorize the guardian advocate to consent to medical treatment as well as substance abuse disorder treatment. Unless otherwise limited by the court, a guardian advocate with authority to consent to medical treatment has the same authority to make health care decisions and is subject to the same restrictions as a proxy appointed under part IV of chapter 765. Unless the guardian advocate has sought and received express court approval in a proceeding separate from the proceeding to determine the competence of the patient to consent to medical treatment, the guardian advocate may not consent to:*

(a) *Abortion.*

(b) *Sterilization.*

(c) *Electroshock therapy.*

(d) *Psychosurgery.*

(e) *Experimentally approved institutional review board in accordance with 45 C.F.R. part 46 or 21 C.F.R. part 56.*

The court must base its authorization on evidence that the treatment or procedure is essential to the care of the patient and that the treatment does not present an unreasonable risk of serious, hazardous, or irreversible side effects. In complying with this subsection, the court shall follow the procedures set forth in subsection (1).

(8) *The guardian advocate shall be discharged when the patient is discharged from an order for involuntary services or when the patient is transferred from involuntary to voluntary status. The court or a hearing*

officer shall consider the competence of the patient as provided in subsection (1) and may consider an involuntarily placed patient's competence to consent to services at any hearing. Upon sufficient evidence, the court may restore, or the magistrate may recommend that the court restore, the patient's competence. A copy of the order restoring competence or the certificate of discharge containing the restoration of competence shall be provided to the patient and the guardian advocate.

Section 45. Paragraphs (d) through (m) of subsection (2) of section 409.967, are redesignated as paragraphs (e) through (n), respectively, and a new paragraph (d) is added to that subsection to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(d) *Quality care.*—Managed care plans shall provide, or contract for the provision of, care coordination to facilitate the appropriate delivery of behavioral health care services in the least restrictive setting with treatment and recovery capabilities that address the needs of the patient. Services shall be provided in a manner that integrates behavioral health services and primary care. Plans shall be required to achieve specific behavioral health outcome standards, established by the agency in consultation with the department.

Section 46. Subsection (5) is added to section 409.973, Florida Statutes, to read:

409.973 Benefits.—

(5) *INTEGRATED BEHAVIORAL HEALTH INITIATIVE.*—Each plan operating in the managed medical assistance program shall work with the managing entity in its service area to establish specific organizational supports and protocols that enhance the integration and coordination of primary care and behavioral health services for Medicaid recipients. Progress in this initiative shall be measured using the integration framework and core measures developed by the Agency for Healthcare Research and Quality.

Section 47. Section 491.0045, Florida Statutes, is amended to read:

491.0045 Intern registration; requirements.—

(1) ~~Effective January 1, 1998,~~ An individual who *has not satisfied intends to practice in Florida to satisfy* the postgraduate or post-master's level experience requirements, as specified in s. 491.005(1)(c), (3)(c), or (4)(c), must register as an intern in the profession for which he or she is seeking licensure ~~before~~ *prior to* commencing the post-master's experience requirement or an individual who intends to satisfy part of the required graduate-level practicum, internship, or field experience, outside the academic arena for any profession, must register as an intern in the profession for which he or she is seeking licensure ~~before~~ *prior to* commencing the practicum, internship, or field experience.

(2) The department shall register as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern each applicant who the board certifies has:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed \$200, as set by board rule;

(b)1. Completed the education requirements as specified in s. 491.005(1)(c), (3)(c), or (4)(c) for the profession for which he or she is applying for licensure, if needed; and

2. Submitted an acceptable supervision plan, as determined by the board, for meeting the practicum, internship, or field work required for licensure that was not satisfied in his or her graduate program.

(c) Identified a qualified supervisor.

(3) An individual registered under this section must remain under supervision *while practicing under registered intern status until he or she is in receipt of a license or a letter from the department stating that he or she is licensed to practice the profession for which he or she applied.*

~~(4) An individual who has applied for intern registration on or before December 31, 2001, and has satisfied the education requirements of s. 491.005 that are in effect through December 31, 2000, will have met the educational requirements for licensure for the profession for which he or she has applied.~~

~~(4)(5) An individual who fails~~ *Individuals who have commenced the experience requirement as specified in s. 491.005(1)(c), (3)(c), or (4)(c) but failed to register as required by subsection (1) shall register with the department before January 1, 2000. Individuals who fail to comply with this section may* ~~subsection shall not be granted a license under this chapter, and any time spent by the individual completing the experience requirement as specified in s. 491.005(1)(c), (3)(c), or (4)(c) before~~ *prior to* registering as an intern ~~does shall~~ not count toward completion of the ~~such~~ requirement.

(5) *An intern registration is valid for 5 years.*

(6) *A registration issued on or before March 31, 2017, expires March 31, 2022, and may not be renewed or reissued. Any registration issued after March 31, 2017, expires 60 months after the date it is issued. A subsequent intern registration may not be issued unless the candidate has passed the theory and practice examination described in s. 491.005(1)(d), (3)(d), and (4)(d).*

(7) *An individual who has held a provisional license issued by the board may not apply for an intern registration in the same profession.*

Section 48. *Section 394.4674, Florida Statutes, is repealed.*

Section 49. *Section 394.4985, Florida Statutes, is repealed.*

Section 50. *Section 394.745, Florida Statutes, is repealed.*

Section 51. *Section 397.331, Florida Statutes, is repealed.*

Section 52. *Section 397.801, Florida Statutes, is repealed.*

Section 53. *Section 397.811, Florida Statutes, is repealed.*

Section 54. *Section 397.821, Florida Statutes, is repealed.*

Section 55. *Section 397.901, Florida Statutes, is repealed.*

Section 56. *Section 397.93, Florida Statutes, is repealed.*

Section 57. *Section 397.94, Florida Statutes, is repealed.*

Section 58. *Section 397.951, Florida Statutes, is repealed.*

Section 59. *Section 397.97, Florida Statutes, is repealed.*

Section 60. *Section 397.98, Florida Statutes, is repealed.*

Section 61. Paragraph (a) of subsection (3) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(3)(a)1. Except as otherwise provided in subparagraph (b)1. or paragraph (e), before the department provides psychotropic medications to a child in its custody, the prescribing physician shall attempt to obtain express and informed consent, as defined in s. 394.455(15) ~~or 394.455(9)~~ and as described in s. 394.459(3)(a), from the child's parent or legal guardian. The department must take steps necessary to facilitate the inclusion of the parent in the child's consultation with the physician. However, if the parental rights of the parent have been terminated, the parent's location or identity is unknown or cannot reasonably be ascertained, or the parent declines to give express and informed consent, the department may, after consultation with the prescribing physician, seek court authorization to provide the psychotropic medications to the child. Unless parental rights have been terminated and if it is possible to do so, the department shall continue to involve the parent in the decisionmaking process regarding the provision of psychotropic medications. If, at any time, a parent whose parental rights have not been terminated provides express and informed consent to the provision of a psychotropic medication, the requirements

of this section that the department seek court authorization do not apply to that medication until such time as the parent no longer consents.

2. Any time the department seeks a medical evaluation to determine the need to initiate or continue a psychotropic medication for a child, the department must provide to the evaluating physician all pertinent medical information known to the department concerning that child.

Section 62. Paragraph (e) of subsection (5) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined in s. 125.011(1) may levy the surtax authorized in this subsection pursuant to an ordinance either approved by extraordinary vote of the county commission or conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum. In a county as defined in s. 125.011(1), for the purposes of this subsection, “county public general hospital” means a general hospital as defined in s. 395.002 which is owned, operated, maintained, or governed by the county or its agency, authority, or public health trust.

(e) A governing board, agency, or authority shall be chartered by the county commission upon this act becoming law. The governing board, agency, or authority shall adopt and implement a health care plan for indigent health care services. The governing board, agency, or authority shall consist of no more than seven and no fewer than five members appointed by the county commission. The members of the governing board, agency, or authority shall be at least 18 years of age and residents of the county. No member may be employed by or affiliated with a health care provider or the public health trust, agency, or authority responsible for the county public general hospital. The following community organizations shall each appoint a representative to a nominating committee: the South Florida Hospital and Healthcare Association, the Miami-Dade County Public Health Trust, the Dade County Medical Association, the Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade County. This committee shall nominate between 10 and 14 county citizens for the governing board, agency, or authority. The slate shall be presented to the county commission and the county commission shall confirm the top five to seven nominees, depending on the size of the governing board. Until such time as the governing board, agency, or authority is created, the funds provided for in subparagraph (d)2. shall be placed in a restricted account set aside from other county funds and not disbursed by the county for any other purpose.

1. The plan shall divide the county into a minimum of four and maximum of six service areas, with no more than one participant hospital per service area. The county public general hospital shall be designated as the provider for one of the service areas. Services shall be provided through participants’ primary acute care facilities.

2. The plan and subsequent amendments to it shall fund a defined range of health care services for both indigent persons and the medically poor, including primary care, preventive care, hospital emergency room care, and hospital care necessary to stabilize the patient. For the purposes of this section, “stabilization” means stabilization as defined in s. 397.311(44) ~~s. 397.311(41)~~. Where consistent with these objectives, the plan may include services rendered by physicians, clinics, community hospitals, and alternative delivery sites, as well as at least one regional referral hospital per service area. The plan shall provide that agreements negotiated between the governing board, agency, or authority and providers shall recognize hospitals that render a disproportionate share of indigent care, provide other incentives to promote the delivery of charity care to draw down federal funds where appropriate, and require cost containment, including, but not limited to, case management. From the funds specified in subparagraph (d)1. and

2. for indigent health care services, service providers shall receive reimbursement at a Medicaid rate to be determined by the governing board, agency, or authority created pursuant to this paragraph for the initial emergency room visit, and a per-member per-month fee or capitation for those members enrolled in their service area, as compensation for the services rendered following the initial emergency visit. Except for provisions of emergency services, upon determination of eligibility, enrollment shall be deemed to have occurred at the time services were rendered. The provisions for specific reimbursement of emergency services shall be repealed on July 1, 2001, unless otherwise reenacted by the Legislature. The capitation amount or rate shall be determined ~~before~~ ~~prior to~~ program implementation by an independent actuarial consultant. In no event shall such reimbursement rates exceed the Medicaid rate. The plan must also provide that any hospitals owned and operated by government entities on or after the effective date of this act must, as a condition of receiving funds under this subsection, afford public access equal to that provided under s. 286.011 as to any meeting of the governing board, agency, or authority the subject of which is budgeting resources for the retention of charity care, as that term is defined in the rules of the Agency for Health Care Administration. The plan shall also include innovative health care programs that provide cost-effective alternatives to traditional methods of service and delivery funding.

3. The plan’s benefits shall be made available to all county residents currently eligible to receive health care services as indigents or medically poor as defined in paragraph (4)(d).

4. Eligible residents who participate in the health care plan shall receive coverage for a period of 12 months or the period extending from the time of enrollment to the end of the current fiscal year, per enrollment period, whichever is less.

5. At the end of each fiscal year, the governing board, agency, or authority shall prepare an audit that reviews the budget of the plan, delivery of services, and quality of services, and makes recommendations to increase the plan’s efficiency. The audit shall take into account participant hospital satisfaction with the plan and assess the amount of poststabilization patient transfers requested, and accepted or denied, by the county public general hospital.

Section 63. Paragraph (c) of subsection (2) of section 394.4599, Florida Statutes, is amended to read:

394.4599 Notice.—

(2) INVOLUNTARY ADMISSION.—

(c)1. A receiving facility shall give notice of the whereabouts of a minor who is being involuntarily held for examination pursuant to s. 394.463 to the minor’s parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor’s arrival at the facility. The facility may delay notification for no more than 24 hours after the minor’s arrival if the facility has submitted a report to the central abuse hotline, pursuant to s. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect and if the facility deems a delay in notification to be in the minor’s best interest.

2. The receiving facility shall attempt to notify the minor’s parent, guardian, caregiver, or guardian advocate until the receiving facility receives confirmation from the parent, guardian, caregiver, or guardian advocate, verbally, by telephone or other form of electronic communication, or by recorded message, that notification has been received. Attempts to notify the parent, guardian, caregiver, or guardian advocate must be repeated at least once every hour during the first 12 hours after the minor’s arrival and once every 24 hours thereafter and must continue until such confirmation is received, unless the minor is released at the end of the 72-hour examination period, or until a petition for involuntary ~~services placement~~ ~~placement~~ is filed with the court pursuant to s. 394.463(2)(g) ~~s. 394.463(2)(g)~~. The receiving facility may seek assistance from a law enforcement agency to notify the minor’s parent, guardian, caregiver, or guardian advocate if the facility has not received within the first 24 hours after the minor’s arrival a confirmation by the parent, guardian, caregiver, or guardian advocate that notification has been received. The receiving facility must document notification attempts in the minor’s clinical record.

Section 64. Subsection (3) of section 394.495, Florida Statutes, is amended to read:

394.495 Child and adolescent mental health system of care; programs and services.—

(3) Assessments must be performed by:

(a) A professional as defined in s. 394.455(5), (7), (32), (35), or (36) ~~s. 394.455(2), (4), (21), (23), or (24)~~;

(b) A professional licensed under chapter 491; or

(c) A person who is under the direct supervision of a *qualified* professional as defined in s. 394.455(5), (7), (32), (35), or (36) ~~s. 394.455(2), (4), (21), (23), or (24)~~ or a professional licensed under chapter 491.

Section 65. Subsection (5) of section 394.496, Florida Statutes, is amended to read:

394.496 Service planning.—

(5) A professional as defined in s. 394.455(5), (7), (32), (35), or (36) ~~s. 394.455(2), (4), (21), (23), or (24)~~ or a professional licensed under chapter 491 must be included among those persons developing the services plan.

Section 66. Subsection (6) of section 394.9085, Florida Statutes, is amended to read:

394.9085 Behavioral provider liability.—

(6) For purposes of this section, the terms “detoxification services,” “addictions receiving facility,” and “receiving facility” have the same meanings as those provided in ss. 397.311(25)(a)4., 397.311(25)(a)1., and 394.455(38) ~~ss. 397.311(22)(a)4., 397.311(22)(a)1., and 394.455(26)~~, respectively.

Section 67. Subsections (16) through (20) of section 397.321, Florida Statutes, are renumbered as subsections (15) through (19), respectively, and present subsection (15) of that section is amended to read:

397.321 Duties of the department.—The department shall:

~~(15) Appoint a substance abuse impairment coordinator to represent the department in efforts initiated by the statewide substance abuse impairment prevention and treatment coordinator established in s. 397.801 and to assist the statewide coordinator in fulfilling the responsibilities of that position.~~

Section 68. Subsection (8) of section 397.405, Florida Statutes, is amended to read:

397.405 Exemptions from licensure.—The following are exempt from the licensing provisions of this chapter:

(8) A legally cognizable church or nonprofit religious organization or denomination providing substance abuse services, including prevention services, which are solely religious, spiritual, or ecclesiastical in nature. A church or nonprofit religious organization or denomination providing any of the licensed service components itemized under s. 397.311(25) ~~s. 397.311(22)~~ is not exempt from substance abuse licensure but retains its exemption with respect to all services which are solely religious, spiritual, or ecclesiastical in nature.

The exemptions from licensure in this section do not apply to any service provider that receives an appropriation, grant, or contract from the state to operate as a service provider as defined in this chapter or to any substance abuse program regulated pursuant to s. 397.406. Furthermore, this chapter may not be construed to limit the practice of a physician or physician assistant licensed under chapter 458 or chapter 459, a psychologist licensed under chapter 490, a psychotherapist licensed under chapter 491, or an advanced registered nurse practitioner licensed under part I of chapter 464, who provides substance abuse treatment, so long as the physician, physician assistant, psychologist, psychotherapist, or advanced registered nurse practitioner does not represent to the public that he or she is a licensed service provider and does not provide services to individuals pursuant to part V of this chapter. Failure to comply with any requirement necessary to maintain

an exempt status under this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 69. Subsections (1) and (5) of section 397.407, Florida Statutes, are amended to read:

397.407 Licensure process; fees.—

(1) The department shall establish the licensure process to include fees and categories of licenses and must prescribe a fee range that is based, at least in part, on the number and complexity of programs listed in s. 397.311(25) ~~s. 397.311(22)~~ which are operated by a licensee. The fees from the licensure of service components are sufficient to cover at least 50 percent of the costs of regulating the service components. The department shall specify a fee range for public and privately funded licensed service providers. Fees for privately funded licensed service providers must exceed the fees for publicly funded licensed service providers.

(5) The department may issue probationary, regular, and interim licenses. The department shall issue one license for each service component that is operated by a service provider and defined pursuant to s. 397.311(25) ~~s. 397.311(22)~~. The license is valid only for the specific service components listed for each specific location identified on the license. The licensed service provider shall apply for a new license at least 60 days before the addition of any service components or 30 days before the relocation of any of its service sites. Provision of service components or delivery of services at a location not identified on the license may be considered an unlicensed operation that authorizes the department to seek an injunction against operation as provided in s. 397.401, in addition to other sanctions authorized by s. 397.415. Probationary and regular licenses may be issued only after all required information has been submitted. A license may not be transferred. As used in this subsection, the term “transfer” includes, but is not limited to, the transfer of a majority of the ownership interest in the licensed entity or transfer of responsibilities under the license to another entity by contractual arrangement.

Section 70. Section 397.416, Florida Statutes, is amended to read:

397.416 Substance abuse treatment services; qualified professional.—Notwithstanding any other provision of law, a person who was certified through a certification process recognized by the former Department of Health and Rehabilitative Services before January 1, 1995, may perform the duties of a qualified professional with respect to substance abuse treatment services as defined in this chapter, and need not meet the certification requirements contained in s. 397.311(33) ~~s. 397.311(30)~~.

Section 71. Subsection (2) of section 397.4871, Florida Statutes, is amended to read:

397.4871 Recovery residence administrator certification.—

(2) The department shall approve at least one credentialing entity by December 1, 2015, for the purpose of developing and administering a voluntary credentialing program for administrators. The department shall approve any credentialing entity that the department endorses pursuant to s. 397.321(15) ~~s. 397.321(16)~~ if the credentialing entity also meets the requirements of this section. The approved credentialing entity shall:

(a) Establish recovery residence administrator core competencies, certification requirements, testing instruments, and recertification requirements.

(b) Establish a process to administer the certification application, award, and maintenance processes.

(c) Develop and administer:

1. A code of ethics and disciplinary process.

2. Biennial continuing education requirements and annual certification renewal requirements.

3. An education provider program to approve training entities that are qualified to provide precertification training to applicants and continuing education opportunities to certified persons.

Section 72. Paragraph (e) of subsection (3) of section 409.966, Florida Statutes, is amended to read:

409.966 Eligible plans; selection.—

(3) QUALITY SELECTION CRITERIA.—

(e) To ensure managed care plan participation in Regions 1 and 2, the agency shall award an additional contract to each plan with a contract award in Region 1 or Region 2. Such contract shall be in any other region in which the plan submitted a responsive bid and negotiates a rate acceptable to the agency. If a plan that is awarded an additional contract pursuant to this paragraph is subject to penalties pursuant to s. 409.967(2)(i) ~~s. 409.967(2)(h)~~ for activities in Region 1 or Region 2, the additional contract is automatically terminated 180 days after the imposition of the penalties. The plan must reimburse the agency for the cost of enrollment changes and other transition activities.

Section 73. Paragraph (b) of subsection (1) of section 409.972, Florida Statutes, is amended to read:

409.972 Mandatory and voluntary enrollment.—

(1) The following Medicaid-eligible persons are exempt from mandatory managed care enrollment required by s. 409.965, and may voluntarily choose to participate in the managed medical assistance program:

(b) Medicaid recipients residing in residential commitment facilities operated through the Department of Juvenile Justice or a ~~mental health treatment facility facilities~~ as defined in s. 394.455(46) ~~by s. 394.455(32)~~.

Section 74. Paragraphs (d) and (g) of subsection (1) of section 440.102, Florida Statutes, are amended to read:

440.102 Drug-free workplace program requirements.—The following provisions apply to a drug-free workplace program implemented pursuant to law or to rules adopted by the Agency for Health Care Administration:

(1) DEFINITIONS.—Except where the context otherwise requires, as used in this act:

(d) “Drug rehabilitation program” means a service provider, established pursuant to s. 397.311(42) ~~s. 397.311(39)~~, that provides confidential, timely, and expert identification, assessment, and resolution of employee drug abuse.

(g) “Employee assistance program” means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and followup services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by service providers pursuant to s. 397.311(42) ~~s. 397.311(39)~~.

Section 75. Subsection (7) of section 744.704, Florida Statutes, is amended to read:

744.704 Powers and duties.—

(7) A public guardian ~~may shall~~ not commit a ward to a ~~mental health treatment facility~~, as defined in s. 394.455(46) ~~s. 394.455(32)~~, without an involuntary placement proceeding as provided by law.

Section 76. *The Secretary of Children and Families shall appoint a workgroup to consider the feasibility of individuals using advance directives to express the treatment wishes for substance use disorders. The workgroup shall be composed of individuals with expertise in the treatment of substance use disorders. The workgroup must review the use of advance directives in mental health, the use of advance directives for substance use disorders in other states, and the use of similar legal instruments to express the treatment wishes of individuals suffering from substance use disorders. The workgroup shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2017. The report must include re-*

commendations on the feasibility of using advance directives for individuals with substance use disorders and recommendations for any revisions to state laws or agency rules. The members of the workgroup are not entitled to reimbursement from the Department of Children and Families for travel for workgroup meetings unless they are employees of the department. This section expires on May 6, 2017.

Section 77. Paragraph (b) of subsection (2) of section 61.13, Florida Statutes, is amended to read:

61.13 Support of children; parenting and time-sharing; powers of court.—

(2)

(b) A parenting plan approved by the court must, at a minimum;—

1. Describe in adequate detail how the parents will share and be responsible for the daily tasks associated with the upbringing of the child;

2. *Include* the time-sharing schedule arrangements that specify the time that the minor child will spend with each parent;

3. *Designate a designation of* who will be responsible for:

a. Any and all forms of health care. *If the court orders shared parental responsibility over health care decisions, the parenting plan must provide that either parent may consent to mental health treatment for the child.*

b. School-related matters, including the address to be used for school-boundary determination and registration, ~~and~~

c. Other activities; and

4. *Describe in adequate detail* the methods and technologies that the parents will use to communicate with the child.

Section 78. Subsection (6) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) *MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES.*—

(a) The Legislature recognizes that early referral and comprehensive treatment can help combat *mental illnesses and substance abuse disorders* in families and that treatment is cost-effective.

(b) The Legislature establishes the following goals for the state related to *mental illness and substance abuse treatment services* in the dependency process:

1. To ensure the safety of children.

2. To prevent and remediate the consequences of *mental illnesses and substance abuse disorders* on families involved in protective supervision or foster care and reduce the *occurrences of mental illnesses and substance abuse disorders*, including alcohol abuse or related disorders, for families who are at risk of being involved in protective supervision or foster care.

3. To expedite permanency for children and reunify healthy, intact families, when appropriate.

4. To support families in recovery.

(c) The Legislature finds that children in the care of the state’s dependency system need appropriate health care services, that the impact of *mental illnesses and substance abuse disorders* on health indicates the need for health care services to include *treatment for mental health and substance abuse disorders for services to* children and parents, where appropriate, and that it is in the state’s best interest that such children be provided the services they need to enable them to become and remain independent of state care. In order to provide these services, the state’s dependency system must have the ability to identify and provide appropriate intervention and treatment for children with personal or family-related *mental illness and substance abuse problems*.

(d) It is the intent of the Legislature to encourage the use of the *mental health court program model established under s. 394.47892 and the drug court program model established under s. 397.334* and authorize courts to assess children and persons who have custody or are requesting custody of children where good cause is shown to identify and address *mental illnesses and substance abuse disorders* ~~problems~~ as the court deems appropriate at every stage of the dependency process. Participation in treatment, including *a mental health court program or a treatment-based drug court program*, may be required by the court following adjudication. Participation in assessment and treatment ~~before~~ ~~prior to~~ adjudication ~~is shall be~~ voluntary, except as provided in s. 39.407(16).

(e) It is therefore the purpose of the Legislature to provide authority for the state to contract with *mental health service providers* and community substance abuse treatment providers for the development and operation of specialized support and overlay services for the dependency system, which will be fully implemented and used as resources permit.

(f) Participation in *a mental health court program or a treatment-based drug court program* does not divest any public or private agency of its responsibility for a child or adult, but is intended to enable these agencies to better meet their needs through shared responsibility and resources.

Section 79. Subsection (10) of section 39.507, Florida Statutes, is amended to read:

39.507 Adjudicatory hearings; orders of adjudication.—

(10) After an adjudication of dependency, or a finding of dependency ~~in which where~~ adjudication is withheld, the court may order a person who has custody or is requesting custody of the child to submit to a *mental health or substance abuse disorder* assessment or evaluation. *The order may be made only upon good cause shown and pursuant to notice and procedural requirements provided under the Florida Rules of Juvenile Procedure.* The assessment or evaluation must be administered by an *appropriate* qualified professional, as defined in s. 39.01 or s. 397.311. The court may also require such person to participate in and comply with treatment and services identified as necessary, including, when appropriate and available, participation in and compliance with a *mental health court program established under s. 394.47892 or a treatment-based drug court program established under s. 397.334.* In addition to supervision by the department, the court, including the *mental health court program or treatment-based drug court program*, may oversee the progress and compliance with treatment by a person who has custody or is requesting custody of the child. The court may impose appropriate available sanctions for noncompliance upon a person who has custody or is requesting custody of the child or make a finding of noncompliance for consideration in determining whether an alternative placement of the child is in the child's best interests. Any order entered under this subsection may be made only upon good cause shown. This subsection does not authorize placement of a child with a person seeking custody, other than the parent or legal custodian, who requires *mental health or substance abuse disorder* treatment.

Section 80. Paragraph (b) of subsection (1) of section 39.521, Florida Statutes, is amended to read:

39.521 Disposition hearings; powers of disposition.—

(1) A disposition hearing shall be conducted by the court, if the court finds that the facts alleged in the petition for dependency were proven in the adjudicatory hearing, or if the parents or legal custodians have consented to the finding of dependency or admitted the allegations in the petition, have failed to appear for the arraignment hearing after proper notice, or have not been located despite a diligent search having been conducted.

(b) When any child is adjudicated by a court to be dependent, the court having jurisdiction of the child has the power by order to:

1. Require the parent and, when appropriate, the legal custodian and the child to participate in treatment and services identified as necessary. The court may require the person who has custody or who is requesting custody of the child to submit to a *mental health or substance abuse disorder* assessment or evaluation. *The order may be made only upon good cause shown and pursuant to notice and procedural*

requirements provided under the Florida Rules of Juvenile Procedure. The *mental health* assessment or evaluation must be administered by a qualified professional; as defined in s. 39.01, and the *substance abuse assessment or evaluation must be administered by a qualified professional as defined in s. 397.311.* The court may also require such person to participate in and comply with treatment and services identified as necessary, including, when appropriate and available, participation in and compliance with a *mental health court program established under s. 394.47892 or a treatment-based drug court program established under s. 397.334.* In addition to supervision by the department, the court, including the *mental health court program or the treatment-based drug court program*, may oversee the progress and compliance with treatment by a person who has custody or is requesting custody of the child. The court may impose appropriate available sanctions for noncompliance upon a person who has custody or is requesting custody of the child or make a finding of noncompliance for consideration in determining whether an alternative placement of the child is in the child's best interests. Any order entered under this subparagraph may be made only upon good cause shown. This subparagraph does not authorize placement of a child with a person seeking custody of the child, other than the child's parent or legal custodian, who requires *mental health or substance abuse disorder* treatment.

2. Require, if the court deems necessary, the parties to participate in dependency mediation.

3. Require placement of the child either under the protective supervision of an authorized agent of the department in the home of one or both of the child's parents or in the home of a relative of the child or another adult approved by the court, or in the custody of the department. Protective supervision continues until the court terminates it or until the child reaches the age of 18, whichever date is first. Protective supervision shall be terminated by the court whenever the court determines that permanency has been achieved for the child, whether with a parent, another relative, or a legal custodian, and that protective supervision is no longer needed. The termination of supervision may be with or without retaining jurisdiction, at the court's discretion, and shall in either case be considered a permanency option for the child. The order terminating supervision by the department ~~must shall~~ set forth the powers of the custodian of the child and ~~shall~~ include the powers ordinarily granted to a guardian of the person of a minor unless otherwise specified. Upon the court's termination of supervision by the department, ~~no~~ further judicial reviews are *not* required ~~if, so long as~~ permanency has been established for the child.

Section 81. Section 394.4655, Florida Statutes, is amended to read:

394.4655 Involuntary outpatient services placement.—

(1) *DEFINITIONS.*—As used in this section, the term:

(a) “Court” means a circuit court or a criminal county court.

(b) “Criminal county court” means a county court exercising its original jurisdiction in a misdemeanor case under s. 34.01.

~~(2)(4)~~ *CRITERIA FOR INVOLUNTARY OUTPATIENT SERVICES PLACEMENT.*—A person may be ordered to involuntary outpatient services placement upon a finding of the court, *by clear and convincing evidence, that the person meets all of the following criteria by clear and convincing evidence:*

(a) The person is 18 years of age or older.;

(b) The person has a mental illness.;

(c) The person is unlikely to survive safely in the community without supervision, based on a clinical determination.;

(d) The person has a history of lack of compliance with treatment for mental illness.;

(e) The person has:

1. At least twice within the immediately preceding 36 months been involuntarily admitted to a receiving or treatment facility as defined in s. 394.455, or has received mental health services in a forensic or correctional facility. The 36-month period does not include any period during which the person was admitted or incarcerated; or

2. Engaged in one or more acts of serious violent behavior toward self or others, or attempts at serious bodily harm to himself or herself or others, within the preceding 36 months.;

(f) The person is, as a result of his or her mental illness, unlikely to voluntarily participate in the recommended treatment plan and either he or she has refused voluntary services placement for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary purpose of placement for treatment or he or she is unable to determine for himself or herself whether services are placement is necessary.;

(g) In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services placement in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well-being as set forth in s. 394.463(1).;

(h) It is likely that the person will benefit from involuntary outpatient services. placement; and

(i) All available, less restrictive alternatives that would offer an opportunity for improvement of his or her condition have been judged to be inappropriate or unavailable.

~~(3)(2)~~ INVOLUNTARY OUTPATIENT SERVICES PLACEMENT.—

(a1. A patient who is being recommended for involuntary outpatient services placement by the administrator of the receiving facility where the patient has been examined may be retained by the facility after adherence to the notice procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services placement are met. However, in a county having a population of fewer than 50,000, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness and nervous disorders or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services placement certificate that authorizes the receiving facility to retain the patient pending completion of a hearing. The certificate must shall be made a part of the patient's clinical record.

2. If the patient has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the receiving facility while awaiting the hearing for involuntary outpatient services placement. Before filing a petition for involuntary outpatient services treatment, the administrator of the a receiving facility or a designated department representative must identify the service provider that will have primary responsibility for service provision under an order for involuntary outpatient services placement, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.

3. The service provider shall prepare a written proposed treatment plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services placement order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The treatment plan must specify the likely level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. The service provider shall also provide a copy of the proposed treatment plan to the patient and the administrator of the receiving facility. The treatment plan must specify the nature and extent of the patient's mental illness, address the reduction of symptoms that necessitate involuntary outpatient placement, and include measurable goals and objectives for the services and treatment that are provided to treat the person's mental illness and assist the person in

living and functioning in the community or to prevent a relapse or deterioration. Service providers may select and supervise other individuals to implement specific aspects of the treatment plan. The services in the treatment plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. The service provider must certify to the court in the proposed treatment plan whether sufficient services for improvement and stabilization are currently available and whether the service provider agrees to provide those services. If the service provider certifies that the services in the proposed treatment plan are not available, the petitioner may not file the petition. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.*

(b) If a patient in involuntary inpatient placement meets the criteria for involuntary outpatient services placement, the administrator of the treatment facility may, before the expiration of the period during which the treatment facility is authorized to retain the patient, recommend involuntary outpatient services placement. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services placement are met. However, in a county having a population of fewer than 50,000, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness and nervous disorders or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services placement certificate, and the certificate must be made a part of the patient's clinical record.

(c1. The administrator of the treatment facility shall provide a copy of the involuntary outpatient services placement certificate and a copy of the state mental health discharge form to the managing entity a department representative in the county where the patient will be residing. For persons who are leaving a state mental health treatment facility, the petition for involuntary outpatient services placement must be filed in the county where the patient will be residing.

2. The service provider that will have primary responsibility for service provision shall be identified by the designated department representative before prior to the order for involuntary outpatient services placement and must, before prior to filing a petition for involuntary outpatient services placement, certify to the court whether the services recommended in the patient's discharge plan are available in the local community and whether the service provider agrees to provide those services. The service provider must develop with the patient, or the patient's guardian advocate, if appointed, a treatment or service plan that addresses the needs identified in the discharge plan. The plan must be deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in this chapter, who consults with, or is employed or contracted by, the service provider.

3. If the service provider certifies that the services in the proposed treatment or service plan are not available, the petitioner may not file the petition. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.*

~~(4)(3)~~ PETITION FOR INVOLUNTARY OUTPATIENT SERVICES PLACEMENT.—

(a) A petition for involuntary outpatient services placement may be filed by:

1. The administrator of a receiving facility; or
2. The administrator of a treatment facility.

(b) Each required criterion for involuntary outpatient services placement must be alleged and substantiated in the petition for in-

voluntary outpatient ~~services placement~~. A copy of the certificate recommending involuntary outpatient ~~services placement~~ completed by a qualified professional specified in subsection (3) ~~(2)~~ must be attached to the petition. A copy of the proposed treatment plan must be attached to the petition. Before the petition is filed, the service provider shall certify that the services in the proposed ~~treatment plan~~ are available. If the necessary services are not available in the patient's local community to respond to the person's individual needs, the petition may not be filed. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.*

(c) The petition for involuntary outpatient ~~services placement~~ must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside. When the petition has been filed, the clerk of the court shall provide copies of the petition and the proposed treatment plan to the department, *the managing entity*, the patient, the patient's guardian or representative, the state attorney, and the public defender or the patient's private counsel. A fee may not be charged for filing a petition under this subsection.

(5)~~(4)~~ APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary outpatient ~~services placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of the appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, or the patient is discharged from involuntary outpatient ~~services placement~~. An attorney who represents the patient *must be provided* ~~shall have~~ access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(6)~~(5)~~ CONTINUANCE OF HEARING.—The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. The continuance shall be for a period of up to 4 weeks.

(7)~~(6)~~ HEARING ON INVOLUNTARY OUTPATIENT SERVICES PLACEMENT.—

(a)1. The court shall hold the hearing on involuntary outpatient ~~services placement~~ within 5 working days after the filing of the petition, unless a continuance is granted. The hearing *must shall* be held in the county where the petition is filed, *must shall* be as convenient to the patient as is consistent with orderly procedure, and *must shall* be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient and if the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding.

2. The court may appoint a ~~magistrate master~~ to preside at the hearing. One of the professionals who executed the involuntary outpatient ~~services placement~~ certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall *ensure that one is provided, as otherwise provided by law provide for one*. The independent expert's report *is shall be* confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(b)1. If the court concludes that the patient meets the criteria for involuntary outpatient ~~services placement~~ pursuant to subsection (2) ~~(1)~~, the court shall issue an order for involuntary outpatient ~~services placement~~. The court order shall be for a period of up to 90 days ~~6 months~~. The order must specify the nature and extent of the patient's mental illness. The order of the court and the treatment plan *must shall*

be made part of the patient's clinical record. The service provider shall discharge a patient from involuntary outpatient ~~services placement~~ when the order expires or any time the patient no longer meets the criteria for involuntary placement. Upon discharge, the service provider shall send a certificate of discharge to the court.

2. The court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.* A copy of the order must be sent to the ~~managing entity~~ Agency for Health Care Administration by the service provider within 1 working day after it is received from the court. *The order may be submitted electronically through existing data systems.* After the ~~placement~~ order for involuntary services is issued, the service provider and the patient may modify ~~provisions of~~ the treatment plan. For any material modification of the treatment plan to which the patient or, *if one is appointed*, the patient's guardian advocate *agrees, if appointed, does agree*, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, *if applicable appointed*, must be approved or disapproved by the court consistent with subsection (3) ~~(2)~~.

3. If, in the clinical judgment of a physician, the patient has failed or has refused to comply with the treatment ordered by the court, and, in the clinical judgment of the physician, efforts were made to solicit compliance and the patient may meet the criteria for involuntary examination, a person may be brought to a receiving facility pursuant to s. 394.463. If, after examination, the patient does not meet the criteria for involuntary inpatient placement pursuant to s. 394.467, the patient must be discharged from the ~~receiving facility~~. The involuntary outpatient ~~services placement~~ order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient ~~services placement~~ or until the order expires. The service provider must determine whether modifications should be made to the existing treatment plan and must attempt to continue to engage the patient in treatment. For any material modification of the treatment plan to which the patient or the patient's guardian advocate, *if applicable appointed, agrees does agree*, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, *if applicable appointed*, must be approved or disapproved by the court consistent with subsection (3) ~~(2)~~.

(c) If, at any time before the conclusion of the initial hearing on involuntary outpatient ~~services placement~~, it appears to the court that the person does not meet the criteria for involuntary outpatient ~~services placement~~ under this section but, instead, meets the criteria for involuntary inpatient placement, the court may order the person admitted for involuntary inpatient examination under s. 394.463. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings ~~are shall~~ be governed by chapter 397.

(d) At the hearing on involuntary outpatient ~~services placement~~, the court shall consider testimony and evidence regarding the patient's competence to consent to ~~services treatment~~. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598. The guardian advocate shall be appointed or discharged in accordance with s. 394.4598.

(e) The administrator of the receiving facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient ~~services placement~~. Such documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a ~~clinical~~ psychologist or a clinical social worker.

(8)~~(7)~~ PROCEDURE FOR CONTINUED INVOLUNTARY OUTPATIENT SERVICES PLACEMENT.—

(a)1. If the person continues to meet the criteria for involuntary outpatient ~~services placement~~, the service provider shall, at least 10 days before the expiration of the period during which the treatment is ordered for the person, file in the ~~circuit court that issued the order for involuntary outpatient services~~ a petition for continued involuntary outpatient ~~services placement~~. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.

2. The existing involuntary outpatient ~~services placement~~ order remains in effect until disposition on the petition for continued involuntary outpatient ~~services placement~~.

3. A certificate shall be attached to the petition which includes a statement from the person's physician or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary ~~services involuntarily placed~~, and an individualized plan of continued treatment.

4. The service provider shall develop the individualized plan of continued treatment in consultation with the patient or the patient's guardian advocate, if ~~applicable appointed~~. When the petition has been filed, the clerk of the court shall provide copies of the certificate and the individualized plan of continued ~~services treatment~~ to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.

(b) Within 1 court working day after the filing of a petition for continued involuntary outpatient ~~services placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed or the court order expires or the patient is discharged from involuntary outpatient ~~services placement~~. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(c) Hearings on petitions for continued involuntary outpatient ~~services must placement shall~~ be before the ~~circuit court that issued the order for involuntary outpatient services~~. The court may appoint a ~~magistrate master~~ to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph ~~must meet the requirements of shall be in accordance with~~ subsection (7) ~~(6)~~, except that the time period included in paragraph (2)(e) ~~(1)(e)~~ is not applicable in determining the appropriateness of additional periods of involuntary outpatient placement.

(d) Notice of the hearing ~~must shall~~ be provided as set forth in s. 394.4599. The patient and the patient's attorney may agree to a period of continued outpatient ~~services placement~~ without a court hearing.

(e) The same procedure ~~must shall~~ be repeated before the expiration of each additional period the patient is placed in treatment.

(f) If the patient has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. Section 394.4598 governs the discharge of the guardian advocate if the patient's competency to consent to treatment has been restored.

Section 82. Paragraphs (c) and (d) of subsection (2) of section 394.4599, Florida Statutes, are amended to read:

394.4599 Notice.—

(2) INVOLUNTARY ADMISSION.—

(c)1. A receiving facility shall give notice of the whereabouts of a minor who is being involuntarily held for examination pursuant to s. 394.463 to the minor's parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor's arrival at the facility. The facility may delay notification for no more than 24 hours after the minor's arrival if the facility has submitted a report to the central abuse hotline, pursuant to s. 39.201, based upon knowledge or suspicion of abuse,

abandonment, or neglect and if the facility deems a delay in notification to be in the minor's best interest.

2. The receiving facility shall attempt to notify the minor's parent, guardian, caregiver, or guardian advocate until the receiving facility receives confirmation from the parent, guardian, caregiver, or guardian advocate, verbally, by telephone or other form of electronic communication, or by recorded message, that notification has been received. Attempts to notify the parent, guardian, caregiver, or guardian advocate must be repeated at least once every hour during the first 12 hours after the minor's arrival and once every 24 hours thereafter and must continue until such confirmation is received, unless the minor is released at the end of the 72-hour examination period, or until a petition for involuntary ~~services placement~~ is filed with the court pursuant to s. 394.463(2)(g) ~~s. 394.463(2)(i)~~. The receiving facility may seek assistance from a law enforcement agency to notify the minor's parent, guardian, caregiver, or guardian advocate if the facility has not received within the first 24 hours after the minor's arrival a confirmation by the parent, guardian, caregiver, or guardian advocate that notification has been received. The receiving facility must document notification attempts in the minor's clinical record.

(d) The written notice of the filing of the petition for involuntary ~~services for placement of~~ an individual being held must contain the following:

1. Notice that the petition for:

a. *Involuntary inpatient treatment pursuant to s. 394.467* has been filed with the circuit court in the county in which the individual is hospitalized and the address of such court; or

b. *Involuntary outpatient services pursuant to s. 394.4655* has been filed with the criminal county court, as defined in s. 394.4655(1), or the circuit court, as applicable, in the county in which the individual is hospitalized and the address of such court.

2. Notice that the office of the public defender has been appointed to represent the individual in the proceeding, if the individual is not otherwise represented by counsel.

3. The date, time, and place of the hearing and the name of each examining expert and every other person expected to testify in support of continued detention.

4. Notice that the individual, the individual's guardian, guardian advocate, health care surrogate or proxy, or representative, or the administrator may apply for a change of venue for the convenience of the parties or witnesses or because of the condition of the individual.

5. Notice that the individual is entitled to an independent expert examination and, if the individual cannot afford such an examination, that the court will provide for one.

Section 83. Section 394.455, Florida Statutes, is amended to read:

394.455 Definitions.—As used in this part, ~~unless the context clearly requires otherwise~~, the term:

(1) "Access center" means a facility that has medical, mental health, and substance abuse professionals to provide emergency screening and evaluation for mental health or substance abuse disorders and may provide transportation to an appropriate facility if an individual is in need of more intensive services.

(2) "Addictions receiving facility" is a secure, acute care facility that, at a minimum, provides emergency screening, evaluation, detoxification, and stabilization services; is operated 24 hours per day, 7 days per week; and is designated by the department to serve individuals found to have substance abuse impairment who qualify for services under this part.

(3)~~(1)~~ "Administrator" means the chief administrative officer of a receiving or treatment facility or his or her designee.

(4) "Adult" means an individual who is 18 years of age or older or who has had the disability of nonage removed under chapter 743.

(5)~~(2)~~ "Clinical psychologist" means a psychologist as defined in s. 490.003(7) with 3 years of postdoctoral experience in the practice of

clinical psychology, inclusive of the experience required for licensure, or a psychologist employed by a facility operated by the United States Department of Veterans Affairs that qualifies as a receiving or treatment facility under this part.

(6)(9) "Clinical record" means all parts of the record required to be maintained and includes all medical records, progress notes, charts, and admission and discharge data, and all other information recorded by a facility staff which pertains to the patient's hospitalization or treatment.

(7)(4) "Clinical social worker" means a person licensed as a clinical social worker under s. 491.005 or s. 491.006 ~~chapter 491~~.

(8)(5) "Community facility" means a ~~any~~ community service provider that ~~contracts~~ ~~contracting~~ with the department to furnish substance abuse or mental health services under part IV of this chapter.

(9)(6) "Community mental health center or clinic" means a publicly funded, not-for-profit center that ~~which~~ contracts with the department for the provision of inpatient, outpatient, day treatment, or emergency services.

(10)(7) "Court," unless otherwise specified, means the circuit court.

(11)(8) "Department" means the Department of Children and Families.

(12) "Designated receiving facility" means a facility approved by the department which may be a public or private hospital, crisis stabilization unit, or addictions receiving facility; which provides, at a minimum, emergency screening, evaluation, and short-term stabilization for mental health or substance abuse disorders; and which may have an agreement with a corresponding facility for transportation and services.

(13) "Detoxification facility" means a facility licensed to provide detoxification services under chapter 397.

(14) "Electronic means" means a form of telecommunication which requires all parties to maintain visual as well as audio communication when being used to conduct an examination by a qualified professional.

(15)(9) "Express and informed consent" means consent voluntarily given in writing, by a competent person, after sufficient explanation and disclosure of the subject matter involved to enable the person to make a knowing and willful decision without any element of force, fraud, deceit, duress, or other form of constraint or coercion.

(16)(10) "Facility" means any hospital, community facility, public or private facility, or receiving or treatment facility providing for the evaluation, diagnosis, care, treatment, training, or hospitalization of persons who appear to have a ~~mental illness~~ or who have been diagnosed as having a mental illness or substance abuse impairment. The term "Facility" does not include a ~~any~~ program or an entity licensed under ~~pursuant to~~ chapter 400 or chapter 429.

(17)(11) "Guardian" means the natural guardian of a minor, or a person appointed by a court to act on behalf of a ward's person if the ward is a minor or has been adjudicated incapacitated.

(18)(12) "Guardian advocate" means a person appointed by a court to make decisions regarding mental health treatment on behalf of a patient who has been found incompetent to consent to treatment pursuant to this part. ~~The guardian advocate may be granted specific additional powers by written order of the court, as provided in this part.~~

(19)(13) "Hospital" means a ~~hospital facility as defined in s. 395.002~~ and licensed under chapter 395 and part II of chapter 408.

(20)(14) "Incapacitated" means that a person has been adjudicated incapacitated pursuant to part V of chapter 744 and a guardian of the person has been appointed.

(21)(15) "Incompetent to consent to treatment" means a state in which ~~that~~ a person's judgment is so affected by a ~~his or her~~ mental illness or a substance abuse impairment that he or she ~~the person~~ lacks the capacity to make a well-reasoned, willful, and knowing decision concerning his or her medical, ~~or~~ mental health, or substance abuse treatment.

(22) "Involuntary examination" means an examination performed under s. 394.463, s. 397.6772, s. 397.679, s. 397.6798, or s. 397.6811 to determine whether a person qualifies for involuntary services.

(23) "Involuntary services" means court-ordered outpatient services or inpatient placement for mental health treatment pursuant to s. 394.4655 or s. 394.467.

(24)(16) "Law enforcement officer" ~~has the same meaning as provided means a law enforcement officer as defined~~ in s. 943.10.

(25) "Marriage and family therapist" means a person licensed to practice marriage and family therapy under s. 491.005 or s. 491.006.

(26) "Mental health counselor" means a person licensed to practice mental health counseling under s. 491.005 or s. 491.006.

(27)(17) "Mental health overlay program" means a mobile service that ~~which~~ provides an independent examination for voluntary admission ~~admissions~~ and a range of supplemental onsite services to persons with a mental illness in a residential setting such as a nursing home, an assisted living facility, or an adult family-care home; or a nonresidential setting such as an adult day care center. Independent examinations provided ~~pursuant to this part~~ through a mental health overlay program must only be provided under contract with the department ~~for this service~~ or be attached to a public receiving facility that is also a community mental health center.

(28)(18) "Mental illness" means an impairment of the mental or emotional processes that exercise conscious control of one's actions or of the ability to perceive or understand reality, which impairment substantially interferes with the person's ability to meet the ordinary demands of living. For the purposes of this part, the term does not include a developmental disability as defined in chapter 393, intoxication, or conditions manifested only by antisocial behavior or substance abuse ~~impairment~~.

(29) "Minor" means an individual who is 17 years of age or younger and who has not had the disability of nonage removed pursuant to s. 743.01 or s. 743.015.

(30)(19) "Mobile crisis response service" means a nonresidential crisis service ~~attached to a public receiving facility and~~ available 24 hours ~~per a day, 7 days per a week, through~~ which provides immediate intensive assessments and interventions, including screening for admission into a mental health receiving facility, an addictions receiving facility, or a detoxification facility, ~~take place~~ for the purpose of identifying appropriate treatment services.

(31)(20) "Patient" means any person, ~~with or without a co-occurring substance abuse disorder~~, who is held or accepted for mental health treatment.

(32)(21) "Physician" means a medical practitioner licensed under chapter 458 or chapter 459 who has experience in the diagnosis and treatment of mental ~~illness and nervous disorders~~ or a physician employed by a facility operated by the United States Department of Veterans Affairs or the United States Department of Defense ~~which qualifies as a receiving or treatment facility under this part~~.

(33) "Physician assistant" means a person licensed under chapter 458 or chapter 459 who has experience in the diagnosis and treatment of mental disorders.

(34)(22) "Private facility" means a ~~any~~ hospital or facility operated by a for-profit or not-for-profit corporation or association ~~which that~~ provides mental health or substance abuse services and is not a public facility.

(35)(23) "Psychiatric nurse" means an advanced registered nurse practitioner certified under s. 464.012 who has a master's or doctoral degree in psychiatric nursing, holds a national advanced practice certification as a psychiatric mental health advanced practice nurse, and has 2 years of post-master's clinical experience under the supervision of a physician.

(36)(24) "Psychiatrist" means a medical practitioner licensed under chapter 458 or chapter 459 ~~who has primarily diagnosed and treated~~

mental and nervous disorders for at least a period of not less than 3 years, inclusive of psychiatric residency.

(37)(25) “Public facility” means a ~~any~~ facility that has contracted with the department to provide mental health services to all persons, regardless of their ability to pay, and is receiving state funds for such purpose.

(38)(26) “Receiving facility” means a ~~any~~ public or private facility or hospital designated by the department to receive and hold or refer, as appropriate, involuntary patients under emergency conditions ~~or~~ for mental health or substance abuse ~~psychiatric~~ evaluation and to provide ~~short-term~~ treatment or transportation to the appropriate service provider. The term does not include a county jail.

(39)(27) “Representative” means a person selected to receive notice of proceedings during the time a patient is held in or admitted to a receiving or treatment facility.

(40)(28)(a) “Restraint” means: ~~a physical device, method, or drug used to control behavior.~~

(a) A physical restraint, ~~including~~ is any manual method or physical or mechanical device, material, or equipment attached or adjacent to ~~an~~ the individual’s body so that he or she cannot easily remove the restraint and which restricts freedom of movement or normal access to one’s body. “Physical restraint” includes the physical holding of a person during a procedure to forcibly administer psychotropic medication. “Physical restraint” does not include physical devices such as orthopedically prescribed appliances, surgical dressings and bandages, supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for purposes of orthopedic, surgical, or other similar medical treatment when used to provide support for the achievement of functional body position or proper balance or when used to protect a person from falling out of bed.

(b) A drug ~~or used as a restraint~~ is a medication used to control ~~a~~ the person’s behavior or to restrict his or her freedom of movement ~~which and~~ is not part of the standard treatment regimen of a person with a diagnosed mental illness ~~who is a client of the department~~. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint.

(c) ~~Restraint does not include physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, supportive body bands, or other physical holding when necessary for routine physical examinations and tests; or for purposes of orthopedic, surgical, or other similar medical treatment; when used to provide support for the achievement of functional body position or proper balance; or when used to protect a person from falling out of bed.~~

(41)(29) “Seclusion” means the physical segregation ~~of a person in any fashion~~ or involuntary isolation of a person in a room or area from which the person is prevented from leaving. The prevention may be by physical barrier or by a staff member who is acting in a manner, or who is physically situated, so as to prevent the person from leaving the room or area. For purposes of this ~~part~~ chapter, the term does not mean isolation due to a person’s medical condition or symptoms.

(42)(30) “Secretary” means the Secretary of Children and Families.

(43) “Service provider” means a receiving facility, a facility licensed under chapter 397, a treatment facility, an entity under contract with the department to provide mental health or substance abuse services, a community mental health center or clinic, a psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician, a psychiatrist, an advanced registered nurse practitioner, a psychiatric nurse, or a qualified professional as defined in s. 39.01.

(44) “Substance abuse impairment” means a condition involving the use of alcoholic beverages or any psychoactive or mood-altering substance in such a manner that a person has lost the power of self-control and has inflicted or is likely to inflict physical harm on himself, herself, or another.

(45)(31) “Transfer evaluation” means the process by which, ~~as approved by the appropriate district office of the department, whereby~~ a person who is being considered for placement in a state treatment facility is ~~first~~ evaluated for appropriateness of admission to ~~such~~ the

facility by a community-based public receiving facility or by a community mental health center or clinic if the public receiving facility is not a community mental health center or clinic.

(46)(32) “Treatment facility” means a ~~any~~ state-owned, state-operated, or state-supported hospital, center, or clinic designated by the department for extended treatment and hospitalization, beyond that provided for by a receiving facility, of persons who have a mental illness, including facilities of the United States Government, and any private facility designated by the department when rendering such services to a person pursuant to the provisions of this part. Patients treated in facilities of the United States Government shall be solely those whose care is the responsibility of the United States Department of Veterans Affairs.

(47) “Triage center” means a facility that has medical, mental health, and substance abuse professionals present or on call to provide emergency screening and evaluation for mental health or substance abuse disorders for individuals transported to the center by a law enforcement officer.

(33) ~~“Service provider” means any public or private receiving facility, an entity under contract with the Department of Children and Families to provide mental health services, a clinical psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician, a psychiatric nurse as defined in subsection (23), or a community mental health center or clinic as defined in this part.~~

(34) ~~“Involuntary examination” means an examination performed under s. 394.463 to determine if an individual qualifies for involuntary inpatient treatment under s. 394.467(1) or involuntary outpatient treatment under s. 394.4655(1).~~

(35) ~~“Involuntary placement” means either involuntary outpatient treatment pursuant to s. 394.4655 or involuntary inpatient treatment pursuant to s. 394.467.~~

(36) ~~“Marriage and family therapist” means a person licensed as a marriage and family therapist under chapter 491.~~

(37) ~~“Mental health counselor” means a person licensed as a mental health counselor under chapter 491.~~

(38) ~~“Electronic means” means a form of telecommunication that requires all parties to maintain visual as well as audio communication.~~

Section 84. Subsection (2) of section 394.463, Florida Statutes, is amended to read:

394.463 Involuntary examination.—

(2) INVOLUNTARY EXAMINATION.—

(a) An involuntary examination may be initiated by any one of the following means:

1. A circuit or county court may enter an ex parte order stating that a person appears to meet the criteria for involuntary examination ~~and specifying, giving~~ the findings on which that conclusion is based. The ex parte order for involuntary examination must be based on ~~written or oral sworn testimony that includes specific facts that support the findings, written or oral~~. If other less restrictive means are not available, such as voluntary appearance for outpatient evaluation, a law enforcement officer, or other designated agent of the court, shall take the person into custody and deliver him or her to ~~an appropriate, or the nearest, receiving facility within the designated receiving system pursuant to s. 394.462~~ for involuntary examination. The order of the court shall be made a part of the patient’s clinical record. ~~A No fee may not shall~~ be charged for the filing of an order under this subsection. ~~A Any~~ receiving facility accepting the patient based on this order must send a copy of the order to the ~~department Agency for Health Care Administration~~ on the next working day. ~~The order may be submitted electronically through existing data systems, if available.~~ The order shall be valid only until ~~the person is delivered to the facility or executed or, if not executed,~~ for the period specified in the order itself, ~~whichever comes first~~. If no time limit is specified in the order, the order shall be valid for 7 days after the date that the order was signed.

2. A law enforcement officer shall take a person who appears to meet the criteria for involuntary examination into custody and deliver the person or have him or her delivered to an appropriate, or the nearest, receiving facility within the designated receiving system pursuant to s. 394.462 for examination. The officer shall execute a written report detailing the circumstances under which the person was taken into custody, which must and the report shall be made a part of the patient's clinical record. Any receiving facility accepting the patient based on this report must send a copy of the report to the department Agency for Health Care Administration on the next working day.

3. A physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker may execute a certificate stating that he or she has examined a person within the preceding 48 hours and finds that the person appears to meet the criteria for involuntary examination and stating the observations upon which that conclusion is based. If other less restrictive means, such as voluntary appearance for outpatient evaluation, are not available, such as voluntary appearance for outpatient evaluation, a law enforcement officer shall take into custody the person named in the certificate into custody and deliver him or her to the appropriate, or nearest, receiving facility within the designated receiving system pursuant to s. 394.462 for involuntary examination. The law enforcement officer shall execute a written report detailing the circumstances under which the person was taken into custody. The report and certificate shall be made a part of the patient's clinical record. Any receiving facility accepting the patient based on this certificate must send a copy of the certificate to the department Agency for Health Care Administration on the next working day. The document may be submitted electronically through existing data systems, if applicable.

(b) A person may shall not be removed from any program or residential placement licensed under chapter 400 or chapter 429 and transported to a receiving facility for involuntary examination unless an ex parte order, a professional certificate, or a law enforcement officer's report is first prepared. If the condition of the person is such that preparation of a law enforcement officer's report is not practicable before removal, the report shall be completed as soon as possible after removal, but in any case before the person is transported to a receiving facility. A receiving facility admitting a person for involuntary examination who is not accompanied by the required ex parte order, professional certificate, or law enforcement officer's report shall notify the department Agency for Health Care Administration of such admission by certified mail or by e-mail, if available, by no later than the next working day. The provisions of this paragraph do not apply when transportation is provided by the patient's family or guardian.

(c) A law enforcement officer acting in accordance with an ex parte order issued pursuant to this subsection may serve and execute such order on any day of the week, at any time of the day or night.

(d) A law enforcement officer acting in accordance with an ex parte order issued pursuant to this subsection may use such reasonable physical force as is necessary to gain entry to the premises, and any dwellings, buildings, or other structures located on the premises, and to take custody of the person who is the subject of the ex parte order.

(e) The department Agency for Health Care Administration shall receive and maintain the copies of ex parte orders, involuntary outpatient services placement orders issued pursuant to s. 394.4655, involuntary inpatient placement orders issued pursuant to s. 394.467, professional certificates, and law enforcement officers' reports. These documents shall be considered part of the clinical record, governed by the provisions of s. 394.4615. These documents shall be used to The agency shall prepare annual reports analyzing the data obtained from these documents, without information identifying patients, and shall provide copies of reports to the department, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of the Senate and the House of Representatives.

(f) A patient shall be examined by a physician or, a clinical psychologist, or by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist at a receiving facility without unnecessary delay to determine if the criteria for involuntary services are met. Emergency treatment may be provided and may, upon the order of a physician if the physician determines, be given emergency treatment if it is determined that such treatment is necessary for the safety of the patient or others. The patient may not be released by the

receiving facility or its contractor without the documented approval of a psychiatrist or a clinical psychologist or, if the receiving facility is owned or operated by a hospital or health system, the release may also be approved by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist, or an attending emergency department physician with experience in the diagnosis and treatment of mental illness and nervous disorders and after completion of an involuntary examination pursuant to this subsection. A psychiatric nurse may not approve the release of a patient if the involuntary examination was initiated by a psychiatrist unless the release is approved by the initiating psychiatrist. However, a patient may not be held in a receiving facility for involuntary examination longer than 72 hours.

(g) Within the 72-hour examination period or, if the 72 hours ends on a weekend or holiday, no later than the next working day thereafter, one of the following actions must be taken, based on the individual needs of the patient:

1. The patient shall be released, unless he or she is charged with a crime, in which case the patient shall be returned to the custody of a law enforcement officer;

2. The patient shall be released, subject to the provisions of subparagraph 1., for voluntary outpatient treatment;

3. The patient, unless he or she is charged with a crime, shall be asked to give express and informed consent to placement as a voluntary patient and, if such consent is given, the patient shall be admitted as a voluntary patient; or

4. A petition for involuntary placement shall be filed in the circuit court if inpatient treatment is deemed necessary or with the criminal county court, as defined in s. 394.4655(1), as applicable. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. When a petition is to be filed for involuntary outpatient placement, it shall be filed by one of the petitioners specified in s. 394.4655(4)(a). A petition for involuntary inpatient placement shall be filed by the facility administrator.

(h)(g) A person for whom an involuntary examination has been initiated who is being evaluated or treated at a hospital for an emergency medical condition specified in s. 395.002 must be examined by a receiving facility within 72 hours. The 72-hour period begins when the patient arrives at the hospital and ceases when the attending physician documents that the patient has an emergency medical condition. If the patient is examined at a hospital providing emergency medical services by a professional qualified to perform an involuntary examination and is found as a result of that examination not to meet the criteria for involuntary outpatient services placement pursuant to s. 394.4655(2) 394.4655(1) or involuntary inpatient placement pursuant to s. 394.467(1), the patient may be offered voluntary services or placement, if appropriate, or released directly from the hospital providing emergency medical services. The finding by the professional that the patient has been examined and does not meet the criteria for involuntary inpatient services placement or involuntary outpatient placement must be entered into the patient's clinical record. Nothing in This paragraph is not intended to prevent a hospital providing emergency medical services from appropriately transferring a patient to another hospital before prior to stabilization if, provided the requirements of s. 395.1041(3)(c) have been met.

(i)(h) One of the following must occur within 12 hours after the patient's attending physician documents that the patient's medical condition has stabilized or that an emergency medical condition does not exist:

1. The patient must be examined by a designated receiving facility and released; or

2. The patient must be transferred to a designated receiving facility in which appropriate medical treatment is available. However, the receiving facility must be notified of the transfer within 2 hours after the patient's condition has been stabilized or after determination that an emergency medical condition does not exist.

(j) Within the 72-hour examination period or, if the 72 hours ends on a weekend or holiday, no later than the next working day thereafter,

~~one of the following actions must be taken, based on the individual needs of the patient:~~

~~1. The patient shall be released, unless he or she is charged with a crime, in which case the patient shall be returned to the custody of a law enforcement officer;~~

~~2. The patient shall be released, subject to the provisions of subparagraph 1., for voluntary outpatient treatment;~~

~~3. The patient, unless he or she is charged with a crime, shall be asked to give express and informed consent to placement as a voluntary patient, and, if such consent is given, the patient shall be admitted as a voluntary patient; or~~

~~4. A petition for involuntary placement shall be filed in the circuit court when outpatient or inpatient treatment is deemed necessary. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. When a petition is to be filed for involuntary outpatient placement, it shall be filed by one of the petitioners specified in s. 394.4655(3)(a). A petition for involuntary inpatient placement shall be filed by the facility administrator.~~

Section 85. Subsection (3) of section 394.4615, Florida Statutes, is amended to read:

394.4615 Clinical records; confidentiality.—

(3) Information from the clinical record may be released in the following circumstances:

(a) When a patient has declared an intention to harm other persons. When such declaration has been made, the administrator may authorize the release of sufficient information to provide adequate warning to the person threatened with harm by the patient.

(b) When the administrator of the facility or secretary of the department deems release to a qualified researcher as defined in administrative rule, an aftercare treatment provider, or an employee or agent of the department is necessary for treatment of the patient, maintenance of adequate records, compilation of treatment data, aftercare planning, or evaluation of programs.

For the purpose of determining whether a person meets the criteria for involuntary outpatient placement or for preparing the proposed treatment plan pursuant to s. 394.4655, the clinical record may be released to the state attorney, the public defender or the patient's private legal counsel, the court, and to the appropriate mental health professionals, including the service provider identified in s. 394.4655(7)(b)2. ~~394.4655(6)(b)2.~~, in accordance with state and federal law.

Section 86. Section 394.47891, Florida Statutes, is amended to read:

394.47891 Military veterans and servicemembers court programs.—The chief judge of each judicial circuit may establish a Military Veterans and Servicemembers Court Program under which veterans, as defined in s. 1.01, including veterans who were discharged or released under a general discharge, and servicemembers, as defined in s. 250.01, who are charged or convicted of a criminal offense and who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem can be sentenced in accordance with chapter 921 in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any Military Veterans and Servicemembers Court Program must be based upon the sentencing court's assessment of the defendant's criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the state attorney and the victim, if any, and the defendant's agreement to enter the program.

Section 87. Section 394.47892, Florida Statutes, is created to read:

394.47892 Mental health court programs.—

(1) Each county may fund a mental health court program under which a defendant in the justice system assessed with a mental illness

shall be processed in such a manner as to appropriately address the severity of the identified mental illness through treatment services tailored to the individual needs of the participant. The Legislature intends to encourage the department, the Department of Corrections, the Department of Juvenile Justice, the Department of Health, the Department of Law Enforcement, the Department of Education, and other such agencies, local governments, law enforcement agencies, interested public or private entities, and individuals to support the creation and establishment of problem-solving court programs. Participation in a mental health court program does not relieve a public or private agency of its responsibility for a child or an adult, but enables such agency to better meet the child's or adult's needs through shared responsibility and resources.

(2) Mental health court programs may include pretrial intervention programs as provided in ss. 948.08, 948.16, and 985.345, post-adjudicatory mental health court programs as provided in ss. 948.01 and 948.06, and review of the status of compliance or noncompliance of sentenced defendants through a mental health court program.

(3) Entry into a pretrial mental health court program is voluntary.

(4)(a) Entry into a postadjudicatory mental health court program as a condition of probation or community control pursuant to s. 948.01 or s. 948.06 must be based upon the sentencing court's assessment of the defendant's criminal history, mental health screening outcome, amenability to the services of the program, and total sentence points; the recommendation of the state attorney and the victim, if any; and the defendant's agreement to enter the program.

(b) A defendant who is sentenced to a postadjudicatory mental health court program and who, while a mental health court program participant, is the subject of a violation of probation or community control under s. 948.06 shall have the violation of probation or community control heard by the judge presiding over the postadjudicatory mental health court program. After a hearing on or admission of the violation, the judge shall dispose of any such violation as he or she deems appropriate if the resulting sentence or conditions are lawful.

(5)(a) Contingent upon an annual appropriation by the Legislature, the state courts system shall establish, at a minimum, one coordinator position in each mental health court program to coordinate the responsibilities of the participating agencies and service providers. Each coordinator shall provide direct support to the mental health court program by providing coordination between the multidisciplinary team and the judiciary, providing case management, monitoring compliance of the participants in the mental health court program with court requirements, and managing the collection of data for program evaluation and accountability.

(b) Each mental health court program shall collect sufficient client-level data and programmatic information for purposes of program evaluation. Client-level data includes primary offenses that resulted in the mental health court program referral or sentence, treatment compliance, completion status and reasons for failure to complete, offenses committed during treatment and the sanctions imposed, frequency of court appearances, and units of service. Programmatic information includes referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. The programmatic information and aggregate data on the number of mental health court program admissions and terminations by type of termination shall be reported annually by each mental health court program to the Office of the State Courts Administrator.

(6) If a county chooses to fund a mental health court program, the county must secure funding from sources other than the state for those costs not otherwise assumed by the state pursuant to s. 29.004. However, this subsection does not preclude counties from using funds for treatment and other services provided through state executive branch agencies. Counties may provide, by interlocal agreement, for the collective funding of these programs.

(7) The chief judge of each judicial circuit may appoint an advisory committee for the mental health court program. The committee shall be composed of the chief judge, or his or her designee, who shall serve as chair; the judge or judges of the mental health court program, if not otherwise designated by the chief judge as his or her designee; the state attorney, or his or her designee; the public defender, or his or her de-

signee; the mental health court program coordinator or coordinators; community representatives; treatment representatives; and any other persons who the chair deems appropriate.

Section 88. Paragraph (a) of subsection (2) of section 790.065, Florida Statutes, is amended to read:

790.065 Sale and delivery of firearms.—

(2) Upon receipt of a request for a criminal history record check, the Department of Law Enforcement shall, during the licensee's call or by return call, forthwith:

(a) Review any records available to determine if the potential buyer or transferee:

1. Has been convicted of a felony and is prohibited from receipt or possession of a firearm pursuant to s. 790.23;

2. Has been convicted of a misdemeanor crime of domestic violence, and therefore is prohibited from purchasing a firearm;

3. Has had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred; or

4. Has been adjudicated mentally defective or has been committed to a mental institution by a court or as provided in sub-sub-subparagraph b.(II), and as a result is prohibited by state or federal law from purchasing a firearm.

a. As used in this subparagraph, "adjudicated mentally defective" means a determination by a court that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease, is a danger to himself or herself or to others or lacks the mental capacity to contract or manage his or her own affairs. The phrase includes a judicial finding of incapacity under s. 744.331(6)(a), an acquittal by reason of insanity of a person charged with a criminal offense, and a judicial finding that a criminal defendant is not competent to stand trial.

b. As used in this subparagraph, "committed to a mental institution" means:

(I) Involuntary commitment, commitment for mental defectiveness or mental illness, and commitment for substance abuse. The phrase includes involuntary inpatient placement as defined in s. 394.467, involuntary outpatient placement as defined in s. 394.4655, involuntary assessment and stabilization under s. 397.6818, and involuntary substance abuse treatment under s. 397.6957, but does not include a person in a mental institution for observation or discharged from a mental institution based upon the initial review by the physician or a voluntary admission to a mental institution; or

(II) Notwithstanding sub-sub-subparagraph (I), involuntary admission to a mental institution for outpatient or inpatient treatment of a person who had an involuntary examination under s. 394.463, where each of the following conditions have been met:

(A) An examining physician found that the person is an imminent danger to himself or herself or others.

(B) The examining physician certified that if the person did not agree to voluntary treatment, a petition for involuntary outpatient or inpatient ~~services treatment~~ would have been filed under s. 394.463(2)(g) ~~s. 394.463(2)(d)~~, or the examining physician certified that a petition was filed and the person subsequently agreed to voluntary treatment ~~before~~ ~~prior to~~ a court hearing on the petition.

(C) Before agreeing to voluntary treatment, the person received written notice of that finding and certification, and written notice that as a result of such finding, he or she may be prohibited from purchasing a firearm, and may not be eligible to apply for or retain a concealed weapon or firearms license under s. 790.06 and the person acknowledged such notice in writing, in substantially the following form:

"I understand that the doctor who examined me believes I am a danger to myself or to others. I understand that if I do not agree to voluntary treatment, a petition will be filed in court to require me to receive in-

voluntary treatment. I understand that if that petition is filed, I have the right to contest it. In the event a petition has been filed, I understand that I can subsequently agree to voluntary treatment prior to a court hearing. I understand that by agreeing to voluntary treatment in either of these situations, I may be prohibited from buying firearms and from applying for or retaining a concealed weapons or firearms license until I apply for and receive relief from that restriction under Florida law."

(D) A judge or a magistrate has, pursuant to sub-sub-subparagraph c.(II), reviewed the record of the finding, certification, notice, and written acknowledgment classifying the person as an imminent danger to himself or herself or others, and ordered that such record be submitted to the department.

c. In order to check for these conditions, the department shall compile and maintain an automated database of persons who are prohibited from purchasing a firearm based on court records of adjudications of mental defectiveness or commitments to mental institutions.

(I) Except as provided in sub-sub-subparagraph (II), clerks of court shall submit these records to the department within 1 month after the rendition of the adjudication or commitment. Reports shall be submitted in an automated format. The reports must, at a minimum, include the name, along with any known alias or former name, the sex, and the date of birth of the subject.

(II) For persons committed to a mental institution pursuant to sub-sub-subparagraph b.(II), within 24 hours after the person's agreement to voluntary admission, a record of the finding, certification, notice, and written acknowledgment must be filed by the administrator of the receiving or treatment facility, as defined in s. 394.455, with the clerk of the court for the county in which the involuntary examination under s. 394.463 occurred. No fee shall be charged for the filing under this sub-sub-subparagraph. The clerk must present the records to a judge or magistrate within 24 hours after receipt of the records. A judge or magistrate is required and has the lawful authority to review the records ex parte and, if the judge or magistrate determines that the record supports the classifying of the person as an imminent danger to himself or herself or others, to order that the record be submitted to the department. If a judge or magistrate orders the submittal of the record to the department, the record must be submitted to the department within 24 hours.

d. A person who has been adjudicated mentally defective or committed to a mental institution, as those terms are defined in this paragraph, may petition the circuit court that made the adjudication or commitment, or the court that ordered that the record be submitted to the department pursuant to sub-sub-subparagraph c.(II), for relief from the firearm disabilities imposed by such adjudication or commitment. A copy of the petition shall be served on the state attorney for the county in which the person was adjudicated or committed. The state attorney may object to and present evidence relevant to the relief sought by the petitioner. The hearing on the petition may be open or closed as the petitioner may choose. The petitioner may present evidence and subpoena witnesses to appear at the hearing on the petition. The petitioner may confront and cross-examine witnesses called by the state attorney. A record of the hearing shall be made by a certified court reporter or by court-approved electronic means. The court shall make written findings of fact and conclusions of law on the issues before it and issue a final order. The court shall grant the relief requested in the petition if the court finds, based on the evidence presented with respect to the petitioner's reputation, the petitioner's mental health record and, if applicable, criminal history record, the circumstances surrounding the firearm disability, and any other evidence in the record, that the petitioner will not be likely to act in a manner that is dangerous to public safety and that granting the relief would not be contrary to the public interest. If the final order denies relief, the petitioner may not petition again for relief from firearm disabilities until 1 year after the date of the final order. The petitioner may seek judicial review of a final order denying relief in the district court of appeal having jurisdiction over the court that issued the order. The review shall be conducted de novo. Relief from a firearm disability granted under this sub-subparagraph has no effect on the loss of civil rights, including firearm rights, for any reason other than the particular adjudication of mental defectiveness or commitment to a mental institution from which relief is granted.

e. Upon receipt of proper notice of relief from firearm disabilities granted under sub-subparagraph d., the department shall delete any mental health record of the person granted relief from the automated database of persons who are prohibited from purchasing a firearm based on court records of adjudications of mental defectiveness or commitments to mental institutions.

f. The department is authorized to disclose data collected pursuant to this subparagraph to agencies of the Federal Government and other states for use exclusively in determining the lawfulness of a firearm sale or transfer. The department is also authorized to disclose this data to the Department of Agriculture and Consumer Services for purposes of determining eligibility for issuance of a concealed weapons or concealed firearms license and for determining whether a basis exists for revoking or suspending a previously issued license pursuant to s. 790.06(10). When a potential buyer or transferee appeals a nonapproval based on these records, the clerks of court and mental institutions shall, upon request by the department, provide information to help determine whether the potential buyer or transferee is the same person as the subject of the record. Photographs and any other data that could confirm or negate identity must be made available to the department for such purposes, notwithstanding any other provision of state law to the contrary. Any such information that is made confidential or exempt from disclosure by law shall retain such confidential or exempt status when transferred to the department.

Section 89. Paragraph (a) of subsection (5) of section 910.035, Florida Statutes, is amended to read:

910.035 Transfer from county for plea, sentence, or participation in a problem-solving court.—

(5) TRANSFER FOR PARTICIPATION IN A PROBLEM-SOLVING COURT.—

(a) For purposes of this subsection, the term “problem-solving court” means a drug court pursuant to s. 948.01, s. 948.06, s. 948.08, s. 948.16, or s. 948.20; a *military veterans’ and servicemembers’* court pursuant to s. 394.47891, s. 948.08, s. 948.16, or s. 948.21; ~~or~~ a mental health court program pursuant to s. 394.47892, s. 948.01, s. 948.06, s. 948.08, or s. 948.16; or a delinquency pretrial intervention court program pursuant to s. 985.345.

Section 90. Section 916.185, Florida Statutes, is created to read:

916.185 *Forensic Hospital Diversion Pilot Program.*—

(1) *LEGISLATIVE FINDINGS AND INTENT.*—*The Legislature finds that many jail inmates who have serious mental illnesses and who are committed to state forensic mental health treatment facilities for restoration of competency to proceed could be served more effectively and at less cost in community-based alternative programs. The Legislature further finds that many people who have serious mental illnesses and who have been discharged from state forensic mental health treatment facilities could avoid returning to the criminal justice and forensic mental health systems if they received specialized treatment in the community. Therefore, it is the intent of the Legislature to create the Forensic Hospital Diversion Pilot Program to serve offenders who have mental illnesses or co-occurring mental illnesses and substance use disorders and who are involved in or at risk of entering state forensic mental health treatment facilities, prisons, jails, or state civil mental health treatment facilities.*

(2) *DEFINITIONS.*—*As used in this section, the term:*

(a) “*Best practices*” means treatment services that incorporate the most effective and acceptable interventions available in the care and treatment of offenders who are diagnosed as having mental illnesses or co-occurring mental illnesses and substance use disorders.

(b) “*Community forensic system*” means the community mental health and substance use forensic treatment system, including the comprehensive set of services and supports provided to offenders involved in or at risk of becoming involved in the criminal justice system.

(c) “*Evidence-based practices*” means interventions and strategies that, based on the best available empirical research, demonstrate effective and efficient outcomes in the care and treatment of offenders who are

diagnosed as having mental illnesses or co-occurring mental illnesses and substance use disorders.

(3) *CREATION.*—*There is authorized a Forensic Hospital Diversion Pilot Program to provide competency-restoration and community-reintegration services in either a locked residential treatment facility when appropriate or a community-based facility based on considerations of public safety, the needs of the individual, and available resources.*

(a) *The department may implement a Forensic Hospital Diversion Pilot Program modeled after the Miami-Dade Forensic Alternative Center, taking into account local needs and resources in Duval County, in conjunction with the Fourth Judicial Circuit in Duval County; in Broward County, in conjunction with the Seventeenth Judicial Circuit in Broward County; and in Miami-Dade County, in conjunction with the Eleventh Judicial Circuit in Miami-Dade County.*

(b) *If the department elects to create and implement the program, the department shall include a comprehensive continuum of care and services that use evidence-based practices and best practices to treat offenders who have mental health and co-occurring substance use disorders.*

(c) *The department and the corresponding judicial circuits may implement this section if existing resources are available to do so on a recurring basis. The department may request budget amendments pursuant to chapter 216 to realign funds between mental health services and community substance abuse and mental health services in order to implement this pilot program.*

(4) *ELIGIBILITY.*—*Participation in the Forensic Hospital Diversion Pilot Program is limited to offenders who:*

(a) *Are 18 years of age or older.*

(b) *Are charged with a felony of the second degree or a felony of the third degree.*

(c) *Do not have a significant history of violent criminal offenses.*

(d) *Are adjudicated incompetent to proceed to trial or not guilty by reason of insanity pursuant to this part.*

(e) *Meet public safety and treatment criteria established by the department for placement in a community setting.*

(f) *Otherwise would be admitted to a state mental health treatment facility.*

(5) *TRAINING.*—*The Legislature encourages the Florida Supreme Court, in consultation and cooperation with the Florida Supreme Court Task Force on Substance Abuse and Mental Health Issues in the Courts, to develop educational training for judges in the pilot program areas which focuses on the community forensic system.*

(6) *RULEMAKING.*—*The department may adopt rules to administer this section.*

Section 91. Subsections (6) through (13) of section 948.001, Florida Statutes, are renumbered as subsections (7) through (14), respectively, and a new subsection (6) is added to that section to read:

948.001 Definitions.—As used in this chapter, the term:

(6) “*Mental health probation*” means a form of specialized supervision that emphasizes mental health treatment and working with treatment providers to focus on underlying mental health disorders and compliance with a prescribed psychotropic medication regimen in accordance with individualized treatment plans. Mental health probation shall be supervised by officers with restricted caseloads who are sensitive to the unique needs of individuals with mental health disorders, and who will work in tandem with community mental health case managers assigned to the defendant. Caseloads of such officers should be restricted to a maximum of 50 cases per officer in order to ensure an adequate level of staffing and supervision.

Section 92. Subsection (8) is added to section 948.01, Florida Statutes, to read:

948.01 When court may place defendant on probation or into community control.—

(8)(a) *Notwithstanding s. 921.0024 and effective for offenses committed on or after July 1, 2016, the sentencing court may place the defendant into a postadjudicatory mental health court program if the offense is a nonviolent felony, the defendant is amenable to mental health treatment, including taking prescribed medications, and the defendant is otherwise qualified under s. 394.47892(4). The satisfactory completion of the program must be a condition of the defendant's probation or community control. As used in this subsection, the term "nonviolent felony" means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08. Defendants charged with resisting an officer with violence under s. 843.01, battery on a law enforcement officer under s. 784.07, or aggravated assault may participate in the mental health court program if the court so orders after the victim is given his or her right to provide testimony or written statement to the court as provided in s. 921.143.*

(b) *The defendant must be fully advised of the purpose of the mental health court program and the defendant must agree to enter the program. The original sentencing court shall relinquish jurisdiction of the defendant's case to the postadjudicatory mental health court program until the defendant is no longer active in the program, the case is returned to the sentencing court due to the defendant's termination from the program for failure to comply with the terms thereof, or the defendant's sentence is completed.*

(c) *The Department of Corrections may establish designated and trained mental health probation officers to support individuals under supervision of the mental health court program.*

Section 93. Paragraph (j) is added to subsection (2) of section 948.06, Florida Statutes, to read:

948.06 Violation of probation or community control; revocation; modification; continuance; failure to pay restitution or cost of supervision.—

(2)

(j)1. *Notwithstanding s. 921.0024 and effective for offenses committed on or after July 1, 2016, the court may order the offender to successfully complete a postadjudicatory mental health court program under s. 394.47892 or a military veterans and servicemembers court program under s. 394.47891 if:*

a. *The court finds or the offender admits that the offender has violated his or her community control or probation;*

b. *The underlying offense is a nonviolent felony. As used in this subsection, the term "nonviolent felony" means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08. Offenders charged with resisting an officer with violence under s. 843.01, battery on a law enforcement officer under s. 784.07, or aggravated assault may participate in the mental health court program if the court so orders after the victim is given his or her right to provide testimony or written statement to the court as provided in s. 921.143;*

c. *The court determines that the offender is amenable to the services of a postadjudicatory mental health court program, including taking prescribed medications, or a military veterans and servicemembers court program;*

d. *The court explains the purpose of the program to the offender and the offender agrees to participate; and*

e. *The offender is otherwise qualified to participate in a postadjudicatory mental health court program under s. 394.47892(4) or a military veterans and servicemembers court program under s. 394.47891.*

2. *After the court orders the modification of community control or probation, the original sentencing court shall relinquish jurisdiction of the offender's case to the postadjudicatory mental health court program until the offender is no longer active in the program, the case is returned to the sentencing court due to the offender's termination from the pro-*

gram for failure to comply with the terms thereof, or the offender's sentence is completed.

Section 94. Subsection (8) of section 948.08, Florida Statutes, is renumbered as subsection (9), paragraph (a) of subsection (7) is amended, and a new subsection (8) is added to that section, to read:

948.08 Pretrial intervention program.—

(7)(a) *Notwithstanding any provision of this section, a person who is charged with a felony, other than a felony listed in s. 948.06(8)(c), and identified as a veteran, as defined in s. 1.01, including a veteran who is discharged or released under a general discharge, or servicemember, as defined in s. 250.01, who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, is eligible for voluntary admission into a pretrial veterans' treatment intervention program approved by the chief judge of the circuit, upon motion of either party or the court's own motion, except:*

1. *If a defendant was previously offered admission to a pretrial veterans' treatment intervention program at any time before trial and the defendant rejected that offer on the record, the court may deny the defendant's admission to such a program.*

2. *If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the pretrial veterans' treatment program.*

(8)(a) *Notwithstanding any provision of this section, a defendant is eligible for voluntary admission into a pretrial mental health court program established pursuant to s. 394.47892 and approved by the chief judge of the circuit for a period to be determined by the court, based on the clinical needs of the defendant, upon motion of either party or the court's own motion if:*

1. *The defendant is identified as having a mental illness;*

2. *The defendant has not been convicted of a felony; and*

3. *The defendant is charged with:*

a. *A nonviolent felony that includes a third degree felony violation of chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08;*

b. *Resisting an officer with violence under s. 843.01, if the law enforcement officer and state attorney consent to the defendant's participation;*

c. *Battery on a law enforcement officer under s. 784.07, if the law enforcement officer and state attorney consent to the defendant's participation; or*

d. *Aggravated assault, if the victim and state attorney consent to the defendant's participation.*

(b) *At the end of the pretrial intervention period, the court shall consider the recommendation of the program administrator and the recommendation of the state attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the pretrial intervention program. If the court finds that the defendant has not successfully completed the pretrial intervention program, the court may order the person to continue in education and treatment, which may include a mental health program offered by a licensed service provider, as defined in s. 394.455, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the pretrial intervention program.*

Section 95. Subsections (3) and (4) of section 948.16, Florida Statutes, are renumbered as subsections (4) and (5), respectively, paragraph (a) of subsection (2) and present subsection (4) of that section are amended, and a new subsection (3) is added to that section, to read:

948.16 Misdemeanor pretrial substance abuse education and treatment intervention program; misdemeanor pretrial veterans' treatment intervention program; *misdemeanor pretrial mental health court program.*—

(2)(a) A veteran, as defined in s. 1.01, *including a veteran who is discharged or released under a general discharge*, or servicemember, as defined in s. 250.01, who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for voluntary admission into a misdemeanor pretrial veterans' treatment intervention program approved by the chief judge of the circuit, for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a misdemeanor pretrial veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

(3) *A defendant who is charged with a misdemeanor and identified as having a mental illness is eligible for voluntary admission into a misdemeanor pretrial mental health court program established pursuant to s. 394.47892, approved by the chief judge of the circuit, for a period to be determined by the court, based on the clinical needs of the defendant, upon motion of either party or the court's own motion.*

(5)(4) Any public or private entity providing a pretrial substance abuse education and treatment program or *mental health court program* under this section shall contract with the county or appropriate governmental entity. The terms of the contract shall include, but not be limited to, the requirements established for private entities under s. 948.15(3). This requirement does not apply to services provided by the Department of Veterans' Affairs or the United States Department of Veterans Affairs.

Section 96. Section 948.21, Florida Statutes, is amended to read:

948.21 Condition of probation or community control; military servicemembers and veterans.—

(1) Effective for a probationer or community controllee whose crime ~~is was~~ committed on or after July 1, 2012, and who is a veteran, as defined in s. 1.01, or servicemember, as defined in s. 250.01, who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer or community controllee to participate in a treatment program capable of treating the ~~probationer's~~ ~~probationer~~ or community controllee's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem.

(2) *Effective for a probationer or community controllee whose crime is committed on or after July 1, 2016, and who is a veteran, as defined in s. 1.01, including a veteran who is discharged or released under a general discharge, or servicemember, as defined in s. 250.01, who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer or community controllee to participate in a treatment program capable of treating the probationer or community controllee's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem.*

(3) The court shall give preference to treatment programs for which the probationer or community controllee is eligible through the United States Department of Veterans Affairs or the Florida Department of Veterans' Affairs. The Department of Corrections is not required to spend state funds to implement this section.

Section 97. Section 985.345, Florida Statutes, is amended to read:

985.345 Delinquency pretrial intervention ~~programs~~ ~~program~~.—

(1)(a) Notwithstanding any ~~other provision of law to the contrary~~, a child who is charged with a felony of the second or third degree for purchase or possession of a controlled substance under chapter 893; tampering with evidence; solicitation for purchase of a controlled substance; or obtaining a prescription by fraud, and who has not previously been adjudicated for a felony, is eligible for voluntary admission into a delinquency pretrial substance abuse education and treatment intervention program, including a treatment-based drug court program established pursuant to s. 397.334, approved by the chief judge or alternative sanctions coordinator of the circuit to the extent that funded

programs are available, for a period based on the program requirements and the treatment services that are suitable for the offender, upon motion of either party or the court's own motion. However, if the state attorney believes that the facts and circumstances of the case suggest the child's involvement in the dealing and selling of controlled substances, the court shall hold a preadmission hearing. If the state attorney establishes by a preponderance of the evidence at such hearing that the child was involved in the dealing and selling of controlled substances, the court shall deny the child's admission into a delinquency pretrial intervention program.

(b)(2) While enrolled in a delinquency pretrial intervention program authorized by this ~~subsection~~ ~~section~~, a child is subject to a coordinated strategy developed by a drug court team under s. 397.334(4). The coordinated strategy may include a protocol of sanctions that may be imposed upon the child for noncompliance with program rules. The protocol of sanctions may include, but is not limited to, placement in a substance abuse treatment program offered by a licensed service provider as defined in s. 397.311 or serving a period of secure detention under this chapter. The coordinated strategy must be provided in writing to the child before the child agrees to enter the pretrial treatment-based drug court program or other pretrial intervention program. ~~Any~~ child whose charges are dismissed after successful completion of the treatment-based drug court program, if otherwise eligible, may have his or her arrest record and plea of nolo contendere to the dismissed charges expunged under s. 943.0585.

(c)(3) At the end of the delinquency pretrial intervention period, the court shall consider the recommendation of the state attorney and the program administrator as to disposition of the pending charges. The court shall determine, by written finding, whether the child has successfully completed the delinquency pretrial intervention program. Notwithstanding the coordinated strategy developed by a drug court team pursuant to s. 397.334(4), if the court finds that the child has not successfully completed the delinquency pretrial intervention program, the court may order the child to continue in an education, treatment, or ~~drug testing~~ ~~urine monitoring~~ program if resources and funding are available or order that the charges revert to normal channels for prosecution. The court may dismiss the charges upon a finding that the child has successfully completed the delinquency pretrial intervention program.

(2)(a) *Notwithstanding any other law, a child who has been identified as having a mental illness and who has not been previously adjudicated for a felony is eligible for voluntary admission into a delinquency pretrial mental health court intervention program, established pursuant to s. 394.47892, approved by the chief judge of the circuit, for a period to be determined by the court, based on the clinical needs of the child, upon motion of either party or the court's own motion if the child is charged with:*

1. A misdemeanor;
2. A nonviolent felony, as defined in s. 948.01(8);
3. Resisting an officer with violence under s. 843.01, if the law enforcement officer and state attorney consent to the child's participation;
4. Battery on a law enforcement officer under 784.07, if the law enforcement officer and state attorney consent to the child's participation; or
5. Aggravated assault, if the victim and state attorney consent to the child's participation.

(b) *At the end of the delinquency pretrial mental health court intervention period, the court shall consider the recommendation of the state attorney and the program administrator as to disposition of the pending charges. The court shall determine, by written finding, whether the child has successfully completed the program. If the court finds that the child has not successfully completed the program, the court may order the child to continue in an education, treatment, or monitoring program if resources and funding are available or order that the charges revert to normal channels for prosecution. The court may dismiss the charges upon a finding that the child has successfully completed the program.*

(c) *A child whose charges are dismissed after successful completion of the delinquency pretrial mental health court intervention program, if*

otherwise eligible, may have his or her criminal history record for such charges expunged under s. 943.0585.

(3)(4) Any entity, whether public or private, providing pretrial substance abuse education, treatment intervention, *drug testing, or a mental health court* and a urine monitoring program under this section must contract with the county or appropriate governmental entity, and the terms of the contract must include, but need not be limited to, the requirements established for private entities under s. 948.15(3). It is the intent of the Legislature that public or private entities providing substance abuse education and treatment intervention programs involve the active participation of parents, schools, churches, businesses, law enforcement agencies, and the department or its contract providers.

Section 98. For the purpose of incorporating the amendments made by this act to sections 948.01 and 948.06, Florida Statutes, in references thereto, paragraph (a) of subsection (3) and subsection (5) of section 397.334, Florida Statutes, are reenacted to read:

397.334 Treatment-based drug court programs.—

(3)(a) Entry into any postadjudicatory treatment-based drug court program as a condition of probation or community control pursuant to s. 948.01, s. 948.06, or s. 948.20 must be based upon the sentencing court's assessment of the defendant's criminal history, substance abuse screening outcome, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, if any, and the defendant's agreement to enter the program.

(5) Treatment-based drug court programs may include pretrial intervention programs as provided in ss. 948.08, 948.16, and 985.345, treatment-based drug court programs authorized in chapter 39, post-adjudicatory programs as provided in ss. 948.01, 948.06, and 948.20, and review of the status of compliance or noncompliance of sentenced offenders through a treatment-based drug court program. While enrolled in a treatment-based drug court program, the participant is subject to a coordinated strategy developed by a drug court team under subsection (4). The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but is not limited to, placement in a substance abuse treatment program offered by a licensed service provider as defined in s. 397.311 or in a jail-based treatment program or serving a period of secure detention under chapter 985 if a child or a period of incarceration within the time limits established for contempt of court if an adult. The coordinated strategy must be provided in writing to the participant before the participant agrees to enter into a treatment-based drug court program.

Section 99. For the purpose of incorporating the amendment made by this act to section 948.06, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 948.012, Florida Statutes, is reenacted to read:

948.012 Split sentence of probation or community control and imprisonment.—

(2) The court may also impose a split sentence whereby the defendant is sentenced to a term of probation which may be followed by a period of incarceration or, with respect to a felony, into community control, as follows:

(b) If the offender does not meet the terms and conditions of probation or community control, the court may revoke, modify, or continue the probation or community control as provided in s. 948.06. If the probation or community control is revoked, the court may impose any sentence that it could have imposed at the time the offender was placed on probation or community control. The court may not provide credit for time served for any portion of a probation or community control term toward a subsequent term of probation or community control. However, the court may not impose a subsequent term of probation or community control which, when combined with any amount of time served on preceding terms of probation or community control for offenses pending before the court for sentencing, would exceed the maximum penalty allowable as provided in s. 775.082. Such term of incarceration shall be served under applicable law or county ordinance governing service of sentences in state or county jurisdiction. This paragraph does not prohibit any other sanction provided by law.

Section 100. *The provisions of this act shall supersede and control over any conflicting provisions adopted in House Bill 439 or Senate Bill 604, 2016 Regular Session, to the extent of such conflict, if either bill becomes a law.*

Section 101. This act shall take effect July 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.01, F.S.; defining a term; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child's care in residential treatment under certain circumstances; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and Legislature by a specified date; redefining terms; providing essential elements of a coordinated system of care; providing requirements for the department's annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.461, F.S.; creating a designated receiving system that functions as a no-wrong-door model, based on certain receiving system models; authorizing, rather than requiring, the department to adopt rules to implement the designated receiving system; repealing s. 394.675, F.S., relating to the substance abuse and mental health service system; amending ss. 394.75 and 394.76, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual's representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person's guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; revising exceptions to such requirements; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; requiring a facility filing a petition for involuntary inpatient placement to send a copy to the department and managing entity; revising criteria for a hearing on involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient's attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient's incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.4685, F.S.; requiring a public receiving facility initiating a patient transfer to a licensed hospital for certain mental health services to provide notice and transfer patient records to the hospital; amending s. 394.656, F.S.; revising the membership of the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; authorizing the agency and the department to develop a plan for revenue maximization; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.879, F.S.; providing an exception for certain treatment and receiving facilities from Florida Building Code and Florida Fire Prevention Code standards; requiring the department to modify licensure rules and procedures to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; providing requirements for network accreditation and systems coordination agreements; providing a funding mechanism for managing entities; renaming the Crisis Stabilization Services Utilization Database as the Acute Care Services Utilization Database and requiring certain substance abuse providers to provide utilization data; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.305; providing legislative intent; amending s. 397.311, F.S.; defining and redefining terms; conforming a cross-reference; amending s. 397.321,

F.S.; deleting a requirement for the department to appoint a substance abuse impairment coordinator; requiring the department to develop certain forms, display such forms on its website, and notify certain entities of the existence and availability of such forms; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.6751, F.S.; requiring the service provider to submit certain documents to the department within a specified time when a person is involuntarily admitted; amending s. 397.6772, F.S.; requiring law enforcement officers to use standard forms developed by the department to execute a written report detailing the circumstances under which a person was taken into custody under the Hal S. Marchman Alcohol and Other Drug Services Act; amending s. 397.6773, F.S.; revising a cross-reference; amending s. 397.679, F.S.; authorizing specified licensed professionals to complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person with a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons authorized to deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons authorized to file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization; amending s. 397.6818, F.S.; limiting the validity of an order for involuntary admission to 7 days after it is signed unless otherwise specified in the order; amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; requiring a managing entity to be notified of certain recommendations; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; requiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; authorizing a court to order a respondent to undergo treatment through a publicly or privately funded licensed service provider under certain circumstances; prohibiting a court from ordering involuntary outpatient services under certain circumstances; requiring the service provider to document certain inquiries; requiring the managing entity to document certain efforts; requiring a copy of the court's order to be sent to the department and managing entity; providing procedures for modifications to such orders; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; prohibiting specified persons from being appointed as an individual's guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, F.S., consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment coordination, juvenile sub-

stance abuse impairment coordination, and juvenile substance abuse impairment prevention and early intervention councils, respectively; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children's substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children's substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children's substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children's substance abuse services; amending ss. 39.407, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.966, 409.972, 440.102, and 744.704, F.S.; conforming cross-references; requiring the Secretary of Children and Families to appoint a workgroup on the use of advance directives for substance use disorders; requiring a report to the Governor and Legislature by a specified date; providing for expiration of the workgroup; amending s. 61.13, F.S.; providing that a parenting plan that provides for shared parental responsibility over health care decisions must authorize either parent to consent to mental health treatment for the child; amending s. 39.001, F.S.; conforming provisions to changes made by the act; amending ss. 39.507 and 39.521, F.S.; providing for consideration of mental health issues and involvement in mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; revising the qualifications for administrators of mental health and substance abuse assessments or evaluations; amending s. 394.4655, F.S.; defining the terms "court" and "criminal county court"; providing for involuntary outpatient services; authorizing certain licensed physicians and psychiatric nurses to provide a second opinion regarding a recommendation for involuntary outpatient services under certain circumstances; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; making technical changes; amending s. 394.4599, F.S.; conforming provisions to changes made by the act; amending s. 394.455, F.S.; defining and redefining terms; amending s. 394.463, F.S.; authorizing circuit or county courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certificates to the department, rather than the Agency for Health Care Administration; requiring the department to receive certain orders, certificates, and reports; requiring the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be released to law enforcement custody; providing exceptions; conforming cross-references; amending s. 394.4615, F.S.; conforming a cross-reference; amending s. 394.47891, F.S.; expanding eligibility for military veterans and servicemembers court programs; creating s. 394.47892, F.S.; authorizing the creation of mental health court programs; providing for eligibility; providing program requirements; providing for an advisory committee; amending s. 790.065, F.S.; conforming terminology and cross-references; amending s. 910.035, F.S.; revising the definition of the term "problem-solving court"; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative findings and intent; providing definitions; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in specified judicial circuits; authorizing the department to request specified budget amendments; providing for eligibility for the program; providing legislative intent concerning training; authorizing rulemaking; amending s. 948.001, F.S.; defining the term "mental health probation"; amending ss. 948.01 and 948.06, F.S.; authorizing courts to order certain offenders on probation or community control to postadjudicatory mental health court programs; amending s. 948.08, F.S.; expanding eligibility requirements for certain pretrial intervention programs; providing for voluntary admission into a pretrial mental health court program; amending s. 948.16, F.S.; expanding eligibility of veterans for a misdemeanor pretrial veterans' treatment intervention program; providing eligibility of misdemeanor defendants for a misdemeanor pretrial mental health court program; amending s. 948.21, F.S.; expanding veterans' eligibility for participating in treatment programs while on court-ordered probation or community control; amending s. 985.345, F.S.; authorizing delinquency pretrial mental health court intervention programs for certain juvenile offenders; providing for disposition of pending charges after completion of the program; authorizing expunction of specified criminal history records after successful completion of the program; reenacting s. 397.334(3)(a) and (5), F.S., relating to treatment-based drug court programs, to incorporate the amendments made by the act to ss. 948.01 and 948.06, F.S., in references thereto;

reenacting s. 948.012(2)(b), F.S., relating to split sentence probation or community control and imprisonment, to incorporate the amendment made by the act to s. 948.06, F.S., in a reference thereto; providing for provisions of the act to supersede and control over any conflicting provisions of specified bills; providing an effective date.

Senator Garcia moved the following amendment:

Senate Amendment 1 (259190) to House Amendment 1 (171349) (with title amendment)—Delete lines 5-4950 and insert:

Section 1. Paragraph (e) is added to subsection (10) of section 29.004, Florida Statutes, to read:

29.004 State courts system.—For purposes of implementing s. 14, Art. V of the State Constitution, the elements of the state courts system to be provided from state revenues appropriated by general law are as follows:

(10) Case management. Case management includes:

(e) *Service referral, coordination, monitoring, and tracking for treatment-based mental health court programs under chapter 394.*

Case management may not include costs associated with the application of therapeutic jurisprudence principles by the courts. Case management also may not include case intake and records management conducted by the clerk of court.

Section 2. Subsections (65) through (79) of section 39.01, Florida Statutes, are renumbered as subsections (66) through (80), respectively, and a new subsection (65) is added to that section to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(65) *“Qualified professional” means a physician or a physician assistant licensed under chapter 458 or chapter 459; a psychiatrist licensed under chapter 458 or chapter 459; a psychologist as defined in s. 490.003(7) or a professional licensed under chapter 491; or a psychiatric nurse as defined in s. 394.455.*

Section 3. Paragraph (c) of subsection (6) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(6) Children who are in the legal custody of the department may be placed by the department, without prior approval of the court, in a residential treatment center licensed under s. 394.875 or a hospital licensed under chapter 395 for residential mental health treatment only pursuant to this section or may be placed by the court in accordance with an order of involuntary examination or involuntary placement entered pursuant to s. 394.463 or s. 394.467. All children placed in a residential treatment program under this subsection must have a guardian ad litem appointed.

(c) Before a child is admitted under this subsection, the child shall be assessed for suitability for residential treatment by a qualified evaluator who has conducted a personal examination and assessment of the child and has made written findings that:

1. The child appears to have an emotional disturbance serious enough to require residential treatment and is reasonably likely to benefit from the treatment.

2. The child has been provided with a clinically appropriate explanation of the nature and purpose of the treatment.

3. All available modalities of treatment less restrictive than residential treatment have been considered, and a less restrictive alternative that would offer comparable benefits to the child is unavailable.

A copy of the written findings of the evaluation and suitability assessment must be provided to the department, and to the guardian ad litem, and, if the child is a member of a Medicaid managed care plan, to the plan that is financially responsible for the child's care in residential

treatment, all of whom must be provided with ~~who shall have~~ the opportunity to discuss the findings with the evaluator.

Section 4. Section 394.453, Florida Statutes, is amended to read:

394.453 Legislative intent.—

(1) It is the intent of the Legislature:

(a) To authorize and direct the Department of Children and Families to evaluate, research, plan, and recommend to the Governor and the Legislature programs designed to reduce the occurrence, severity, duration, and disabling aspects of mental, emotional, and behavioral disorders.

(b) ~~It is the intent of the Legislature~~ That treatment programs for such disorders ~~shall~~ include, but not be limited to, comprehensive health, social, educational, and rehabilitative services to persons requiring intensive short-term and continued treatment in order to encourage them to assume responsibility for their treatment and recovery. It is intended that:

1. Such persons be provided with emergency service and temporary detention for evaluation when required;

2. ~~Such persons that they~~ be admitted to treatment facilities on a voluntary basis when extended or continuing care is needed and unavailable in the community;

3. ~~that~~ Involuntary placement be provided only when expert evaluation determines ~~that~~ it is necessary;

4. ~~that~~ Any involuntary treatment or examination be accomplished in a setting ~~that which~~ is clinically appropriate and most likely to facilitate the person's return to the community as soon as possible; and

5. ~~that~~ Individual dignity and human rights be guaranteed to all persons who are admitted to mental health facilities or who are being held under s. 394.463.

(c) *That services provided to persons in this state use the coordination-of-care principles characteristic of recovery-oriented services and include social support services, such as housing support, life skills and vocational training, and employment assistance, necessary for persons with mental health disorders and co-occurring mental health and substance use disorders to live successfully in their communities.*

(d) *That licensed, qualified health professionals be authorized to practice to the fullest extent of their education and training in the performance of professional functions necessary to carry out the intent of this part.*

(2) ~~It is the further intent of the Legislature that the least restrictive means of intervention be employed based on the individual needs of each person, within the scope of available services.~~ It is the policy of this state that the use of restraint and seclusion on clients is justified only as an emergency safety measure to be used in response to imminent danger to the client or others. It is, therefore, the intent of the Legislature to achieve an ongoing reduction in the use of restraint and seclusion in programs and facilities serving persons with mental illness.

Section 5. Section 394.4573, Florida Statutes, is amended to read:

394.4573 *Coordinated system of care; annual assessment; essential elements* ~~Continuity of care management system~~; measures of performance; system improvement grants; reports.—*On or before December 1 of each year, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives an assessment of the behavioral health services in this state. The assessment shall consider, at a minimum, the extent to which designated receiving systems function as no-wrong-door models, the availability of treatment and recovery services that use recovery-oriented and peer-involved approaches, the availability of less-restrictive services, and the use of evidence-informed practices. The department's assessment shall consider, at a minimum, the needs assessments conducted by the managing entities pursuant to s. 394.9082(5). Beginning in 2017, the department shall compile and include in the report all plans submitted by managing entities pursuant to s. 394.9082(8) and the department's evaluation of each plan.*

(1) As used in ~~For the purposes of~~ this section:

(a) “Care coordination” means the implementation of deliberate and planned organizational relationships and service procedures that improve the effectiveness and efficiency of the behavioral health system by engaging in purposeful interactions with individuals who are not yet effectively connected with services to ensure service linkage. Examples of care coordination activities include development of referral agreements, shared protocols, and information exchange procedures. The purpose of care coordination is to enhance the delivery of treatment services and recovery supports and to improve outcomes among priority populations.

~~(b)(a)~~ “Case management” means those direct services provided to a client in order to assess his or her activities aimed at assessing client needs, plan, or arrange ~~planning~~ services, coordinate service providers, link ~~linking~~ the service system to a client, monitor ~~coordinating~~ the various system components, monitoring service delivery, and evaluate patient outcomes to ensure the client is receiving the appropriate services ~~evaluating the effect of service delivery~~.

~~(b)~~ “Case manager” means an individual who works with clients, and their families and significant others, to provide case management.

~~(c)~~ “Client manager” means an employee of the department who is assigned to specific provider agencies and geographic areas to ensure that the full range of needed services is available to clients.

~~(c)(d)~~ “Coordinated system ~~Continuity of care management system~~” means a system that assures, within available resources, that clients ~~have access to~~ the full array of behavioral and related services in a region or community offered by all service providers, whether participating under contract with the managing entity or by another method of community partnership or mutual agreement ~~within the mental health services delivery system~~.

(d) “No-wrong-door model” means a model for the delivery of acute care services to persons who have mental health or substance use disorders, or both, which optimizes access to care, regardless of the entry point to the behavioral health care system.

(2) The essential elements of a coordinated system of care include:

(a) Community interventions, such as prevention, primary care for behavioral health needs, therapeutic and supportive services, crisis response services, and diversion programs.

(b) A designated receiving system that consists of one or more facilities serving a defined geographic area and responsible for assessment and evaluation, both voluntary and involuntary, and treatment or triage of patients who have a mental health or substance use disorder, or co-occurring disorders.

1. A county or several counties shall plan the designated receiving system using a process that includes the managing entity and is open to participation by individuals with behavioral health needs and their families, service providers, law enforcement agencies, and other parties. The county or counties, in collaboration with the managing entity, shall document the designated receiving system through written memoranda of agreement or other binding arrangements. The county or counties and the managing entity shall complete the plan and implement the designated receiving system by July 1, 2017, and the county or counties and the managing entity shall review and update, as necessary, the designated receiving system at least once every 3 years.

2. To the extent permitted by available resources, the designated receiving system shall function as a no-wrong-door model. The designated receiving system may be organized in any manner which functions as a no-wrong-door model that responds to individual needs and integrates services among various providers. Such models include, but are not limited to:

a. A central receiving system that consists of a designated central receiving facility that serves as a single entry point for persons with mental health or substance use disorders, or co-occurring disorders. The central receiving facility shall be capable of assessment, evaluation, and triage or treatment or stabilization of persons with mental health or substance use disorders, or co-occurring disorders.

b. A coordinated receiving system that consists of multiple entry points that are linked by shared data systems, formal referral agreements, and cooperative arrangements for care coordination and case management. Each entry point shall be a designated receiving facility and shall, within existing resources, provide or arrange for necessary services following an initial assessment and evaluation.

c. A tiered receiving system that consists of multiple entry points, some of which offer only specialized or limited services. Each service provider shall be classified according to its capabilities as either a designated receiving facility or another type of service provider, such as a triage center, a licensed detoxification facility, or an access center. All participating service providers shall, within existing resources, be linked by methods to share data, formal referral agreements, and cooperative arrangements for care coordination and case management.

An accurate inventory of the participating service providers which specifies the capabilities and limitations of each provider and its ability to accept patients under the designated receiving system agreements and the transportation plan developed pursuant to this section shall be maintained and made available at all times to all first responders in the service area.

(c) Transportation in accordance with a plan developed under s. 394.462.

(d) Crisis services, including mobile response teams, crisis stabilization units, addiction receiving facilities, and detoxification facilities.

(e) Case management. Each case manager or person directly supervising a case manager who provides Medicaid-funded targeted case management services shall hold a valid certification from a department-approved credentialing entity as defined in s. 397.311(9) by July 1, 2017, and, thereafter, within 6 months after hire.

(f) Care coordination that involves coordination with other local systems and entities, public and private, which are involved with the individual, such as primary care, child welfare, behavioral health care, and criminal and juvenile justice organizations.

(g) Outpatient services.

(h) Residential services.

(i) Hospital inpatient care.

(j) Aftercare and other post-discharge services.

(k) Medication-assisted treatment and medication management.

(l) Recovery support, including, but not limited to, support for competitive employment, educational attainment, independent living skills development, family support and education, wellness management and self-care, and assistance in obtaining housing that meets the individual’s needs. Such housing may include mental health residential treatment facilities, limited mental health assisted living facilities, adult family care homes, and supportive housing. Housing provided using state funds must provide a safe and decent environment free from abuse and neglect.

(m) Care plans shall assign specific responsibility for initial and ongoing evaluation of the supervision and support needs of the individual and the identification of housing that meets such needs. For purposes of this paragraph, the term “supervision” means oversight of and assistance with compliance with the clinical aspects of an individual’s care plan.

(3) SYSTEM IMPROVEMENT GRANTS.—Subject to a specific appropriation by the Legislature, the department may award system improvement grants to managing entities based on a detailed plan to enhance services in accordance with the no-wrong-door model as defined in subsection (1) and to address specific needs identified in the assessment prepared by the department pursuant to this section. Such a grant must be awarded through a performance-based contract that links payments to the documented and measurable achievement of system improvements. ~~The department is directed to implement a continuity of care management system for the provision of mental health care, through the provision of client and case management, including clients referred from state treatment facilities to community mental health~~

facilities. Such system shall include a network of client managers and case managers throughout the state designed to:

~~(a) Reduce the possibility of a client's admission or readmission to a state treatment facility.~~

~~(b) Provide for the creation or designation of an agency in each county to provide single intake services for each person seeking mental health services. Such agency shall provide information and referral services necessary to ensure that clients receive the most appropriate and least restrictive form of care, based on the individual needs of the person seeking treatment. Such agency shall have a single telephone number, operating 24 hours per day, 7 days per week, where practicable, at a central location, where each client will have a central record.~~

~~(c) Advocate on behalf of the client to ensure that all appropriate services are afforded to the client in a timely and dignified manner.~~

~~(d) Require that any public receiving facility initiating a patient transfer to a licensed hospital for acute care mental health services not accessible through the public receiving facility shall notify the hospital of such transfer and send all records relating to the emergency psychiatric or medical condition.~~

~~(3) The department is directed to develop and include in contracts with service providers measures of performance with regard to goals and objectives as specified in the state plan. Such measures shall use, to the extent practical, existing data collection methods and reports and shall not require, as a result of this subsection, additional reports on the part of service providers. The department shall plan monitoring visits of community mental health facilities with other state, federal, and local governmental and private agencies charged with monitoring such facilities.~~

Section 6. Section 394.461, Florida Statutes, is amended to read:

394.461 Designation of receiving and treatment facilities *and receiving systems*.—The department is authorized to designate and monitor receiving facilities, ~~and~~ treatment facilities, *and receiving systems* and may suspend or withdraw such designation for failure to comply with this part and rules adopted under this part. Unless designated by the department, facilities are not permitted to hold or treat involuntary patients under this part.

(1) RECEIVING FACILITY.—The department may designate any community facility as a receiving facility. Any other facility within the state, including a private facility or a federal facility, may be so designated by the department, provided that such designation is agreed to by the governing body or authority of the facility.

(2) TREATMENT FACILITY.—The department may designate any state-owned, state-operated, or state-supported facility as a state treatment facility. A civil patient shall not be admitted to a state treatment facility without previously undergoing a transfer evaluation. Before a court hearing for involuntary placement in a state treatment facility, the court shall receive and consider the information documented in the transfer evaluation. Any other facility, including a private facility or a federal facility, may be designated as a treatment facility by the department, provided that such designation is agreed to by the appropriate governing body or authority of the facility.

(3) PRIVATE FACILITIES.—Private facilities designated as receiving and treatment facilities by the department may provide examination and treatment of involuntary patients, as well as voluntary patients, and are subject to all the provisions of this part.

(4) REPORTING REQUIREMENTS.—

(a) A facility designated as a public receiving or treatment facility under this section shall report to the department on an annual basis the following data, unless these data are currently being submitted to the Agency for Health Care Administration:

1. Number of licensed beds.
2. Number of contract days.
3. Number of admissions by payor class and diagnoses.

4. Number of bed days by payor class.
5. Average length of stay by payor class.
6. Total revenues by payor class.

(b) For the purposes of this subsection, “payor class” means Medicare, Medicare HMO, Medicaid, Medicaid HMO, private-pay health insurance, private-pay health maintenance organization, private preferred provider organization, the Department of Children and Families, other government programs, self-pay patients, and charity care.

(c) The data required under this subsection shall be submitted to the department no later than 90 days following the end of the facility's fiscal year. A facility designated as a public receiving or treatment facility shall submit its initial report for the 6-month period ending June 30, 2008.

(d) The department shall issue an annual report based on the data required pursuant to this subsection. The report shall include individual facilities' data, as well as statewide totals. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(5) RECEIVING SYSTEM.—*The department shall designate as a receiving system one or more facilities serving a defined geographic area developed pursuant to s. 394.4573 which is responsible for assessment and evaluation, both voluntary and involuntary, and treatment, stabilization, or triage for patients who have a mental illness, a substance use disorder, or co-occurring disorders. Any transportation plans developed pursuant to s. 394.462 must support the operation of the receiving system.*

(6)(5) RULES.—The department ~~may~~ *shall* adopt rules relating to:

(a) Procedures and criteria for receiving and evaluating facility applications for designation, which may include onsite facility inspection and evaluation of an applicant's licensing status and performance history, as well as consideration of local service needs.

(b) Minimum standards consistent with this part that a facility must meet and maintain in order to be designated as a receiving or treatment facility and procedures for monitoring continued adherence to such standards.

~~(c) Procedures and criteria for designating receiving systems which may include consideration of the adequacy of services provided by facilities within the receiving system to meet the needs of the geographic area using available resources.~~

~~(d)(e) Procedures for receiving complaints against a designated facility or designated receiving system and for initiating inspections and investigations of facilities or receiving systems alleged to have violated the provisions of this part or rules adopted under this part.~~

~~(e)(d) Procedures and criteria for the suspension or withdrawal of designation as a receiving facility or receiving system.~~

Section 7. Section 394.675, Florida Statutes, is repealed.

Section 8. Subsection (3) and paragraph (b) of subsection (4) of section 394.75, Florida Statutes, are amended to read:

394.75 State and district substance abuse and mental health plans.—

(3) The district health and human services board shall prepare an integrated district substance abuse and mental health plan. The plan shall be prepared and updated on a schedule established by the Alcohol, Drug Abuse, and Mental Health Program Office. The plan shall reflect the needs and program priorities established by the department and the needs of the district established under ss. 394.4573 and 394.674 ~~and 394.675~~. The plan must list in order of priority the mental health and the substance abuse treatment needs of the district and must rank each program separately. The plan shall include:

(a) A record of the total amount of money available in the district for mental health and substance abuse services.

- (b) A description of each service that will be purchased with state funds.
- (c) A record of the amount of money allocated for each service identified in the plan as being purchased with state funds.
- (d) A record of the total funds allocated to each provider.
- (e) A record of the total funds allocated to each provider by type of service to be purchased with state funds.
- (f) Input from community-based persons, organizations, and agencies interested in substance abuse and mental health treatment services; local government entities that contribute funds to the public substance abuse and mental health treatment systems; and consumers of publicly funded substance abuse and mental health services, and their family members. The plan must describe the means by which this local input occurred.

The plan shall be submitted by the district board to the district administrator and to the governing bodies for review, comment, and approval.

(4) The district plan shall:

- (b) Provide the means for meeting the needs of the district's eligible clients, specified in ss. 394.4573 and 394.674 and 394.675, for substance abuse and mental health services.

Section 9. Paragraph (a) of subsection (3) of section 394.76, Florida Statutes, is amended to read:

394.76 Financing of district programs and services.—If the local match funding level is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, such funding level shall be provided as follows:

(3) The state share of financial participation shall be determined by the following formula:

- (a) The state share of approved program costs shall be a percentage of the net balance determined by deducting from the total operating cost of services and programs, as specified in s. 394.4573 ~~394.675(1)~~, those expenditures which are ineligible for state participation as provided in subsection (7) and those ineligible expenditures established by rule of the department pursuant to s. 394.78.

Section 10. Paragraphs (d) and (e) of subsection (2) of section 394.4597, Florida Statutes, are amended to read:

394.4597 Persons to be notified; patient's representative.—

(2) INVOLUNTARY PATIENTS.—

(d) When the receiving or treatment facility selects a representative, first preference shall be given to a health care surrogate, if one has been previously selected by the patient. If the patient has not previously selected a health care surrogate, the selection, except for good cause documented in the patient's clinical record, shall be made from the following list in the order of listing:

1. The patient's spouse.
2. An adult child of the patient.
3. A parent of the patient.
4. The adult next of kin of the patient.
5. An adult friend of the patient.

~~6. The appropriate Florida local advocacy council as provided in s. 402.166.~~

(e) *The following persons are prohibited from selection as a patient's representative:*

1. *A professional providing clinical services to the patient under this part.*

2. *The licensed professional who initiated the involuntary examination of the patient, if the examination was initiated by professional certificate.*
3. *An employee, an administrator, or a board member of the facility providing the examination of the patient.*
4. *An employee, an administrator, or a board member of a treatment facility providing treatment for the patient.*
5. *A person providing any substantial professional services to the patient, including clinical services.*
6. *A creditor of the patient.*
7. *A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the patient was the petitioner.*

8. *A person subject to an injunction for protection against repeat violence, stalking, sexual violence, or dating violence under s. 784.046, whether the order of injunction is temporary or final, and for which the patient was the petitioner.* ~~A licensed professional providing services to the patient under this part, an employee of a facility providing direct services to the patient under this part, a department employee, a person providing other substantial services to the patient in a professional or business capacity, or a creditor of the patient shall not be appointed as the patient's representative.~~

Section 11. Subsections (2) through (7) of section 394.4598, Florida Statutes, are renumbered as subsections (3) through (8), respectively, a new subsection (2) is added to that section, and present subsections (3) and (4) of that section are amended, to read:

394.4598 Guardian advocate.—

(2) *The following persons are prohibited from appointment as a patient's guardian advocate:*

- (a) *A professional providing clinical services to the patient under this part.*
- (b) *The licensed professional who initiated the involuntary examination of the patient, if the examination was initiated by professional certificate.*
- (c) *An employee, an administrator, or a board member of the facility providing the examination of the patient.*
- (d) *An employee, an administrator, or a board member of a treatment facility providing treatment of the patient.*
- (e) *A person providing any substantial professional services, excluding public and professional guardians, to the patient, including clinical services.*
- (f) *A creditor of the patient.*
- (g) *A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the patient was the petitioner.*
- (h) *A person subject to an injunction for protection against repeat violence, stalking, sexual violence, or dating violence under s. 784.046, whether the order of injunction is temporary or final, and for which the patient was the petitioner.*

~~(4)(g) In lieu of the training required of guardians appointed pursuant to chapter 744, Prior to a guardian advocate must, at a minimum, participate in a 4-hour training course approved by the court before exercising his or her authority; the guardian advocate shall attend a training course approved by the court. At a minimum, this training course, of not less than 4 hours, must include, at minimum, information about the patient rights, psychotropic medications, the diagnosis of mental illness, the ethics of medical decisionmaking, and duties of guardian advocates. This training course shall take the place of the training required for guardians appointed pursuant to chapter 744.~~

~~(5)(4)~~ The required training course and the information to be supplied to prospective guardian advocates before ~~prior to~~ their appointment and the training course for guardian advocates must be developed and completed through a course developed by the department, and approved by the chief judge of the circuit court, and taught by a court-approved organization, ~~which—Court-approved organizations~~ may include, but is ~~are~~ not limited to, a community college ~~community or junior colleges, a guardianship organization guardianship organizations, a~~ and the local bar association, or The Florida Bar. The training course may be web-based, provided in video format, or other electronic means but must be capable of ensuring the identity and participation of the prospective guardian advocate. The court may, ~~in its discretion,~~ waive some or all of the training requirements for guardian advocates or impose additional requirements. The court shall make its decision on a case-by-case basis and, in making its decision, shall consider the experience and education of the guardian advocate, the duties assigned to the guardian advocate, and the needs of the patient.

Section 12. Section 394.462, Florida Statutes, is amended to read:

394.462 Transportation.—A transportation plan shall be developed and implemented by each county by July 1, 2017, in collaboration with the managing entity in accordance with this section. A county may enter into a memorandum of understanding with the governing boards of nearby counties to establish a shared transportation plan. When multiple counties enter into a memorandum of understanding for this purpose, the counties shall notify the managing entity and provide it with a copy of the agreement. The transportation plan shall describe methods of transport to a facility within the designated receiving system for individuals subject to involuntary examination under s. 394.463 or involuntary admission under s. 397.6772, s. 397.679, s. 397.6798, or s. 397.6811, and may identify responsibility for other transportation to a participating facility when necessary and agreed to by the facility. The plan may rely on emergency medical transport services or private transport companies, as appropriate. The plan shall comply with the transportation provisions of this section and ss. 397.6772, 397.6795, 397.6822, and 397.697.

(1) TRANSPORTATION TO A RECEIVING FACILITY.—

(a) Each county shall designate a single law enforcement agency within the county, or portions thereof, to take a person into custody upon the entry of an ex parte order or the execution of a certificate for involuntary examination by an authorized professional and to transport that person to the appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or to the nearest receiving facility if neither apply ~~for examination~~.

(b)1. The designated law enforcement agency may decline to transport the person to a receiving facility only if:

a.1. The jurisdiction designated by the county has contracted on an annual basis with an emergency medical transport service or private transport company for transportation of persons to receiving facilities pursuant to this section at the sole cost of the county; and

b.2. The law enforcement agency and the emergency medical transport service or private transport company agree that the continued presence of law enforcement personnel is not necessary for the safety of the person or others.

2.3. The entity providing transportation ~~jurisdiction designated by the county~~ may seek reimbursement for transportation expenses. The party responsible for payment for such transportation is the person receiving the transportation. The county shall seek reimbursement from the following sources in the following order:

a. From a private or public third-party payor ~~an insurance company, health care corporation, or other source~~, if the person receiving the transportation has applicable coverage ~~is covered by an insurance policy or subscribes to a health care corporation or other source for payment of such expenses~~.

b. From the person receiving the transportation.

c. From a financial settlement for medical care, treatment, hospitalization, or transportation payable or accruing to the injured party.

~~(c)(b)~~ A ~~Any~~ company that transports a patient pursuant to this subsection is considered an independent contractor and is solely liable for the safe and dignified transport ~~transportation~~ of the patient. Such company must be insured and provide no less than \$100,000 in liability insurance with respect to the ~~transport transportation~~ of patients.

~~(d)(e)~~ Any company that contracts with a governing board of a county to transport patients shall comply with the applicable rules of the department to ensure the safety and dignity of the patients.

~~(e)(d)~~ When a law enforcement officer takes custody of a person pursuant to this part, the officer may request assistance from emergency medical personnel if such assistance is needed for the safety of the officer or the person in custody.

~~(f)(e)~~ When a member of a mental health overlay program or a mobile crisis response service is a professional authorized to initiate an involuntary examination pursuant to s. 394.463 or s. 397.675 and that professional evaluates a person and determines that transportation to a receiving facility is needed, the service, at its discretion, may transport the person to the facility or may call on the law enforcement agency or other transportation arrangement best suited to the needs of the patient.

~~(g)(f)~~ When any law enforcement officer has custody of a person based on either noncriminal or minor criminal behavior that meets the statutory guidelines for involuntary examination pursuant to s. 394.463 ~~under this part~~, the law enforcement officer shall transport the person to the appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or to the nearest receiving facility if neither apply ~~for examination~~. Persons who meet the statutory guidelines for involuntary admission pursuant to s. 397.675 may also be transported by law enforcement officers to the extent resources are available and as otherwise provided by law. Such persons shall be transported to an appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or to the nearest facility if neither apply.

~~(h)(g)~~ When any law enforcement officer has arrested a person for a felony and it appears that the person meets the statutory guidelines for involuntary examination or placement under this part, such person ~~must~~ ~~shall~~ first be processed in the same manner as any other criminal suspect. The law enforcement agency shall thereafter immediately notify the appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or to the nearest ~~public~~ receiving facility if neither apply. The receiving facility, ~~which~~ shall be responsible for promptly arranging for the examination and treatment of the person. A receiving facility is not required to admit a person charged with a crime for whom the facility determines and documents that it is unable to provide adequate security, but shall provide ~~mental health~~ examination and treatment to the person where he or she is held.

~~(i)(h)~~ If the appropriate law enforcement officer believes that a person has an emergency medical condition as defined in s. 395.002, the person may be first transported to a hospital for emergency medical treatment, regardless of whether the hospital is a designated receiving facility.

~~(j)(i)~~ The costs of transportation, evaluation, hospitalization, and treatment incurred under this subsection by persons who have been arrested for violations of any state law or county or municipal ordinance may be recovered as provided in s. 901.35.

~~(k)(j)~~ The appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or the nearest receiving facility if neither apply, must accept persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county, for involuntary examination pursuant to s. 394.463.

~~(l)~~ The appropriate facility within the designated receiving system pursuant to a transportation plan or an exception under subsection (4), or the nearest receiving facility if neither apply, must provide persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county, pursuant to s. 397.675, a basic screening or triage sufficient to refer the person to the appropriate services.

~~(m)(4)~~ Each law enforcement agency designated pursuant to paragraph (a) shall establish a policy that ~~develop a memorandum of understanding with each receiving facility within the law enforcement agency's jurisdiction which~~ reflects a single set of protocols for the safe and secure transportation of the person and transfer of custody of the person. ~~Each law enforcement agency shall provide a copy of the protocols to the managing entity. These protocols must also address crisis intervention measures.~~

(n)(4) When a jurisdiction has entered into a contract with an emergency medical transport service or a private transport company for transportation of persons to receiving facilities within the designated receiving system, such service or company shall be given preference for transportation of persons from nursing homes, assisted living facilities, adult day care centers, or adult family-care homes, unless the behavior of the person being transported is such that transportation by a law enforcement officer is necessary.

~~(o)(m)~~ Nothing in This section may not shall be construed to limit emergency examination and treatment of incapacitated persons provided in accordance with the provisions of s. 401.445.

(2) TRANSPORTATION TO A TREATMENT FACILITY.—

(a) If neither the patient nor any person legally obligated or responsible for the patient is able to pay for the expense of transporting a voluntary or involuntary patient to a treatment facility, the transportation plan established by the governing board of the county or counties must specify how in which the hospitalized patient will be transported to, from, and between facilities in a is hospitalized shall arrange for such required transportation and shall ensure the safe and dignified manner transportation of the patient. ~~The governing board of each county is authorized to contract with private transport companies for the transportation of such patients to and from a treatment facility.~~

(b) A Any company that transports a patient pursuant to this subsection is considered an independent contractor and is solely liable for the safe and dignified transportation of the patient. Such company must be insured and provide no less than \$100,000 in liability insurance with respect to the transport transportation of patients.

(c) A Any company that contracts with one or more counties the governing board of a county to transport patients in accordance with this section shall comply with the applicable rules of the department to ensure the safety and dignity of the patients.

(d) County or municipal law enforcement and correctional personnel and equipment may shall not be used to transport patients adjudicated incapacitated or found by the court to meet the criteria for involuntary placement pursuant to s. 394.467, except in small rural counties where there are no cost-efficient alternatives.

(3) TRANSFER OF CUSTODY.—Custody of a person who is transported pursuant to this part, along with related documentation, shall be relinquished to a responsible individual at the appropriate receiving or treatment facility.

(4) EXCEPTIONS.—An exception to the requirements of this section may be granted by the secretary of the department for the purposes of improving service coordination or better meeting the special needs of individuals. A proposal for an exception must be submitted to the department by the district administrator after being approved by the governing boards of any affected counties, prior to submission to the secretary.

(a) A proposal for an exception must identify the specific provision from which an exception is requested; describe how the proposal will be implemented by participating law enforcement agencies and transportation authorities; and provide a plan for the coordination of services such as case management.

(b) The exception may be granted only for:

1. An arrangement centralizing and improving the provision of services within a district, which may include an exception to the requirement for transportation to the nearest receiving facility;

2. An arrangement by which a facility may provide, in addition to required psychiatric or substance use disorder services, an environment

and services which are uniquely tailored to the needs of an identified group of persons with special needs, such as persons with hearing impairments or visual impairments, or elderly persons with physical frailties; or

3. A specialized transportation system that provides an efficient and humane method of transporting patients to receiving facilities, among receiving facilities, and to treatment facilities.

~~(e) Any exception approved pursuant to this subsection shall be reviewed and approved every 5 years by the secretary.~~

The exceptions provided in this subsection shall expire on June 30, 2017, and no new exceptions shall be granted after that date. After June 30, 2017, the transport of a patient to a facility that is not the nearest facility must be made pursuant to a plan as provided in this section.

Section 13. Section 394.467, Florida Statutes, is amended to read:

394.467 Involuntary inpatient placement.—

(1) CRITERIA.—A person may be ordered for placed in involuntary inpatient placement for treatment upon a finding of the court by clear and convincing evidence that:

(a) He or she has a mental illness is mentally ill and because of his or her mental illness:

1.a. He or she has refused voluntary inpatient placement for treatment after sufficient and conscientious explanation and disclosure of the purpose of inpatient placement for treatment; or

b. He or she is unable to determine for himself or herself whether inpatient placement is necessary; and

2.a. He or she is manifestly incapable of surviving alone or with the help of willing and responsible family or friends, including available alternative services, and, without treatment, is likely to suffer from neglect or refuse to care for himself or herself, and such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; or

b. There is substantial likelihood that in the near future he or she will inflict serious bodily harm on self or others himself or herself or another person, as evidenced by recent behavior causing, attempting, or threatening such harm; and

(b) All available less restrictive treatment alternatives that which would offer an opportunity for improvement of his or her condition have been judged to be inappropriate.

(2) ADMISSION TO A TREATMENT FACILITY.—A patient may be retained by a receiving facility or involuntarily placed in a treatment facility upon the recommendation of the administrator of the receiving facility where the patient has been examined and after adherence to the notice and hearing procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary inpatient placement are met. However, in a county that has a population of fewer than 50,000, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness and nervous disorders or by a psychiatric nurse. Any second opinion authorized in this subsection may be conducted through a face-to-face examination, in person, or by electronic means. Such recommendation shall be entered on a petition for an involuntary inpatient placement certificate that authorizes the receiving facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

(3) PETITION FOR INVOLUNTARY INPATIENT PLACEMENT.—The administrator of the facility shall file a petition for involuntary inpatient placement in the court in the county where the patient is located. Upon filing, the clerk of the court shall provide copies to the department, the patient, the patient's guardian or representative, and the state attorney and public defender of the judicial circuit in

which the patient is located. ~~A No fee may not shall~~ be charged for the filing of a petition under this subsection.

(4) APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary inpatient placement, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(5) CONTINUANCE OF HEARING.—The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. ~~The continuance shall be for a period of~~ up to 4 weeks.

(6) HEARING ON INVOLUNTARY INPATIENT PLACEMENT.—

(a)1. The court shall hold the hearing on involuntary inpatient placement within 5 court working days, unless a continuance is granted.

2. *Except for good cause documented in the court file, the hearing must shall be held in the county or the facility, as appropriate, where the patient is located, must and shall be as convenient to the patient as is may be consistent with orderly procedure, and shall be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient, and the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioning facility administrator, as the real party in interest in the proceeding.*

3.2. The court may appoint a ~~general or special~~ magistrate to preside at the hearing. One of the professionals who executed the *petition for involuntary inpatient placement certificate* shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall *ensure that one is provided, as otherwise provided for by law provide for one*. The independent expert's report *is shall be confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.*

(b) If the court concludes that the patient meets the criteria for involuntary inpatient placement, it *may shall* order that the patient be transferred to a treatment facility or, if the patient is at a treatment facility, that the patient be retained there or be treated at any other appropriate ~~receiving or treatment~~ facility, or that the patient receive services ~~from a receiving or treatment facility~~, on an involuntary basis, for ~~a period of up to 90 days 6 months~~. *However, any order for involuntary mental health services in a treatment facility may be for up to 6 months. The order shall specify the nature and extent of the patient's mental illness. The court may not order an individual with traumatic brain injury or dementia who lacks a co-occurring mental illness to be involuntarily placed in a state treatment facility. The facility shall discharge a patient any time the patient no longer meets the criteria for involuntary inpatient placement, unless the patient has transferred to voluntary status.*

(c) If at any time ~~before prior to~~ the conclusion of the hearing on involuntary inpatient placement it appears to the court that the person does not meet the criteria for involuntary inpatient placement under this section, but instead meets the criteria for involuntary outpatient services ~~placement~~, the court may order the person evaluated for involuntary outpatient services ~~placement~~ pursuant to s. 394.4655. The petition and hearing procedures set forth in s. 394.4655 shall apply. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, then the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings ~~are shall be~~ governed by chapter 397.

(d) At the hearing on involuntary inpatient placement, the court shall consider testimony and evidence regarding the patient's competence to consent to treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.

(e) The administrator of the ~~petitioning receiving~~ facility shall provide a copy of the court order and adequate documentation of a patient's mental illness to the administrator of a treatment facility *if the when- ever a patient is ordered for involuntary inpatient placement, whether by civil or criminal court. The documentation must shall include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a psychiatric nurse, a clinical psychologist, a marriage and family therapist, a mental health counselor, or a clinical social worker. The administrator of a treatment facility may refuse admission to any patient directed to its facilities on an involuntary basis, whether by civil or criminal court order, who is not accompanied at the same time by adequate orders and documentation.*

(7) PROCEDURE FOR CONTINUED INVOLUNTARY INPATIENT PLACEMENT.—

(a) Hearings on petitions for continued involuntary inpatient placement *of an individual placed at any treatment facility are shall be administrative hearings and must shall be conducted in accordance with the provisions of s. 120.57(1), except that any order entered by the administrative law judge is shall be final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are shall be governed by the provisions of s. 916.15.*

(b) If the patient continues to meet the criteria for involuntary inpatient placement *and is being treated at a treatment facility*, the administrator shall, ~~before prior to~~ the expiration of the period ~~during which~~ the treatment facility is authorized to retain the patient, file a petition requesting authorization for continued involuntary inpatient placement. The request *must shall* be accompanied by a statement from the patient's physician, *psychiatrist, psychiatric nurse, or clinical psychologist* justifying the request, a brief description of the patient's treatment during the time he or she was involuntarily placed, and an individualized plan of continued treatment. Notice of the hearing *must shall* be provided as *provided set forth* in s. 394.4599. *If a patient's attendance at the hearing is voluntarily waived, the administrative law judge must determine that the waiver is knowing and voluntary before waiving the presence of the patient from all or a portion of the hearing. Alternatively, if at the hearing the administrative law judge finds that attendance at the hearing is not consistent with the best interests of the patient, the administrative law judge may waive the presence of the patient from all or any portion of the hearing, unless the patient, through counsel, objects to the waiver of presence. The testimony in the hearing must be under oath, and the proceedings must be recorded.*

(c) Unless the patient is otherwise represented or is ineligible, he or she shall be represented at the hearing on the petition for continued involuntary inpatient placement by the public defender of the circuit in which the facility is located.

(d) If at a hearing it is shown that the patient continues to meet the criteria for involuntary inpatient placement, the administrative law judge shall sign the order for continued involuntary inpatient placement for *up to 90 days a period not to exceed 6 months. However, any order for involuntary mental health services in a treatment facility may be for up to 6 months. The same procedure shall be repeated before prior to* the expiration of each additional period the patient is retained.

(e) If continued involuntary inpatient placement is necessary for a patient admitted while serving a criminal sentence, but *his or her whose* sentence is about to expire, or for a *minor patient* involuntarily placed, ~~while a minor~~ but who is about to reach the age of 18, the administrator shall petition the administrative law judge for an order authorizing continued involuntary inpatient placement.

(f) If the patient has been previously found incompetent to consent to treatment, the administrative law judge shall consider testimony and evidence regarding the patient's competence. If the administrative law judge finds evidence that the patient is now competent to consent to treatment, the administrative law judge may issue a recommended

order to the court that found the patient incompetent to consent to treatment that the patient's competence be restored and that any guardian advocate previously appointed be discharged.

(g) *If the patient has been ordered to undergo involuntary inpatient placement and has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's incompetence. If the patient's competency to consent to treatment is restored, the discharge of the guardian advocate shall be governed by s. 394.4598.*

The procedure required in this subsection must be followed before the expiration of each additional period the patient is involuntarily receiving services.

(8) ~~RETURN TO FACILITY OF PATIENTS.~~—*If a patient involuntarily held ~~When a patient~~ at a treatment facility under this part leaves the facility without the administrator's authorization, the administrator may authorize a search for the patient and his or her the return of the patient to the facility. The administrator may request the assistance of a law enforcement agency in this regard the search for and return of the patient.*

Section 14. Section 394.46715, Florida Statutes, is amended to read:

394.46715 Rulemaking authority.—~~The department may adopt rules to administer this part Department of Children and Families shall have rulemaking authority to implement the provisions of ss. 394.455, 394.4598, 394.4615, 394.463, 394.4655, and 394.467 as amended or created by this act. These rules shall be for the purpose of protecting the health, safety, and well-being of persons examined, treated, or placed under this act.~~

Section 15. Subsection (2) of section 394.4685, Florida Statutes, is amended to read:

394.4685 Transfer of patients among facilities.—

(2) TRANSFER FROM PUBLIC TO PRIVATE FACILITIES.—

(a) A patient who has been admitted to a public receiving or public treatment facility and has requested, either personally or through his or her guardian or guardian advocate, and is able to pay for treatment in a private facility shall be transferred at the patient's expense to a private facility upon acceptance of the patient by the private facility.

(b) *A public receiving facility initiating a patient transfer to a licensed hospital for acute care mental health services not accessible through the public receiving facility shall notify the hospital of such transfer and send the hospital all records relating to the emergency psychiatric or medical condition.*

Section 16. Section 394.656, Florida Statutes, is amended to read:

394.656 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program.—

(1) There is created within the Department of Children and Families the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program. The purpose of the program is to provide funding to counties ~~with~~ which they may use to ~~can~~ plan, implement, or expand initiatives that increase public safety, avert increased spending on criminal justice, and improve the accessibility and effectiveness of treatment services for adults and juveniles who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders and who are in, or at risk of entering, the criminal or juvenile justice systems.

(2) The department shall establish a Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee. The committee shall include:

- (a) One representative of the Department of Children and Families;
- (b) One representative of the Department of Corrections;
- (c) One representative of the Department of Juvenile Justice;
- (d) One representative of the Department of Elderly Affairs; ~~and~~

(e) One representative of the Office of the State Courts Administrator;

(f) *One representative of the Department of Veterans' Affairs;*

(g) *One representative of the Florida Sheriffs Association;*

(h) *One representative of the Florida Police Chiefs Association;*

(i) *One representative of the Florida Association of Counties;*

(j) *One representative of the Florida Alcohol and Drug Abuse Association;*

(k) *One representative of the Florida Association of Managing Entities;*

(l) *One representative of the Florida Council for Community Mental Health;*

(m) *One representative of the National Alliance of Mental Illness;*

(n) *One representative of the Florida Prosecuting Attorneys Association;*

(o) *One representative of the Florida Public Defender Association; and*

(p) *One administrator of an assisted living facility that holds a limited mental health license.*

(3) *The committee shall serve as the advisory body to review policy and funding issues that help reduce the impact of persons with mental illness and substance abuse disorders on communities, criminal justice agencies, and the court system. The committee shall advise the department in selecting priorities for grants and investing awarded grant moneys.*

(4) *The committee must have experience in substance use and mental health disorders, community corrections, and law enforcement. To the extent possible, the members of the committee shall have expertise in grant review writing, grant reviewing, and grant application scoring.*

(5)(a)(3)(a) *A county, or a not-for-profit community provider or managing entity designated by the county planning council or committee, as described in s. 394.657, may apply for a 1-year planning grant or a 3-year implementation or expansion grant. The purpose of the grants is to demonstrate that investment in treatment efforts related to mental illness, substance abuse disorders, or co-occurring mental health and substance abuse disorders results in a reduced demand on the resources of the judicial, corrections, juvenile detention, and health and social services systems.*

(b) *To be eligible to receive a 1-year planning grant or a 3-year implementation or expansion grant;*

1. *A county applicant must have a ~~county~~ planning council or committee that is in compliance with the membership requirements set forth in this section.*

2. *A not-for-profit community provider or managing entity must be designated by the county planning council or committee and have written authorization to submit an application. A not-for-profit community provider or managing entity must have written authorization for each submitted application.*

(c) *The department may award a 3-year implementation or expansion grant to an applicant who has not received a 1-year planning grant.*

(d) *The department may require an applicant to conduct sequential intercept mapping for a project. For purposes of this paragraph, the term "sequential intercept mapping" means a process for reviewing a local community's mental health, substance abuse, criminal justice, and related systems and identifying points of interceptions where interventions may be made to prevent an individual with a substance abuse disorder or mental illness from deeper involvement in the criminal justice system.*

(6)(4) *The grant review and selection committee shall select the grant recipients and notify the department of ~~Children and Families~~ in*

writing of the recipients' names of the applicants who have been selected by the committee to receive a grant. Contingent upon the availability of funds and upon notification by the grant review and selection committee of those applicants approved to receive planning, implementation, or expansion grants, the department of ~~Children and Families~~ may transfer funds appropriated for the grant program to a selected grant recipient to any county awarded a grant.

Section 17. Section 394.761, Florida Statutes, is created to read:

394.761 Revenue maximization.—

(1) The agency and the department shall develop a plan to obtain federal approval for increasing the availability of federal Medicaid funding for behavioral health care. Increased funding shall be used to advance the goal of improved integration of behavioral health services and primary care services for individuals eligible for Medicaid through the development and effective implementation of the behavioral health system of care as described in s. 394.4573.

(2) The agency and the department shall identify in the plan the amount of general revenue funding appropriated for mental health and substance abuse services eligible to be used as state Medicaid match. The agency and the department shall evaluate alternative uses of increased Medicaid funding, including seeking Medicaid eligibility for the severely and persistently mentally ill or persons with substance use disorders, increased reimbursement rates for behavioral health services, adjustments to the capitation rate for Medicaid enrollees with chronic mental illness and substance use disorders, targeted case management for individuals with substance use disorders as a Medicaid-funded service, supplemental payments to mental health and substance abuse service providers through a designated state health program or other mechanisms, and innovative programs to provide incentives for improved outcomes for behavioral health conditions. The agency and the department shall identify in the plan the advantages and disadvantages of each alternative and assess each alternative's potential for achieving improved integration of services. The agency and the department shall identify in the plan the types of federal approvals necessary to implement each alternative and project a timeline for implementation.

(3) The department, in coordination with the agency and the managing entities, shall compile detailed documentation of the cost and reimbursements for Medicaid covered services provided to Medicaid eligible individuals by providers of behavioral health services that are also funded for programs authorized by this chapter and chapter 397. The department's documentation, along with a report of general revenue funds supporting behavioral health services that are not counted as maintenance of effort or match for any other federal program, must be submitted to the agency by December 31, 2016.

(4) If the report presents clear evidence that Medicaid reimbursements are less than the costs of providing the services, the agency and the department shall request such additional trust fund authority as is necessary to draw federal Medicaid funds as a match for the documented general revenue expenditures supporting covered services delivered to eligible individuals. Payment of the federal funds shall be made to providers in such a manner as is allowed by federal law and regulations.

(5) The agency and the department shall submit the written plan and report required in this section to the President of the Senate and the Speaker of the House of Representatives by December 31, 2016.

Section 18. Subsection (5) of section 394.879, Florida Statutes, is amended and subsection (6) is added to that section, to read:

394.879 Rules; enforcement.—

(5) The agency or the department may not adopt any rule governing the design, construction, erection, alteration, modification, repair, or demolition of crisis stabilization units. It is the intent of the Legislature to preempt that function to the Florida Building commission and the State Fire Marshal through adoption and maintenance of the Florida Building Code and the Florida Fire Prevention Code. However, a crisis stabilization unit, a short-term residential treatment facility, or an integrated adult mental health crisis stabilization and addictions receiving facility that is collocated with a centralized receiving facility may be in a multi-story building and may be authorized on floors other than the ground floor. The agency shall provide technical assistance to the

commission and the State Fire Marshal in updating the construction standards of the Florida Building Code and the Florida Fire Prevention Code which govern crisis stabilization units. In addition, the agency may enforce the special-occupancy provisions of the Florida Building code and the Florida Fire Prevention Code which apply to crisis stabilization units in conducting any inspection authorized under this part or part II of chapter 408.

(6) The department and the Agency for Health Care Administration shall develop a plan to provide options for a single, consolidated license for a provider that offers multiple types of either mental health services or substance abuse services, or both, regulated under chapters 394 and 397, respectively. In the plan, the department and the agency shall identify the statutory revisions necessary to accomplish the consolidation. To the extent possible, the department and the agency shall accomplish such consolidation administratively and by rule. The department and the agency shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016.

Section 19. Section 394.9082, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 394.9082, F.S., for present text.)

394.9082 Behavioral health managing entities.—

(1) INTENT AND PURPOSE.—

(a) The Legislature finds that untreated behavioral health disorders constitute major health problems for residents of this state, are a major economic burden to the citizens of this state, and substantially increase demands on the state's juvenile and adult criminal justice systems, the child welfare system, and health care systems. The Legislature finds that behavioral health disorders respond to appropriate treatment, rehabilitation, and supportive intervention. The Legislature finds that local communities have also made substantial investments in behavioral health services, contracting with safety net providers who by mandate and mission provide specialized services to vulnerable and hard-to-serve populations and have strong ties to local public health and public safety agencies. The Legislature finds that a regional management structure that facilitates a comprehensive and cohesive system of coordinated care for behavioral health treatment and prevention services will improve access to care, promote service continuity, and provide for more efficient and effective delivery of substance abuse and mental health services. It is the intent of the Legislature that managing entities work to create linkages among various services and systems, including juvenile justice and adult criminal justice, child welfare, housing services, homeless systems of care, and health care.

(b) The purpose of the behavioral health managing entities is to plan, coordinate, and contract for the delivery of community mental health and substance abuse services, to improve access to care, to promote service continuity, to purchase services, and to support efficient and effective delivery of services.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Behavioral health services" means mental health services and substance abuse prevention and treatment services as described in this chapter and chapter 397.

(b) "Coordinated system of care" means the array of mental health services and substance abuse services described in s. 394.4573.

(c) "Geographic area" means one or more contiguous counties, circuits, or regions as described in s. 409.966.

(d) "Managed behavioral health organization" means a Medicaid managed care organization currently under contract with the statewide Medicaid managed medical assistance program in this state pursuant to part IV of chapter 409, including a managed care organization operating as a behavioral health specialty plan.

(e) "Managing entity" means a corporation selected by and under contract with the department to manage the daily operational delivery of behavioral health services through a coordinated system of care.

(f) “Provider network” means the group of direct service providers, facilities, and organizations under contract with a managing entity to provide a comprehensive array of emergency, acute care, residential, outpatient, recovery support, and consumer support services, including prevention services.

(g) “Subregion” means a distinct portion of a managing entity’s geographic region defined by unifying service and provider utilization patterns.

(3) DEPARTMENT DUTIES.—The department shall:

(a) Contract with organizations to serve as managing entities in accordance with the requirements of this section and conduct a readiness review of any new managing entities before such entities assume their responsibilities.

(b) Specify data reporting requirements and use of shared data systems.

(c) Define the priority populations that will benefit from receiving care coordination. In defining such populations, the department shall take into account the availability of resources and consider:

1. The number and duration of involuntary admissions within a specified time.
2. The degree of involvement with the criminal justice system and the risk to public safety posed by the individual.
3. Whether the individual has recently resided in or is currently awaiting admission to or discharge from a treatment facility as defined in s. 394.455.
4. The degree of utilization of behavioral health services.
5. Whether the individual is a parent or caregiver who is involved with the child welfare system.

(d) Support the development and implementation of a coordinated system of care by requiring each provider that receives state funds for behavioral health services through a direct contract with the department to work with the managing entity in the provider’s service area to coordinate the provision of behavioral health services as part of the contract with the department.

(e) Provide technical assistance to the managing entities.

(f) Promote the coordination of behavioral health care and primary care.

(g) Facilitate coordination between the managing entity and other payors of behavioral health care.

(h) Develop and provide a unique identifier for clients receiving behavioral health services through the managing entity to coordinate care.

(i) Coordinate procedures for the referral and admission of patients to, and the discharge of patients from, treatment facilities as defined in s. 394.455 and their return to the community.

(j) Ensure that managing entities comply with state and federal laws, rules, regulations, and grant requirements.

(k) Develop rules for the operations of, and the requirements that shall be met by, the managing entity, if necessary.

(l) Periodically review contract and reporting requirements and reduce costly, duplicative, and unnecessary administrative requirements.

(4) CONTRACT WITH MANAGING ENTITIES.—

(a) In contracting for services with managing entities under this section, the department shall first attempt to contract with not-for-profit, community-based organizations with competence in managing provider networks serving persons with mental health and substance use disorders to serve as managing entities.

(b) The department shall issue an invitation to negotiate under s. 287.057 to select an organization to serve as a managing entity. If the

department receives fewer than two responsive bids to the solicitation, the department shall reissue the solicitation and managed behavioral health organizations shall be eligible to bid and be awarded a contract.

(c) If the managing entity is a not-for-profit, community-based organization, it must have a governing board that is representative. At a minimum, the governing board must include consumers and their family members; representatives of local government, area law enforcement agencies, health care facilities, and community-based care lead agencies; business leaders; and providers of substance abuse and mental health services as defined in this chapter and chapter 397.

(d) If the managing entity is a managed behavioral health organization, it must establish an advisory board that meets the same requirements specified in paragraph (c) for a governing board.

(e) If the department issues an invitation to negotiate pursuant to paragraph (b), the department shall consider, at a minimum, the following factors:

1. Experience serving persons with mental health and substance use disorders.
2. Established community partnerships with behavioral health care providers.
3. Demonstrated organizational capabilities for network management functions.
4. Capability to coordinate behavioral health services with primary care services.
5. Willingness to provide recovery-oriented services and systems of care and work collaboratively with persons with mental health and substance use disorders and their families in designing such systems and delivering such services.

(f) The department’s contracts with managing entities must support efficient and effective administration of the behavioral health system and ensure accountability for performance.

(g) A contractor serving as a managing entity shall operate under the same data reporting, administrative, and administrative rate requirements, regardless of whether it is a for-profit or not-for-profit entity.

(h) The contract must designate the geographic area that will be served by the managing entity, which area must be of sufficient size in population, funding, and services to allow for flexibility and efficiency.

(i) The contract must require that, when there is a change in the managing entity in a geographic area, the managing entity work with the department to develop and implement a transition plan that ensures continuity of care for patients receiving behavioral health services.

(j) By June 30, 2019, if all other contract requirements and performance standards are met and the department determines that a managing entity under contract as of July 1, 2016, has received network accreditation pursuant to subsection (6), the department may continue its contract with the managing entity for up to, but not exceeding, 5 years, including any and all renewals and extensions. Thereafter, the department must issue a competitive solicitation pursuant to paragraph (b).

(5) MANAGING ENTITY DUTIES.—A managing entity shall:

(a) Maintain a governing board or, if a managed behavioral health organization, an advisory board as provided in paragraph (4)(c) or paragraph (4)(d), respectively.

(b) Conduct a community behavioral health care needs assessment every 3 years in the geographic area served by the managing entity which identifies needs by subregion. The process for conducting the needs assessment shall include an opportunity for public participation. The assessment shall include, at a minimum, the information the department needs for its annual report to the Governor and Legislature pursuant to s. 394.4573. The managing entity shall provide the needs assessment to the department.

(c) Determine the optimal array of services to meet the needs identified in the community behavioral health care needs assessment and expand the scope of services as resources become available.

(d) Promote the development and effective implementation of a coordinated system of care pursuant to s. 394.4573.

(e) Provide assistance to counties to develop a designated receiving system pursuant to s. 394.4573 and a transportation plan pursuant to s. 394.462.

(f) Develop strategies to divert persons with mental illness or substance use disorders from the criminal and juvenile justice systems in collaboration with the court system and the Department of Juvenile Justice and to integrate behavioral health services with the child welfare system.

(g) Promote and support care coordination activities that will improve outcomes among individuals identified as priority populations pursuant to paragraph (3)(c).

(h) Work independently and collaboratively with stakeholders to improve access to and effectiveness, quality, and outcomes of behavioral health services. This work may include, but is not limited to, facilitating the dissemination and use of evidence-informed practices.

(i) Develop a comprehensive provider network of qualified providers to deliver behavioral health services. The managing entity is not required to competitively procure network providers but shall publicize opportunities to join the provider network and evaluate providers in the network to determine if they may remain in the network. The managing entity shall publish these processes on its website. The managing entity shall ensure continuity of care for clients if a provider ceases to provide a service or leaves the network.

(j) As appropriate, develop resources by pursuing third-party payments for services, applying for grants, assisting providers in securing local matching funds and in-kind services, and employing any other method needed to ensure that services are available and accessible.

(k) Enter into cooperative agreements with local homeless councils and organizations for sharing information about clients, available resources, and other data or information for addressing the homelessness of persons suffering from a behavioral health crisis. All information sharing must comply with federal and state privacy and confidentiality laws, statutes, and regulations.

(l) Work collaboratively with public receiving facilities and licensed housing providers to establish a network of licensed housing resources for mental health consumers that will prevent and reduce readmissions to public receiving facilities.

(m) Monitor network providers' performance and their compliance with contract requirements and federal and state laws, rules, regulations, and grant requirements.

(n) Manage and allocate funds for services to meet federal and state laws, rules, and regulations.

(o) Promote coordination of behavioral health care with primary care.

(p) Implement shared data systems necessary for the delivery of coordinated care and integrated services, the assessment of managing entity performance and provider performance, and the reporting of outcomes and costs of services.

(q) Operate in a transparent manner, providing public access to information, notice of meetings, and opportunities for public participation in managing entity decisionmaking.

(r) Establish and maintain effective relationships with community stakeholders, including individuals served by the behavioral health system of care and their families, local governments, and other community organizations that meet the needs of individuals with mental illness or substance use disorders.

(s) Collaborate with and encourage increased coordination between the provider network and other systems, programs, and entities, such as

the child welfare system, law enforcement agencies, the criminal and juvenile justice systems, the Medicaid program, offices of the public defender, and offices of criminal conflict and civil regional counsel.

1. Collaboration with the criminal and juvenile justice systems shall seek, at a minimum, to divert persons with mental illness, substance use disorders, or co-occurring conditions from these systems.

2. Collaboration with the court system shall seek, at a minimum, to develop specific written procedures and agreements to maximize the use of involuntary outpatient services, reduce involuntary inpatient treatment, and increase diversion from the criminal and juvenile justice systems.

3. Collaboration with the child welfare system shall seek, at a minimum, to provide effective and timely services to parents and caregivers involved in the child welfare system.

(6) NETWORK ACCREDITATION AND SYSTEMS COORDINATION AGREEMENTS.—

(a)1. The department shall identify acceptable accreditations which address coordination within a network and, if possible, between the network and major systems and programs with which the network interacts, such as the child welfare system, the courts system, and the Medicaid program. In identifying acceptable accreditations, the department shall consider whether the accreditation facilitates integrated strategic planning, resource coordination, technology integration, performance measurement, and increased value to consumers through choice of and access to services, improved coordination of services, and effectiveness and efficiency of service delivery.

2. All managing entities under contract with the state by July 1, 2016, shall earn accreditation deemed acceptable by the department pursuant to subparagraph 1. by June 30, 2019. Managing entities whose initial contract with the state is executed after July 1, 2016, shall earn network accreditation within 3 years after the contract execution date. Pursuant to paragraph (4)(j), the department may continue the contract of a managing entity under contract as of July 1, 2016, that earns the network accreditation within the required timeframe and maintains it throughout the contract term.

(b) If no accreditations are available or deemed acceptable pursuant to paragraph (a) which address coordination between the provider network and major systems and programs with which the provider network interacts, each managing entity shall enter into memoranda of understanding which details mechanisms for communication and coordination. The managing entity shall enter into such memoranda with any community-based care lead agencies, circuit courts, county courts, sheriffs' offices, offices of the public defender, offices of criminal conflict and civil regional counsel, Medicaid managed medical assistance plans, and homeless coalitions in its service area. Each managing entity under contract on July 1, 2016, shall enter into such memoranda by June 30, 2017, and each managing entity under contract after July 1, 2016, shall enter into such memoranda within 1 year after its contract execution date.

(7) PERFORMANCE MEASUREMENT AND ACCOUNTABILITY.—Managing entities shall collect and submit data to the department regarding persons served, outcomes of persons served, costs of services provided through the department's contract, and other data as required by the department. The department shall evaluate managing entity performance and the overall progress made by the managing entity, together with other systems, in meeting the community's behavioral health needs, based on consumer-centered outcome measures that reflect national standards, if possible, that can be accurately measured. The department shall work with managing entities to establish performance standards, including, but not limited to:

(a) The extent to which individuals in the community receive services, including, but not limited to, parents or caregivers involved in the child welfare system who need behavioral health services.

(b) The improvement in the overall behavioral health of a community.

(c) *The improvement in functioning or progress in the recovery of individuals served by the managing entity, as determined using person-centered measures tailored to the population.*

(d) *The success of strategies to:*

1. *Divert admissions from acute levels of care, jails, prisons, and forensic facilities as measured by, at a minimum, the total number and percentage of clients who, during a specified period, experience multiple admissions to acute levels of care, jails, prisons, or forensic facilities;*
2. *Integrate behavioral health services with the child welfare system; and*
3. *Address the housing needs of individuals being released from public receiving facilities who are homeless.*

(e) *Consumer and family satisfaction.*

(f) *The level of engagement of key community constituencies, such as law enforcement agencies, community-based care lead agencies, juvenile justice agencies, the courts, school districts, local government entities, hospitals, and other organizations, as appropriate, for the geographical service area of the managing entity.*

(8) **ENHANCEMENT PLANS.**—By September 1 of each year, beginning in 2017, each managing entity shall develop and submit to the department a description of strategies for enhancing services and addressing three to five priority needs in the service area. The planning process sponsored by the managing entity shall include consumers and their families, community-based care lead agencies, local governments, law enforcement agencies, service providers, community partners and other stakeholders. Each strategy must be described in detail and accompanied by an implementation plan that specifies action steps, identifies responsible parties, and delineates specific services that would be purchased, projected costs, the projected number of individuals that would be served, and the estimated benefits of the services. All or parts of these enhancement plans may be included in the department’s annual budget requests submitted to the Legislature.

(9) **FUNDING FOR MANAGING ENTITIES.**—

(a) *A contract established between the department and a managing entity under this section shall be funded by general revenue, other applicable state funds, or applicable federal funding sources. A managing entity may carry forward documented unexpended state funds from one fiscal year to the next, but the cumulative amount carried forward may not exceed 8 percent of the annual amount of the contract. Any unexpended state funds in excess of that percentage shall be returned to the department. The funds carried forward may not be used in a way that would increase future recurring obligations or for any program or service that was not authorized under the existing contract with the department. Expenditures of funds carried forward shall be separately reported to the department. Any unexpended funds that remain at the end of the contract period shall be returned to the department. Funds carried forward may be retained through contract renewals and new contract procurements as long as the same managing entity is retained by the department.*

(b) *The method of payment for a fixed-price contract with a managing entity shall provide for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter.*

(10) **ACUTE CARE SERVICES UTILIZATION DATABASE.**—*The department shall develop, implement, and maintain standards under which a managing entity shall collect utilization data from all public receiving facilities situated within its geographical service area and all detoxification and addictions receiving facilities under contract with the managing entity. As used in this subsection, the term “public receiving facility” means an entity that meets the licensure requirements of, and is designated by, the department to operate as a public receiving facility under s. 394.875 and that is operating as a licensed crisis stabilization unit.*

(a) *The department shall develop standards and protocols to be used for data collection, storage, transmittal, and analysis. The standards and protocols shall allow for compatibility of data and data transmittal between public receiving facilities, detoxification facilities, addictions*

receiving facilities, managing entities, and the department for the implementation, and to meet the requirements, of this subsection.

(b) *A managing entity shall require providers specified in paragraph (a) to submit data, in real time or at least daily, to the managing entity for:*

1. *All admissions and discharges of clients receiving public receiving facility services who qualify as indigent, as defined in s. 394.4787.*
2. *All admissions and discharges of clients receiving substance abuse services in an addictions receiving facility or detoxification facility pursuant to parts IV and V of chapter 397 who qualify as indigent.*

3. *The current active census of total licensed and utilized beds, the number of beds purchased by the department, the number of clients qualifying as indigent who occupy any of those beds, the total number of unoccupied licensed beds, regardless of funding, and the number in excess of licensed capacity. Crisis units licensed for both adult and child use will report as a single unit.*

(c) *A managing entity shall require providers specified in paragraph (a) to submit data, on a monthly basis, to the managing entity which aggregates the daily data submitted under paragraph (b). The managing entity shall reconcile the data in the monthly submission to the data received by the managing entity under paragraph (b) to check for consistency. If the monthly aggregate data submitted by a provider under this paragraph are inconsistent with the daily data submitted under paragraph (b), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.*

(d) *A managing entity shall require providers specified in paragraph (a) within its provider network to submit data, on an annual basis, to the managing entity which aggregates the data submitted and reconciled under paragraph (c). The managing entity shall reconcile the data in the annual submission to the data received and reconciled by the managing entity under paragraph (c) to check for consistency. If the annual aggregate data submitted by a provider under this paragraph are inconsistent with the data received and reconciled under paragraph (c), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.*

(e) *After ensuring the accuracy of data pursuant to paragraphs (c) and (d), the managing entity shall submit the data to the department on a monthly and an annual basis. The department shall create a statewide database for the data described under paragraph (b) and submitted under this paragraph for the purpose of analyzing the use of publicly funded crisis stabilization services and detoxification and addictions receiving services provided on a statewide and an individual provider basis.*

Section 20. Subsections (4) through (9) of section 397.305, Florida Statutes, are renumbered as subsections (6) through (11), respectively, and new subsections (4) and (5) are added to that section, to read:

397.305 Legislative findings, intent, and purpose.—

(4) *It is the intent of the Legislature that licensed, qualified health professionals be authorized to practice to the full extent of their education and training in the performance of professional functions necessary to carry out the intent of this chapter.*

(5) *It is the intent of the Legislature to establish expectations that services provided to persons in this state use the coordination-of-care principles characteristic of recovery-oriented services and include social support services, such as housing support, life skills and vocational training, and employment assistance necessary for persons who have substance use disorders or co-occurring substance use and mental health disorders to live successfully in their communities.*

Section 21. Present subsection (19) of section 391.311, Florida Statutes, is redesignated as subsection (20), present subsections (20) through (45) of that section are redesignated as subsections (23) through (48), respectively, new subsections (19), (21), and (22) are added to that section, and present subsections (30) and (38) of that section are amended, to read:

397.311 Definitions.—As used in this chapter, except part VIII, the term:

(19) *“Incompetent to consent to treatment” means a state in which a person’s judgment is so affected by a substance abuse impairment that he or she lacks the capacity to make a well-reasoned, willful, and knowing decision concerning his or her medical health, mental health, or substance abuse treatment.*

(21) *“Informed consent” means consent voluntarily given in writing by a competent person after sufficient explanation and disclosure of the subject matter involved to enable the person to make a knowing and willful decision without any element of force, fraud, deceit, duress, or other form of constraint or coercion.*

(22) *“Involuntary services” means an array of behavioral health services that may be ordered by the court for persons with substance abuse impairment or co-occurring substance abuse impairment and mental health disorders.*

(33)(30) *“Qualified professional” means a physician or a physician assistant licensed under chapter 458 or chapter 459; a professional licensed under chapter 490 or chapter 491; an advanced registered nurse practitioner having a specialty in psychiatry licensed under part I of chapter 464; or a person who is certified through a department-recognized certification process for substance abuse treatment services and who holds, at a minimum, a bachelor’s degree. A person who is certified in substance abuse treatment services by a state-recognized certification process in another state at the time of employment with a licensed substance abuse provider in this state may perform the functions of a qualified professional as defined in this chapter but must meet certification requirements contained in this subsection no later than 1 year after his or her date of employment.*

(41)(38) *“Service component” or “component” means a discrete operational entity within a service provider which is subject to licensing as defined by rule. Service components include prevention, intervention, and clinical treatment described in subsection (25) (22).*

Section 22. Subsections (16) through (20) of section 397.321, Florida Statutes, are renumbered as subsections (15) through (19), respectively, present subsection (15) is amended, and a new subsection (20) is added to that section, to read:

397.321 Duties of the department.—The department shall:

~~(15) Appoint a substance abuse impairment coordinator to represent the department in efforts initiated by the statewide substance abuse impairment prevention and treatment coordinator established in s. 397.801 and to assist the statewide coordinator in fulfilling the responsibilities of that position.~~

(20) *Develop and prominently display on its website all forms necessary for the implementation and administration of parts IV and V of this chapter. These forms shall include, but are not limited to, a petition for involuntary admission form and all related pleading forms, and a form to be used by law enforcement agencies pursuant to s. 397.6772. The department shall notify law enforcement agencies, the courts, and other state agencies of the existence and availability of such forms.*

Section 23. Section 397.675, Florida Statutes, is amended to read:

397.675 Criteria for involuntary admissions, including protective custody, emergency admission, and other involuntary assessment, involuntary treatment, and alternative involuntary assessment for minors, for purposes of assessment and stabilization, and for involuntary treatment.—A person meets the criteria for involuntary admission if there is good faith reason to believe that the person is substance abuse impaired or has a co-occurring mental health disorder and, because of such impairment or disorder:

(1) Has lost the power of self-control with respect to substance abuse use; and either

(2)(a) ~~Has inflicted, or threatened or attempted to inflict, or unless admitted is likely to inflict, physical harm on himself or herself or another; or~~

~~(b) Is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she the person is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although~~

~~thereto; however, mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; or~~

(b) *Without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.*

Section 24. Subsection (1) of section 397.6772, Florida Statutes, is amended to read:

397.6772 Protective custody without consent.—

(1) If a person in circumstances which justify protective custody as described in s. 397.677 fails or refuses to consent to assistance and a law enforcement officer has determined that a hospital or a licensed detoxification or addictions receiving facility is the most appropriate place for the person, the officer may, after giving due consideration to the expressed wishes of the person:

(a) Take the person to a hospital or to a licensed detoxification or addictions receiving facility against the person’s will but without using unreasonable force. *The officer shall use the standard form developed by the department pursuant to s. 397.321 to execute a written report detailing the circumstances under which the person was taken into custody. The written report shall be included in the patient’s clinical record; or*

(b) In the case of an adult, detain the person for his or her own protection in any municipal or county jail or other appropriate detention facility.

Such detention is not to be considered an arrest for any purpose, and no entry or other record may be made to indicate that the person has been detained or charged with any crime. The officer in charge of the detention facility must notify the nearest appropriate licensed service provider within the first 8 hours after detention that the person has been detained. It is the duty of the detention facility to arrange, as necessary, for transportation of the person to an appropriate licensed service provider with an available bed. Persons taken into protective custody must be assessed by the attending physician within the 72-hour period and without unnecessary delay, to determine the need for further services.

Section 25. Paragraph (a) of subsection (1) of section 397.6773, Florida Statutes, is amended to read:

397.6773 Dispositional alternatives after protective custody.—

(1) An individual who is in protective custody must be released by a qualified professional when:

(a) The individual no longer meets the involuntary admission criteria in s. 397.675 ~~397.675(1)~~;

Section 26. Section 397.679, Florida Statutes, is amended to read:

397.679 Emergency admission; circumstances justifying.—A person who meets the criteria for involuntary admission in s. 397.675 may be admitted to a hospital or to a licensed detoxification facility or addictions receiving facility for emergency assessment and stabilization, or to a less intensive component of a licensed service provider for assessment only, upon receipt by the facility of a ~~the physician’s~~ certificate by a physician, an advanced registered nurse practitioner, a psychiatric nurse, a clinical psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician assistant working under the scope of practice of the supervising physician, or a master’s-level-certified addictions professional for substance abuse services, if the certificate is specific to substance abuse impairment, and the completion of an application for emergency admission.

Section 27. Section 397.6791, Florida Statutes, is amended to read:

397.6791 Emergency admission; persons who may initiate.—The following persons may request a certificate for an emergency assessment or admission:

(1) In the case of an adult, any professional who may issue a professional certificate pursuant to s. 397.6793, the certifying physician, the person's spouse or legal guardian, any relative of the person, or any other responsible adult who has personal knowledge of the person's substance abuse impairment.

(2) In the case of a minor, the minor's parent, legal guardian, or legal custodian.

Section 28. Section 397.6793, Florida Statutes, is amended to read:

397.6793 Professional's Physician's certificate for emergency admission.—

(1) A physician, a clinical psychologist, a physician assistant working under the scope of practice of the supervising physician, a psychiatric nurse, an advanced registered nurse practitioner, a mental health counselor, a marriage and family therapist, a master's-level-certified addictions professional for substance abuse services, or a clinical social worker may execute a professional's certificate for emergency admission. The professional's physician's certificate must include the name of the person to be admitted, the relationship between the person and the professional executing the certificate physician, the relationship between the applicant and the professional physician, any relationship between the professional physician and the licensed service provider, and a statement that the person has been examined and assessed within the preceding 5 days after of the application date, and must include factual allegations with respect to the need for emergency admission, including:

(a) The reason for the physician's belief that the person is substance abuse impaired; and

(b) The reason for the physician's belief that because of such impairment the person has lost the power of self-control with respect to substance abuse; and either

(c)1. The reason for the belief physician believes that, without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted or, unless admitted, is likely to inflict, physical harm on himself, or herself, or another others unless admitted; or

2. The reason for the belief physician believes that the person's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the person is incapable of appreciating his or her need for care and of making a rational decision regarding his or her need for care.

(2) The professional's physician's certificate must recommend the least restrictive type of service that is appropriate for the person. The certificate must be signed by the professional physician. If other less restrictive means are not available, such as voluntary appearance for outpatient evaluation, a law enforcement officer shall take the person named in the certificate into custody and deliver him or her to the appropriate facility for involuntary assessment and stabilization.

(3) A signed copy of the professional's physician's certificate shall accompany the person; and shall be made a part of the person's clinical record, together with a signed copy of the application. The application and the professional's physician's certificate authorize the involuntary admission of the person pursuant to, and subject to the provisions of, ss. 397.679-397.6797.

(4) The professional's certificate is valid for 7 days after issuance.

(5) The professional's physician's certificate must indicate whether the person requires transportation assistance for delivery for emergency admission and specify, pursuant to s. 397.6795, the type of transportation assistance necessary.

Section 29. Section 397.6795, Florida Statutes, is amended to read:

397.6795 Transportation-assisted delivery of persons for emergency assessment.—An applicant for a person's emergency admission, or the person's spouse or guardian, or a law enforcement officer, or a health officer may deliver a person named in the professional's physician's certificate for emergency admission to a hospital or a licensed detoxification facility or addictions receiving facility for emergency assessment and stabilization.

Section 30. Subsection (1) of section 397.681, Florida Statutes, is amended to read:

397.681 Involuntary petitions; general provisions; court jurisdiction and right to counsel.—

(1) JURISDICTION.—The courts have jurisdiction of involuntary assessment and stabilization petitions and involuntary treatment petitions for substance abuse impaired persons, and such petitions must be filed with the clerk of the court in the county where the person is located. The clerk of the court may not charge a fee for the filing of a petition under this section. The chief judge may appoint a general or special magistrate to preside over all or part of the proceedings. The alleged impaired person is named as the respondent.

Section 31. Subsection (1) of section 397.6811, Florida Statutes, is amended to read:

397.6811 Involuntary assessment and stabilization.—A person determined by the court to appear to meet the criteria for involuntary admission under s. 397.675 may be admitted for a period of 5 days to a hospital or to a licensed detoxification facility or addictions receiving facility, for involuntary assessment and stabilization or to a less restrictive component of a licensed service provider for assessment only upon entry of a court order or upon receipt by the licensed service provider of a petition. Involuntary assessment and stabilization may be initiated by the submission of a petition to the court.

(1) If the person upon whose behalf the petition is being filed is an adult, a petition for involuntary assessment and stabilization may be filed by the respondent's spouse or legal guardian, any relative, a private practitioner, the director of a licensed service provider or the director's designee, or an adult any three adults who has direct have personal knowledge of the respondent's substance abuse impairment.

Section 32. Section 397.6814, Florida Statutes, is amended to read:

397.6814 Involuntary assessment and stabilization; contents of petition.—A petition for involuntary assessment and stabilization must contain the name of the respondent; the name of the applicant or applicants; the relationship between the respondent and the applicant, and; the name of the respondent's attorney, if known, and a statement of the respondent's ability to afford an attorney; and must state facts to support the need for involuntary assessment and stabilization, including:

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired; and

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and either

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless admitted; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care. If the respondent has refused to submit to an assessment, such refusal must be alleged in the petition.

A fee may not be charged for the filing of a petition pursuant to this section.

Section 33. Subsection (4) is added to section 397.6818, Florida Statutes, to read:

397.6818 Court determination.—At the hearing initiated in accordance with s. 397.6811(1), the court shall hear all relevant testimony. The respondent must be present unless the court has reason to believe that his or her presence is likely to be injurious to him or her, in which event the court shall appoint a guardian advocate to represent the respondent. The respondent has the right to examination by a court-appointed qualified professional. After hearing all the evidence, the court shall determine whether there is a reasonable basis to believe the respondent meets the involuntary admission criteria of s. 397.675.

(4) *The order is valid only for the period specified in the order or, if a period is not specified, for 7 days after the order is signed.*

Section 34. Section 397.6819, Florida Statutes, is amended to read:

397.6819 Involuntary assessment and stabilization; responsibility of licensed service provider.—A licensed service provider may admit an individual for involuntary assessment and stabilization for a period not to exceed 5 days *unless a petition for involuntary services has been initiated and the individual is being retained pursuant to s. 397.6822(3) or a request for an extension of time has been filed with the court pursuant to s. 397.6821.* The assessment of the individual must occur within 72 hours ~~be assessed without unnecessary delay~~ by a qualified professional. If an assessment is performed by a qualified professional who is not a physician, the assessment must be reviewed by a physician before the end of the assessment period.

Section 35. Section 397.695, Florida Statutes, is amended to read:

397.695 Involuntary services ~~treatment~~; persons who may petition.—

(1) If the respondent is an adult, a petition for involuntary services ~~treatment~~ may be filed by the respondent's spouse or legal guardian, any relative, a service provider, or *an adult* ~~any three adults~~ who has ~~direct~~ *have* personal knowledge of the respondent's substance abuse impairment and his or her prior course of assessment and treatment.

(2) If the respondent is a minor, a petition for involuntary treatment may be filed by a parent, legal guardian, or service provider.

Section 36. Section 397.6951, Florida Statutes, is amended to read:

397.6951 Contents of petition for involuntary services ~~treatment~~.—A petition for involuntary services ~~treatment~~ must contain the name of the respondent ~~to be admitted~~; the name of the petitioner or petitioners; the relationship between the respondent and the petitioner; the name of the respondent's attorney, if known, ~~and a statement of the petitioner's knowledge of the respondent's ability to afford an attorney~~; the findings and recommendations of the assessment performed by the qualified professional; and the factual allegations presented by the petitioner establishing the need for involuntary *outpatient services*. ~~The factual allegations must demonstrate treatment, including:~~

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired; ~~and~~

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and ~~either~~

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless *the court orders the involuntary services admitted*; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

Section 37. Section 397.6955, Florida Statutes, is amended to read:

397.6955 Duties of court upon filing of petition for involuntary services ~~treatment~~.—

(1) Upon the filing of a petition for ~~the~~ involuntary services for ~~treatment~~ of a substance abuse impaired person with the clerk of the court, the court shall immediately determine whether the respondent is

represented by an attorney or whether the appointment of counsel for the respondent is appropriate. *If the court appoints counsel for the person, the clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel, created pursuant to s. 27.511, of the appointment. The office of criminal conflict and civil regional counsel shall represent the person until the petition is dismissed, the court order expires, or the person is discharged from involuntary services. An attorney that represents the person named in the petition shall have access to the person, witnesses, and records relevant to the presentation of the person's case and shall represent the interests of the person, regardless of the source of payment to the attorney.*

(2) The court shall schedule a hearing to be held on the petition within 5 ~~10~~ days *unless a continuance is granted. The court may appoint a magistrate to preside at the hearing.*

(3) A copy of the petition and notice of the hearing must be provided to the respondent; the respondent's parent, guardian, or legal custodian, in the case of a minor; the respondent's attorney, if known; the petitioner; the respondent's spouse or guardian, if applicable; and such other persons as the court may direct. *If the respondent is a minor, a copy of the petition and notice of the hearing must be and have such petition and order personally delivered to the respondent if he or she is a minor.* The court shall also issue a summons to the person whose admission is sought.

Section 38. Section 397.6957, Florida Statutes, is amended to read:

397.6957 Hearing on petition for involuntary services ~~treatment~~.—

(1) At a hearing on a petition for involuntary services ~~treatment~~, the court shall hear and review all relevant evidence, including the review of results of the assessment completed by the qualified professional in connection with the respondent's protective custody, emergency admission, involuntary assessment, or alternative involuntary admission. The respondent must be present unless the court finds that his or her presence is likely to be injurious to himself or herself or others, in which event the court must appoint a guardian advocate to act in behalf of the respondent throughout the proceedings.

(2) The petitioner has the burden of proving by clear and convincing evidence *that:*

(a) The respondent is substance abuse impaired *and has a history of lack of compliance with treatment for substance abuse;*; and

(b) Because of such impairment *the respondent is unlikely to voluntarily participate in the recommended services or is unable to determine for himself or herself whether services are necessary* ~~the respondent has lost the power of self-control with respect to substance abuse;~~ and: *either*

1. *Without services, the respondent is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that there is a substantial likelihood that without services the respondent will cause serious bodily harm to himself, herself, or another in the near future, as evidenced by recent behavior* ~~The respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless admitted;~~ or

2. The respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

(3) *One of the qualified professionals who executed the involuntary services certificate must be a witness. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the respondent's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.*

(4)(~~3~~) At the conclusion of the hearing the court shall ~~either~~ dismiss the petition or order the respondent to receive ~~undergo~~ involuntary services from his or her ~~substance abuse treatment~~, with the respondent's chosen licensed service provider *if to deliver the involuntary substance abuse treatment where possible and appropriate.*

Section 39. Section 397.697, Florida Statutes, is amended to read:

397.697 Court determination; effect of court order for involuntary services ~~substance abuse treatment.~~—

(1) When the court finds that the conditions for involuntary ~~services substance abuse treatment~~ have been proved by clear and convincing evidence, it may order the respondent to ~~receive~~ ~~undergo~~ involuntary services from ~~treatment~~ by a publicly funded licensed service provider for a period not to exceed 90 ~~60~~ days. *The court may also order a respondent to undergo treatment through a privately funded licensed service provider if the respondent has the ability to pay for the treatment, or if any person on the respondent's behalf voluntarily demonstrates a willingness and an ability to pay for the treatment.* If the court finds it necessary, it may direct the sheriff to take the respondent into custody and deliver him or her to the licensed service provider specified in the court order, or to the nearest appropriate licensed service provider, for involuntary ~~services treatment~~. When the conditions justifying involuntary ~~services treatment~~ no longer exist, the individual must be released as provided in s. 397.6971. When the conditions justifying involuntary ~~services treatment~~ are expected to exist after 90 ~~60~~ days of ~~services treatment~~, a renewal of the involuntary ~~services treatment~~ order may be requested pursuant to s. 397.6975 ~~before~~ ~~prior to~~ the end of the 90-day ~~60-day~~ period.

(2) In all cases resulting in an order for involuntary ~~services substance abuse treatment~~, the court shall retain jurisdiction over the case and the parties for the entry of such further orders as the circumstances may require. The court's requirements for notification of proposed release must be included in the original ~~treatment~~ order.

(3) An involuntary ~~services treatment~~ order authorizes the licensed service provider to require the individual to ~~receive services that undergo such treatment~~ as will benefit him or her, including ~~services treatment~~ at any licensable service component of a licensed service provider.

(4) *If the court orders involuntary services, a copy of the order must be sent to the managing entity within 1 working day after it is received from the court. Documents may be submitted electronically though existing data systems, if applicable.*

Section 40. Section 397.6971, Florida Statutes, is amended to read:

397.6971 Early release from involuntary services ~~substance abuse treatment.~~—

(1) At any time ~~before~~ ~~prior to~~ the end of the 90-day ~~60-day~~ involuntary ~~services treatment~~ period, or ~~before~~ ~~prior to~~ the end of any extension granted pursuant to s. 397.6975, an individual receiving ~~admitted for~~ involuntary ~~services treatment~~ may be determined eligible for discharge to the most appropriate referral or disposition for the individual when *any of the following apply:*

(a) The individual no longer meets the criteria for involuntary admission and has given his or her informed consent to be transferred to voluntary treatment status.;

(b) If the individual was admitted on the grounds of likelihood of infliction of physical harm upon himself or herself or others, such likelihood no longer exists.;

(c) If the individual was admitted on the grounds of need for assessment and stabilization or treatment, accompanied by inability to make a determination respecting such need, ~~either:~~

1. Such inability no longer exists; or
2. It is evident that further treatment will not bring about further significant improvements in the individual's condition.;

(d) The individual is no longer in need of services.;

(e) The director of the service provider determines that the individual is beyond the safe management capabilities of the provider.

(2) Whenever a qualified professional determines that an individual admitted for involuntary ~~services~~ ~~qualifies treatment is ready~~ for early release ~~under~~ ~~for any of the reasons listed in~~ subsection (1), the service

provider shall immediately discharge the individual; and must notify all persons specified by the court in the original treatment order.

Section 41. Section 397.6975, Florida Statutes, is amended to read:

397.6975 Extension of involuntary ~~services substance abuse treatment~~ period.—

(1) Whenever a service provider believes that an individual who is nearing the scheduled date of *his or her* release from involuntary ~~services treatment~~ continues to meet the criteria for involuntary ~~services treatment~~ in s. 397.693, a petition for renewal of the involuntary ~~services treatment~~ order may be filed with the court at least 10 days before the expiration of the court-ordered ~~services treatment~~ period. The court shall immediately schedule a hearing to be held not more than 15 days after filing of the petition. The court shall provide the copy of the petition for renewal and the notice of the hearing to all parties to the proceeding. The hearing is conducted pursuant to s. 397.6957.

(2) If the court finds that the petition for renewal of the involuntary ~~services treatment~~ order should be granted, it may order the respondent to ~~receive~~ ~~undergo~~ involuntary ~~services treatment~~ for a period not to exceed an additional 90 days. When the conditions justifying involuntary ~~services treatment~~ no longer exist, the individual must be released as provided in s. 397.6971. When the conditions justifying involuntary ~~services treatment~~ continue to exist after *an additional* 90 days of ~~service~~ ~~additional treatment~~, a new petition requesting renewal of the involuntary ~~services treatment~~ order may be filed pursuant to this section.

(3) *Within 1 court working day after the filing of a petition for continued involuntary services, the court shall appoint the office of criminal conflict and civil regional counsel to represent the respondent, unless the respondent is otherwise represented by counsel. The clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel of such appointment. The office of criminal conflict and civil regional counsel shall represent the respondent until the petition is dismissed or the court order expires or the respondent is discharged from involuntary services. Any attorney representing the respondent shall have access to the respondent, witnesses, and records relevant to the presentation of the respondent's case and shall represent the interests of the respondent, regardless of the source of payment to the attorney.*

(4) *Hearings on petitions for continued involuntary services shall be before the circuit court. The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this section shall be in accordance with s. 397.697.*

(5) *Notice of hearing shall be provided to the respondent or his or her counsel. The respondent and the respondent's counsel may agree to a period of continued involuntary services without a court hearing.*

(6) *The same procedure shall be repeated before the expiration of each additional period of involuntary services.*

(7) *If the respondent has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the respondent's competence.*

Section 42. Section 397.6977, Florida Statutes, is amended to read:

397.6977 Disposition of individual upon completion of involuntary ~~services substance abuse treatment.~~—At the conclusion of the 90-day ~~60-day~~ period of court-ordered involuntary ~~services treatment~~, the ~~respondent individual~~ is automatically discharged unless a motion for renewal of the involuntary ~~services treatment~~ order has been filed with the court pursuant to s. 397.6975.

Section 43. Section 397.6978, Florida Statutes, is created to read:

397.6978 Guardian advocate; patient incompetent to consent; substance abuse disorder.—

(1) *The administrator of a receiving facility or an addictions receiving facility may petition the court for the appointment of a guardian advocate based upon the opinion of a qualified professional that the patient is incompetent to consent to treatment. If the court finds that a patient is incompetent to consent to treatment and has not been adjudicated incapacitated and that a guardian with the authority to con-*

sent to substance abuse treatment has not been appointed, it may appoint a guardian advocate. The patient has the right to have an attorney represent him or her at the hearing. If the person is indigent, the court shall appoint the office of criminal conflict and civil regional counsel to represent him or her at the hearing. The patient has the right to testify, cross-examine witnesses, and present witnesses. The proceeding shall be recorded electronically or stenographically, and testimony must be provided under oath. One of the qualified professionals authorized to give an opinion in support of a petition for involuntary services, as described in s. 397.693, must testify. A guardian advocate must meet the qualifications of a guardian contained in part IV of chapter 744. The person who is appointed as a guardian advocate must agree to the appointment.

(2) The following persons are prohibited from appointment as a patient's guardian advocate:

(a) A professional providing clinical services to the individual under this part.

(b) The qualified professional who initiated the involuntary examination of the individual, if the examination was initiated by a qualified professional's certificate.

(c) An employee, an administrator, or a board member of the facility providing the examination of the individual.

(d) An employee, an administrator, or a board member of the treatment facility providing treatment of the individual.

(e) A person providing any substantial professional services, excluding public guardians or professional guardians, to the individual, including clinical services.

(f) A creditor of the individual.

(g) A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the individual was the petitioner.

(h) A person subject to an injunction for protection against repeat violence, stalking, sexual violence, or dating violence under s. 784.046, whether the order of injunction is temporary or final, and for which the individual was the petitioner.

(3) A facility requesting appointment of a guardian advocate must, before the appointment, provide the prospective guardian advocate with information about the duties and responsibilities of guardian advocates, including information about the ethics of medical decisionmaking. Before asking a guardian advocate to give consent to treatment for a patient, the facility must provide to the guardian advocate sufficient information so that the guardian advocate can decide whether to give express and informed consent to the treatment. Such information must include information that demonstrates that the treatment is essential to the care of the patient and does not present an unreasonable risk of serious, hazardous, or irreversible side effects. If possible, before giving consent to treatment, the guardian advocate must personally meet and talk with the patient and the patient's physician. If that is not possible, the discussion may be conducted by telephone. The decision of the guardian advocate may be reviewed by the court, upon petition of the patient's attorney, the patient's family, or the facility administrator.

(4) In lieu of the training required for guardians appointed pursuant to chapter 744, a guardian advocate shall attend at least a 4-hour training course approved by the court before exercising his or her authority. At a minimum, the training course must include information about patient rights, the diagnosis of substance abuse disorders, the ethics of medical decisionmaking, and the duties of guardian advocates.

(5) The required training course and the information to be supplied to prospective guardian advocates before their appointment must be developed by the department, approved by the chief judge of the circuit court, and taught by a court-approved organization, which may include, but need not be limited to, a community college, a guardianship organization, a local bar association, or The Florida Bar. The training course may be web-based, provided in video format, or provided in other electronic means but must be capable of ensuring the identity and participation of the prospective guardian advocate. The court may waive some or all of the training requirements for guardian advocates or impose additional requirements. The court shall make its decision on a case-by-

case basis and, in making its decision, shall consider the experience and education of the guardian advocate, the duties assigned to the guardian advocate, and the needs of the patient.

(6) In selecting a guardian advocate, the court shall give preference to the patient's health care surrogate, if one has already been designated by the patient. If the patient has not previously designated a health care surrogate, the selection shall be made, except for good cause documented in the court record, from among the following persons, listed in order of priority:

(a) The spouse of the patient.

(b) An adult child of the patient.

(c) A parent of the patient.

(d) The adult next of kin of the patient.

(e) An adult friend of the patient.

(f) An adult trained and willing to serve as the guardian advocate for the patient.

(7) If a guardian with the authority to consent to medical treatment has not already been appointed, or if the patient has not already designated a health care surrogate, the court may authorize the guardian advocate to consent to medical treatment as well as substance abuse disorder treatment. Unless otherwise limited by the court, a guardian advocate with authority to consent to medical treatment has the same authority to make health care decisions and is subject to the same restrictions as a proxy appointed under part IV of chapter 765. Unless the guardian advocate has sought and received express court approval in a proceeding separate from the proceeding to determine the competence of the patient to consent to medical treatment, the guardian advocate may not consent to:

(a) Abortion.

(b) Sterilization.

(c) Electroshock therapy.

(d) Psychosurgery.

(e) Experimental treatments that have not been approved by a federally approved institutional review board in accordance with 45 C.F.R. part 46 or 21 C.F.R. part 56.

The court must base its authorization on evidence that the treatment or procedure is essential to the care of the patient and that the treatment does not present an unreasonable risk of serious, hazardous, or irreversible side effects. In complying with this subsection, the court shall follow the procedures set forth in subsection (1).

(8) The guardian advocate shall be discharged when the patient is discharged from an order for involuntary services or when the patient is transferred from involuntary to voluntary status. The court or a hearing officer shall consider the competence of the patient as provided in subsection (1) and may consider an involuntarily placed patient's competence to consent to services at any hearing. Upon sufficient evidence, the court may restore, or the magistrate may recommend that the court restore, the patient's competence. A copy of the order restoring competence or the certificate of discharge containing the restoration of competence shall be provided to the patient and the guardian advocate.

Section 44. Paragraphs (d) through (m) of subsection (2) of section 409.967, are redesignated as paragraphs (e) through (n), respectively, and a new paragraph (d) is added to that subsection to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(d) Quality care.—Managed care plans shall provide, or contract for the provision of, care coordination to facilitate the appropriate delivery of

behavioral health care services in the least restrictive setting with treatment and recovery capabilities that address the needs of the patient. Services shall be provided in a manner that integrates behavioral health services and primary care. Plans shall be required to achieve specific behavioral health outcome standards, established by the agency in consultation with the department.

Section 45. Subsection (5) is added to section 409.973, Florida Statutes, to read:

409.973 Benefits.—

(5) *INTEGRATED BEHAVIORAL HEALTH INITIATIVE.—Each plan operating in the managed medical assistance program shall work with the managing entity in its service area to establish specific organizational supports and protocols that enhance the integration and coordination of primary care and behavioral health services for Medicaid recipients. Progress in this initiative shall be measured using the integration framework and core measures developed by the Agency for Healthcare Research and Quality.*

Section 46. Notwithstanding the amendment made to s. 409.975(6), Florida Statutes, by HB 5101, 1st Eng., 2016 Regular Session, subsection (6) of section 409.975, Florida Statutes, is reenacted to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers participating in the managed medical assistance program shall comply with the requirements of this section.

(6) *PROVIDER PAYMENT.—Managed care plans and hospitals shall negotiate mutually acceptable rates, methods, and terms of payment. For rates, methods, and terms of payment negotiated after the contract between the agency and the plan is executed, plans shall pay hospitals, at a minimum, the rate the agency would have paid on the first day of the contract between the provider and the plan. Such payments to hospitals may not exceed 120 percent of the rate the agency would have paid on the first day of the contract between the provider and the plan, unless specifically approved by the agency. Payment rates may be updated periodically.*

Section 47. *It is the intent of the Legislature that the reenactment of s. 409.975(6), Florida Statutes, shall control over the amendment to that subsection made by HB 5101, 1st Eng., 2016 Regular Session, regardless of the order in which they are enacted.*

Section 48. Section 491.0045, Florida Statutes, is amended to read:

491.0045 Intern registration; requirements.—

(1) ~~Effective January 1, 1998,~~ An individual who *has not satisfied intends to practice in Florida to satisfy* the postgraduate or post-master's level experience requirements, as specified in s. 491.005(1)(c), (3)(c), or (4)(c), must register as an intern in the profession for which he or she is seeking licensure ~~before~~ *prior to* commencing the post-master's experience requirement or an individual who intends to satisfy part of the required graduate-level practicum, internship, or field experience, outside the academic arena for any profession, must register as an intern in the profession for which he or she is seeking licensure ~~before~~ *prior to* commencing the practicum, internship, or field experience.

(2) The department shall register as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern each applicant who the board certifies has:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed \$200, as set by board rule;

(b)1. Completed the education requirements as specified in s. 491.005(1)(c), (3)(c), or (4)(c) for the profession for which he or she is applying for licensure, if needed; and

2. Submitted an acceptable supervision plan, as determined by the board, for meeting the practicum, internship, or field work required for licensure that was not satisfied in his or her graduate program.

(c) Identified a qualified supervisor.

(3) An individual registered under this section must remain under supervision *while practicing under registered intern status until he or she is in receipt of a license or a letter from the department stating that he or she is licensed to practice the profession for which he or she applied.*

~~(4) An individual who has applied for intern registration on or before December 31, 2001, and has satisfied the education requirements of s. 491.005 that are in effect through December 31, 2000, will have met the educational requirements for licensure for the profession for which he or she has applied.~~

~~(4)(5) An individual who fails~~ *Individuals who have commenced the experience requirement as specified in s. 491.005(1)(c), (3)(c), or (4)(c) but failed to register as required by subsection (1) shall register with the department before January 1, 2000. Individuals who fail to comply with this section may subsection shall not be granted a license under this chapter, and any time spent by the individual completing the experience requirement as specified in s. 491.005(1)(c), (3)(c), or (4)(c) before prior to registering as an intern does shall not count toward completion of the such requirement.*

(5) *An intern registration is valid for 5 years.*

(6) *A registration issued on or before March 31, 2017, expires March 31, 2022, and may not be renewed or reissued. Any registration issued after March 31, 2017, expires 60 months after the date it is issued. A subsequent intern registration may not be issued unless the candidate has passed the theory and practice examination described in s. 491.005(1)(d), (3)(d), and (4)(d).*

(7) *An individual who has held a provisional license issued by the board may not apply for an intern registration in the same profession.*

Section 49. *Section 394.4674, Florida Statutes, is repealed.*

Section 50. *Section 394.4985, Florida Statutes, is repealed.*

Section 51. *Section 394.745, Florida Statutes, is repealed.*

Section 52. *Section 397.331, Florida Statutes, is repealed.*

Section 53. *Section 397.801, Florida Statutes, is repealed.*

Section 54. *Section 397.811, Florida Statutes, is repealed.*

Section 55. *Section 397.821, Florida Statutes, is repealed.*

Section 56. *Section 397.901, Florida Statutes, is repealed.*

Section 57. *Section 397.93, Florida Statutes, is repealed.*

Section 58. *Section 397.94, Florida Statutes, is repealed.*

Section 59. *Section 397.951, Florida Statutes, is repealed.*

Section 60. *Section 397.97, Florida Statutes, is repealed.*

Section 61. *Section 397.98, Florida Statutes, is repealed.*

Section 62. Paragraph (a) of subsection (3) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(3)(a)1. Except as otherwise provided in subparagraph (b)1. or paragraph (e), before the department provides psychotropic medications to a child in its custody, the prescribing physician shall attempt to obtain express and informed consent, as defined in s. 394.455(15) ~~or 394.455(9)~~ and as described in s. 394.459(3)(a), from the child's parent or legal guardian. The department must take steps necessary to facilitate the inclusion of the parent in the child's consultation with the physician. However, if the parental rights of the parent have been terminated, the parent's location or identity is unknown or cannot reasonably be ascertained, or the parent declines to give express and informed consent, the department may, after consultation with the prescribing physician, seek court authorization to provide the psychotropic medications to the child. Unless parental rights have been ter-

minated and if it is possible to do so, the department shall continue to involve the parent in the decisionmaking process regarding the provision of psychotropic medications. If, at any time, a parent whose parental rights have not been terminated provides express and informed consent to the provision of a psychotropic medication, the requirements of this section that the department seek court authorization do not apply to that medication until such time as the parent no longer consents.

2. Any time the department seeks a medical evaluation to determine the need to initiate or continue a psychotropic medication for a child, the department must provide to the evaluating physician all pertinent medical information known to the department concerning that child.

Section 63. Subsection (1) of section 39.524, Florida Statutes, is amended to read:

39.524 Safe-harbor placement.—

(1) Except as provided in s. 39.407 or s. 985.801, a dependent child 6 years of age or older who has been found to be a victim of sexual exploitation as defined in s. 39.01(70)(g) ~~s. 39.01(69)(g)~~ must be assessed for placement in a safe house or safe foster home as provided in s. 409.1678 using the initial screening and assessment instruments provided in s. 409.1754(1). If such placement is determined to be appropriate for the child as a result of this assessment, the child may be placed in a safe house or safe foster home, if one is available. However, the child may be placed in another setting, if the other setting is more appropriate to the child's needs or if a safe house or safe foster home is unavailable, as long as the child's behaviors are managed so as not to endanger other children served in that setting.

Section 64. Paragraph (e) of subsection (5) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined in s. 125.011(1) may levy the surtax authorized in this subsection pursuant to an ordinance either approved by extraordinary vote of the county commission or conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum. In a county as defined in s. 125.011(1), for the purposes of this subsection, "county public general hospital" means a general hospital as defined in s. 395.002 which is owned, operated, maintained, or governed by the county or its agency, authority, or public health trust.

(e) A governing board, agency, or authority shall be chartered by the county commission upon this act becoming law. The governing board, agency, or authority shall adopt and implement a health care plan for indigent health care services. The governing board, agency, or authority shall consist of no more than seven and no fewer than five members appointed by the county commission. The members of the governing board, agency, or authority shall be at least 18 years of age and residents of the county. No member may be employed by or affiliated with a health care provider or the public health trust, agency, or authority responsible for the county public general hospital. The following community organizations shall each appoint a representative to a nominating committee: the South Florida Hospital and Healthcare Association, the Miami-Dade County Public Health Trust, the Dade County Medical Association, the Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade County. This committee shall nominate between 10 and 14 county citizens for the governing board, agency, or authority. The slate shall be presented to the county commission and the county commission shall confirm the top five to seven nominees, depending on the size of the governing board. Until such time as the governing board, agency, or authority is created, the funds provided for in subparagraph

(d)2. shall be placed in a restricted account set aside from other county funds and not disbursed by the county for any other purpose.

1. The plan shall divide the county into a minimum of four and maximum of six service areas, with no more than one participant hospital per service area. The county public general hospital shall be designated as the provider for one of the service areas. Services shall be provided through participants' primary acute care facilities.

2. The plan and subsequent amendments to it shall fund a defined range of health care services for both indigent persons and the medically poor, including primary care, preventive care, hospital emergency room care, and hospital care necessary to stabilize the patient. For the purposes of this section, "stabilization" means stabilization as defined in s. 397.311(44) ~~s. 397.311(41)~~. Where consistent with these objectives, the plan may include services rendered by physicians, clinics, community hospitals, and alternative delivery sites, as well as at least one regional referral hospital per service area. The plan shall provide that agreements negotiated between the governing board, agency, or authority and providers shall recognize hospitals that render a disproportionate share of indigent care, provide other incentives to promote the delivery of charity care to draw down federal funds where appropriate, and require cost containment, including, but not limited to, case management. From the funds specified in subparagraphs (d)1. and 2. for indigent health care services, service providers shall receive reimbursement at a Medicaid rate to be determined by the governing board, agency, or authority created pursuant to this paragraph for the initial emergency room visit, and a per-member per-month fee or capitation for those members enrolled in their service area, as compensation for the services rendered following the initial emergency visit. Except for provisions of emergency services, upon determination of eligibility, enrollment shall be deemed to have occurred at the time services were rendered. The provisions for specific reimbursement of emergency services shall be repealed on July 1, 2001, unless otherwise reenacted by the Legislature. The capitation amount or rate shall be determined ~~before~~ ~~prior to~~ program implementation by an independent actuarial consultant. In no event shall such reimbursement rates exceed the Medicaid rate. The plan must also provide that any hospitals owned and operated by government entities on or after the effective date of this act must, as a condition of receiving funds under this subsection, afford public access equal to that provided under s. 286.011 as to any meeting of the governing board, agency, or authority the subject of which is budgeting resources for the retention of charity care, as that term is defined in the rules of the Agency for Health Care Administration. The plan shall also include innovative health care programs that provide cost-effective alternatives to traditional methods of service and delivery funding.

3. The plan's benefits shall be made available to all county residents currently eligible to receive health care services as indigents or medically poor as defined in paragraph (4)(d).

4. Eligible residents who participate in the health care plan shall receive coverage for a period of 12 months or the period extending from the time of enrollment to the end of the current fiscal year, per enrollment period, whichever is less.

5. At the end of each fiscal year, the governing board, agency, or authority shall prepare an audit that reviews the budget of the plan, delivery of services, and quality of services, and makes recommendations to increase the plan's efficiency. The audit shall take into account participant hospital satisfaction with the plan and assess the amount of poststabilization patient transfers requested, and accepted or denied, by the county public general hospital.

Section 65. Paragraph (c) of subsection (2) of section 394.4599, Florida Statutes, is amended to read:

394.4599 Notice.—

(2) INVOLUNTARY ADMISSION.—

(c)1. A receiving facility shall give notice of the whereabouts of a minor who is being involuntarily held for examination pursuant to s. 394.463 to the minor's parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor's arrival at the facility. The facility may delay notification for no more than 24 hours after the minor's

arrival if the facility has submitted a report to the central abuse hotline, pursuant to s. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect and if the facility deems a delay in notification to be in the minor's best interest.

2. The receiving facility shall attempt to notify the minor's parent, guardian, caregiver, or guardian advocate until the receiving facility receives confirmation from the parent, guardian, caregiver, or guardian advocate, verbally, by telephone or other form of electronic communication, or by recorded message, that notification has been received. Attempts to notify the parent, guardian, caregiver, or guardian advocate must be repeated at least once every hour during the first 12 hours after the minor's arrival and once every 24 hours thereafter and must continue until such confirmation is received, unless the minor is released at the end of the 72-hour examination period, or until a petition for involuntary services placement is filed with the court pursuant to s. 394.463(2)(g) ~~s. 394.463(2)(i)~~. The receiving facility may seek assistance from a law enforcement agency to notify the minor's parent, guardian, caregiver, or guardian advocate if the facility has not received within the first 24 hours after the minor's arrival a confirmation by the parent, guardian, caregiver, or guardian advocate that notification has been received. The receiving facility must document notification attempts in the minor's clinical record.

Section 66. Subsection (3) and paragraph (p) of subsection (4) of section 394.495, Florida Statutes, are amended to read:

394.495 Child and adolescent mental health system of care; programs and services.—

(3) Assessments must be performed by:

(a) A professional as defined in s. 394.455(5), (7), (32), (35), or (36) ~~s. 394.455(2), (4), (21), (23), or (24)~~;

(b) A professional licensed under chapter 491; or

(c) A person who is under the direct supervision of a *qualified* professional as defined in s. 394.455(5), (7), (32), (35), or (36) ~~s. 394.455(2), (4), (21), (22), or (24)~~ or a professional licensed under chapter 491.

(4) The array of services may include, but is not limited to:

(p) Trauma-informed services for children who have suffered sexual exploitation as defined in s. 39.01(70)(g) ~~s. 39.01(69)(g)~~.

Section 67. Subsection (5) of section 394.496, Florida Statutes, is amended to read:

394.496 Service planning.—

(5) A professional as defined in s. 394.455(5), (7), (32), (35), or (36) ~~s. 394.455(2), (4), (21), (23), or (24)~~ or a professional licensed under chapter 491 must be included among those persons developing the services plan.

Section 68. Subsection (6) of section 394.9085, Florida Statutes, is amended to read:

394.9085 Behavioral provider liability.—

(6) For purposes of this section, the terms "detoxification services," "addictions receiving facility," and "receiving facility" have the same meanings as those provided in ss. 397.311(25)(a)4., 397.311(25)(a)1., and 394.455(39) ~~ss. 397.311(22)(a)4., 397.311(22)(a)1., and 394.455(26)~~, respectively.

Section 69. Subsections (16) through (20) of section 397.321, Florida Statutes, are renumbered as subsections (15) through (19), respectively, and present subsection (15) of that section is amended to read:

397.321 Duties of the department.—The department shall:

~~(15) Appoint a substance abuse impairment coordinator to represent the department in efforts initiated by the statewide substance abuse impairment prevention and treatment coordinator established in s. 397.801 and to assist the statewide coordinator in fulfilling the responsibilities of that position.~~

Section 70. Subsection (8) of section 397.405, Florida Statutes, is amended to read:

397.405 Exemptions from licensure.—The following are exempt from the licensing provisions of this chapter:

(8) A legally cognizable church or nonprofit religious organization or denomination providing substance abuse services, including prevention services, which are solely religious, spiritual, or ecclesiastical in nature. A church or nonprofit religious organization or denomination providing any of the licensed service components itemized under s. 397.311(25) ~~s. 397.311(22)~~ is not exempt from substance abuse licensure but retains its exemption with respect to all services which are solely religious, spiritual, or ecclesiastical in nature.

The exemptions from licensure in this section do not apply to any service provider that receives an appropriation, grant, or contract from the state to operate as a service provider as defined in this chapter or to any substance abuse program regulated pursuant to s. 397.406. Furthermore, this chapter may not be construed to limit the practice of a physician or physician assistant licensed under chapter 458 or chapter 459, a psychologist licensed under chapter 490, a psychotherapist licensed under chapter 491, or an advanced registered nurse practitioner licensed under part I of chapter 464, who provides substance abuse treatment, so long as the physician, physician assistant, psychologist, psychotherapist, or advanced registered nurse practitioner does not represent to the public that he or she is a licensed service provider and does not provide services to individuals pursuant to part V of this chapter. Failure to comply with any requirement necessary to maintain an exempt status under this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 71. Subsections (1) and (5) of section 397.407, Florida Statutes, are amended to read:

397.407 Licensure process; fees.—

(1) The department shall establish the licensure process to include fees and categories of licenses and must prescribe a fee range that is based, at least in part, on the number and complexity of programs listed in s. 397.311(25) ~~s. 397.311(22)~~ which are operated by a licensee. The fees from the licensure of service components are sufficient to cover at least 50 percent of the costs of regulating the service components. The department shall specify a fee range for public and privately funded licensed service providers. Fees for privately funded licensed service providers must exceed the fees for publicly funded licensed service providers.

(5) The department may issue probationary, regular, and interim licenses. The department shall issue one license for each service component that is operated by a service provider and defined pursuant to s. 397.311(25) ~~s. 397.311(22)~~. The license is valid only for the specific service components listed for each specific location identified on the license. The licensed service provider shall apply for a new license at least 60 days before the addition of any service components or 30 days before the relocation of any of its service sites. Provision of service components or delivery of services at a location not identified on the license may be considered an unlicensed operation that authorizes the department to seek an injunction against operation as provided in s. 397.401, in addition to other sanctions authorized by s. 397.415. Probationary and regular licenses may be issued only after all required information has been submitted. A license may not be transferred. As used in this subsection, the term "transfer" includes, but is not limited to, the transfer of a majority of the ownership interest in the licensed entity or transfer of responsibilities under the license to another entity by contractual arrangement.

Section 72. Section 397.416, Florida Statutes, is amended to read:

397.416 Substance abuse treatment services; qualified professional.—Notwithstanding any other provision of law, a person who was certified through a certification process recognized by the former Department of Health and Rehabilitative Services before January 1, 1995, may perform the duties of a qualified professional with respect to substance abuse treatment services as defined in this chapter, and need not meet the certification requirements contained in s. 397.311(33) ~~s. 397.311(30)~~.

Section 73. Subsection (2) of section 397.4871, Florida Statutes, is amended to read:

397.4871 Recovery residence administrator certification.—

(2) The department shall approve at least one credentialing entity by December 1, 2015, for the purpose of developing and administering a voluntary credentialing program for administrators. The department shall approve any credentialing entity that the department endorses pursuant to s. 397.321(15) ~~s. 397.321(16)~~ if the credentialing entity also meets the requirements of this section. The approved credentialing entity shall:

(a) Establish recovery residence administrator core competencies, certification requirements, testing instruments, and recertification requirements.

(b) Establish a process to administer the certification application, award, and maintenance processes.

(c) Develop and administer:

1. A code of ethics and disciplinary process.
2. Biennial continuing education requirements and annual certification renewal requirements.
3. An education provider program to approve training entities that are qualified to provide precertification training to applicants and continuing education opportunities to certified persons.

Section 74. Paragraph (c) of subsection (1) and paragraphs (a) and (b) of subsection (6) of section 409.1678, Florida Statutes, are amended to read:

409.1678 Specialized residential options for children who are victims of sexual exploitation.—

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

(c) “Sexually exploited child” means a child who has suffered sexual exploitation as defined in s. 39.01(70)(g) ~~s. 39.01(69)(g)~~ and is ineligible for relief and benefits under the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.

(6) LOCATION INFORMATION.—

(a) Information about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation, as defined in s. 39.01(70)(g) ~~s. 39.01(69)(g)~~, which is held by an agency, as defined in s. 119.011, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to such confidential and exempt information held by an agency before, on, or after the effective date of the exemption.

(b) Information about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation, as defined in s. 39.01(70)(g) ~~s. 39.01(69)(g)~~, may be provided to an agency, as defined in s. 119.011, as necessary to maintain health and safety standards and to address emergency situations in the safe house, safe foster home, or other residential facility.

Section 75. Paragraph (e) of subsection (3) of section 409.966, Florida Statutes, is amended to read:

409.966 Eligible plans; selection.—

(3) QUALITY SELECTION CRITERIA.—

(e) To ensure managed care plan participation in Regions 1 and 2, the agency shall award an additional contract to each plan with a contract award in Region 1 or Region 2. Such contract shall be in any other region in which the plan submitted a responsive bid and negotiates a rate acceptable to the agency. If a plan that is awarded an additional contract pursuant to this paragraph is subject to penalties pursuant to s. 409.967(2)(i) ~~s. 409.967(2)(h)~~ for activities in Region 1 or Region 2, the additional contract is automatically terminated 180 days after the imposition of the penalties. The plan must reimburse the agency for the cost of enrollment changes and other transition activities.

Section 76. Paragraph (b) of subsection (1) of section 409.972, Florida Statutes, is amended to read:

409.972 Mandatory and voluntary enrollment.—

(1) The following Medicaid-eligible persons are exempt from mandatory managed care enrollment required by s. 409.965, and may voluntarily choose to participate in the managed medical assistance program:

(b) Medicaid recipients residing in residential commitment facilities operated through the Department of Juvenile Justice or a ~~mental health treatment facility facilities~~ as defined in s. 394.455(47) ~~by s. 394.455(32)~~.

Section 77. Paragraphs (d) and (g) of subsection (1) of section 440.102, Florida Statutes, are amended to read:

440.102 Drug-free workplace program requirements.—The following provisions apply to a drug-free workplace program implemented pursuant to law or to rules adopted by the Agency for Health Care Administration:

(1) DEFINITIONS.—Except where the context otherwise requires, as used in this act:

(d) “Drug rehabilitation program” means a service provider, established pursuant to s. 397.311(42) ~~s. 397.311(39)~~, that provides confidential, timely, and expert identification, assessment, and resolution of employee drug abuse.

(g) “Employee assistance program” means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and followup services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by service providers pursuant to s. 397.311(42) ~~s. 397.311(39)~~.

Section 78. Subsection (7) of section 744.704, Florida Statutes, is amended to read:

744.704 Powers and duties.—

(7) A public guardian ~~may shall~~ not commit a ward to a ~~mental health~~ treatment facility, as defined in s. 394.455(47) ~~s. 394.455(32)~~, without an involuntary placement proceeding as provided by law.

Section 79. Subsection (5) of section 960.065, Florida Statutes, is amended to read:

960.065 Eligibility for awards.—

(5) A person is not ineligible for an award pursuant to paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that person is a victim of sexual exploitation of a child as defined in s. 39.01(70)(g) ~~s. 39.01(69)(g)~~.

Section 80. *The Secretary of Children and Families shall appoint a workgroup to consider the feasibility of individuals using advance directives to express the treatment wishes for substance use disorders. The workgroup shall be composed of individuals with expertise in the treatment of substance use disorders. The workgroup must review the use of advance directives in mental health, the use of advance directives for substance use disorders in other states, and the use of similar legal instruments to express the treatment wishes of individuals suffering from substance use disorders. The workgroup shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2017. The report must include recommendations on the feasibility of using advance directives for individuals with substance use disorders and recommendations for any revisions to state laws or agency rules. The members of the workgroup are not entitled to reimbursement from the Department of Children and Families for travel for workgroup meetings unless they are employees of the department. This section expires on May 6, 2017.*

Section 81. Paragraph (b) of subsection (2) of section 61.13, Florida Statutes, is amended to read:

61.13 Support of children; parenting and time-sharing; powers of court.—

(2)

(b) A parenting plan approved by the court must, at a minimum;

1. Describe in adequate detail how the parents will share and be responsible for the daily tasks associated with the upbringing of the child;

2. *Include* the time-sharing schedule arrangements that specify the time that the minor child will spend with each parent;

3. *Designate a designation of* who will be responsible for:

a. Any and all forms of health care. *If the court orders shared parental responsibility over health care decisions, the parenting plan must provide that either parent may consent to mental health treatment for the child.*

b. School-related matters, including the address to be used for school-boundary determination and registration, ~~and~~

c. Other activities; and

4. *Describe in adequate detail* the methods and technologies that the parents will use to communicate with the child.

Section 82. Subsection (6) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES.**—

(a) The Legislature recognizes that early referral and comprehensive treatment can help combat *mental illnesses and substance abuse disorders* in families and that treatment is cost-effective.

(b) The Legislature establishes the following goals for the state related to *mental illness and substance abuse treatment services* in the dependency process:

1. To ensure the safety of children.

2. To prevent and remediate the consequences of *mental illnesses and substance abuse disorders* on families involved in protective supervision or foster care and reduce *the occurrences of mental illnesses and substance abuse disorders*, including alcohol abuse or related disorders, for families who are at risk of being involved in protective supervision or foster care.

3. To expedite permanency for children and reunify healthy, intact families, when appropriate.

4. To support families in recovery.

(c) The Legislature finds that children in the care of the state's dependency system need appropriate health care services, that the impact of *mental illnesses and substance abuse disorders* on health indicates the need for health care services to include *treatment for mental health and substance abuse disorders for services to children and parents*, where appropriate, and that it is in the state's best interest that such children be provided the services they need to enable them to become and remain independent of state care. In order to provide these services, the state's dependency system must have the ability to identify and provide appropriate intervention and treatment for children with personal or family-related *mental illness and substance abuse problems*.

(d) It is the intent of the Legislature to encourage the use of the *mental health court program model established under chapter 394 and the drug court program model established under* by s. 397.334 and authorize courts to assess children and persons who have custody or are requesting custody of children where good cause is shown to identify and address *mental illnesses and substance abuse disorders problems* as the court deems appropriate at every stage of the dependency process. Participation in treatment, including a *mental health court program or a treatment-based drug court program*, may be required by the

court following adjudication. Participation in assessment and treatment ~~before~~ ~~prior to~~ adjudication ~~is~~ shall be voluntary, except as provided in s. 39.407(16).

(e) It is therefore the purpose of the Legislature to provide authority for the state to contract with *mental health service providers and community substance abuse treatment providers* for the development and operation of specialized support and overlay services for the dependency system, which will be fully implemented and used as resources permit.

(f) Participation in a *mental health court program or a the treatment-based drug court program* does not divest any public or private agency of its responsibility for a child or adult, but is intended to enable these agencies to better meet their needs through shared responsibility and resources.

Section 83. Subsection (10) of section 39.507, Florida Statutes, is amended to read:

39.507 Adjudicatory hearings; orders of adjudication.—

(10) After an adjudication of dependency, or a finding of dependency ~~in which where~~ adjudication is withheld, the court may order a person who has custody or is requesting custody of the child to submit to a *mental health or substance abuse disorder* assessment or evaluation. *The order may be made only upon good cause shown and pursuant to notice and procedural requirements provided under the Florida Rules of Juvenile Procedure.* The assessment or evaluation must be administered by an *appropriate a* qualified professional, as defined in s. 39.01 or s. 397.311. The court may also require such person to participate in and comply with treatment and services identified as necessary, including, when appropriate and available, participation in and compliance with a *mental health court program established under chapter 394 or a treatment-based drug court program established under* s. 397.334. In addition to supervision by the department, the court, including the *mental health court program or treatment-based drug court program*, may oversee the progress and compliance with treatment by a person who has custody or is requesting custody of the child. The court may impose appropriate available sanctions for noncompliance upon a person who has custody or is requesting custody of the child or make a finding of noncompliance for consideration in determining whether an alternative placement of the child is in the child's best interests. Any order entered under this subsection may be made only upon good cause shown. This subsection does not authorize placement of a child with a person seeking custody, other than the parent or legal custodian, who requires *mental health or substance abuse disorder* treatment.

Section 84. Paragraph (b) of subsection (1) of section 39.521, Florida Statutes, is amended to read:

39.521 Disposition hearings; powers of disposition.—

(1) A disposition hearing shall be conducted by the court, if the court finds that the facts alleged in the petition for dependency were proven in the adjudicatory hearing, or if the parents or legal custodians have consented to the finding of dependency or admitted the allegations in the petition, have failed to appear for the arraignment hearing after proper notice, or have not been located despite a diligent search having been conducted.

(b) When any child is adjudicated by a court to be dependent, the court having jurisdiction of the child has the power by order to:

1. Require the parent and, when appropriate, the legal custodian and the child to participate in treatment and services identified as necessary. The court may require the person who has custody or who is requesting custody of the child to submit to a *mental health or substance abuse disorder* assessment or evaluation. *The order may be made only upon good cause shown and pursuant to notice and procedural requirements provided under the Florida Rules of Juvenile Procedure.* The *mental health* assessment or evaluation must be administered by a qualified professional, as defined in s. 39.01, *and the substance abuse assessment or evaluation must be administered by a qualified professional as defined in* s. 397.311. The court may also require such person to participate in and comply with treatment and services identified as necessary, including, when appropriate and available, participation in and compliance with a *mental health court program established under chapter 394 or a treatment-based drug court program established under*

s. 397.334. In addition to supervision by the department, the court, including the *mental health court program* or the treatment-based drug court program, may oversee the progress and compliance with treatment by a person who has custody or is requesting custody of the child. The court may impose appropriate available sanctions for non-compliance upon a person who has custody or is requesting custody of the child or make a finding of noncompliance for consideration in determining whether an alternative placement of the child is in the child's best interests. Any order entered under this subparagraph may be made only upon good cause shown. This subparagraph does not authorize placement of a child with a person seeking custody of the child, other than the child's parent or legal custodian, who requires *mental health or substance abuse disorder* treatment.

2. Require, if the court deems necessary, the parties to participate in dependency mediation.

3. Require placement of the child either under the protective supervision of an authorized agent of the department in the home of one or both of the child's parents or in the home of a relative of the child or another adult approved by the court, or in the custody of the department. Protective supervision continues until the court terminates it or until the child reaches the age of 18, whichever date is first. Protective supervision shall be terminated by the court whenever the court determines that permanency has been achieved for the child, whether with a parent, another relative, or a legal custodian, and that protective supervision is no longer needed. The termination of supervision may be with or without retaining jurisdiction, at the court's discretion, and shall in either case be considered a permanency option for the child. The order terminating supervision by the department ~~must shall~~ set forth the powers of the custodian of the child and ~~shall~~ include the powers ordinarily granted to a guardian of the person of a minor unless otherwise specified. Upon the court's termination of supervision by the department, ~~no~~ further judicial reviews are not required ~~if, so long as~~ permanency has been established for the child.

Section 85. Section 394.4655, Florida Statutes, is amended to read:
394.4655 Involuntary outpatient ~~services placement~~.—

- (1) *DEFINITIONS*.—As used in this section, the term:
 - (a) "Court" means a circuit court or a criminal county court.
 - (b) "Criminal county court" means a county court exercising its original jurisdiction in a misdemeanor case under s. 34.01.

(2)(4) *CRITERIA FOR INVOLUNTARY OUTPATIENT SERVICES PLACEMENT*.—A person may be ordered to involuntary outpatient ~~services placement~~ upon a finding of the court, by clear and convincing evidence, that the person meets all of the following criteria ~~by clear and convincing evidence~~:

- (a) The person is 18 years of age or older.;
- (b) The person has a mental illness.;
- (c) The person is unlikely to survive safely in the community without supervision, based on a clinical determination.;
- (d) The person has a history of lack of compliance with treatment for mental illness.;
- (e) The person has:

1. At least twice within the immediately preceding 36 months been involuntarily admitted to a receiving or treatment facility as defined in s. 394.455, or has received mental health services in a forensic or correctional facility. The 36-month period does not include any period during which the person was admitted or incarcerated; or

2. Engaged in one or more acts of serious violent behavior toward self or others, or attempts at serious bodily harm to himself or herself or others, within the preceding 36 months.;

(f) The person is, as a result of his or her mental illness, unlikely to voluntarily participate in the recommended treatment plan and ~~either he or she~~ has refused voluntary ~~services placement~~ for treatment after sufficient and conscientious explanation and disclosure of *why the ser-*

VICES ARE NECESSARY ~~purpose of placement for treatment~~ or he or she is unable to determine for himself or herself whether *services are placement is necessary*.;

(g) In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient ~~services placement~~ in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well-being as set forth in s. 394.463(1).;

(h) It is likely that the person will benefit from involuntary outpatient ~~services. placement, and~~

(i) All available, less restrictive alternatives that would offer an opportunity for improvement of his or her condition have been judged to be inappropriate or unavailable.

(3)(2) *INVOLUNTARY OUTPATIENT SERVICES PLACEMENT*.—

(a1). A patient who is being recommended for involuntary outpatient ~~services placement~~ by the administrator of the ~~receiving~~ facility where the patient has been examined may be retained by the facility after adherence to the notice procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient ~~services placement~~ are met. However, ~~in a county having a population of fewer than 50,000~~, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental *illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, and nervous disorders* or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient ~~services placement~~ certificate that authorizes the ~~receiving~~ facility to retain the patient pending completion of a hearing. The certificate ~~must shall~~ be made a part of the patient's clinical record.

2. If the patient has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the ~~receiving~~ facility while awaiting the hearing for involuntary outpatient ~~services placement~~. Before filing a petition for involuntary outpatient ~~services treatment~~, the administrator of the ~~a receiving~~ facility or a designated department representative must identify the service provider that will have primary responsibility for service provision under an order for involuntary outpatient ~~services placement~~, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.

3. The service provider shall prepare a written proposed treatment plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient ~~services placement~~ order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The treatment plan must specify the likely level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. ~~The service provider shall also provide a copy of the proposed treatment plan to the patient and the administrator of the receiving facility. The treatment plan must specify the nature and extent of the patient's mental illness, address the reduction of symptoms that necessitate involuntary outpatient placement, and include measurable goals and objectives for the services and treatment that are provided to treat the person's mental illness and assist the person in living and functioning in the community or to prevent a relapse or deterioration.~~ Service providers may select and supervise other individuals to implement specific aspects of the treatment plan. The services in the ~~treatment~~ plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults

with, or is employed or contracted by, the service provider. The service provider must certify to the court in the proposed ~~treatment~~ plan whether sufficient services for improvement and stabilization are currently available and whether the service provider agrees to provide those services. If the service provider certifies that the services in the proposed treatment plan are not available, the petitioner may not file the petition. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.*

(b) If a patient in involuntary inpatient placement meets the criteria for involuntary outpatient ~~services placement~~, the administrator of the ~~treatment~~ facility may, before the expiration of the period during which the ~~treatment~~ facility is authorized to retain the patient, recommend involuntary outpatient ~~services placement~~. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient ~~services placement~~ are met. However, ~~in a county having a population of fewer than 50,000~~, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, *a physician assistant who has at least three years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, and nervous disorders* or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient ~~services placement~~ certificate, and the certificate must be made a part of the patient's clinical record.

(c)1. The administrator of the treatment facility shall provide a copy of the involuntary outpatient ~~services placement~~ certificate and a copy of the state mental health discharge form to *the managing entity* ~~and department representative~~ in the county where the patient will be residing. For persons who are leaving a state mental health treatment facility, the petition for involuntary outpatient ~~services placement~~ must be filed in the county where the patient will be residing.

2. The service provider that will have primary responsibility for service provision shall be identified by the designated department representative ~~before prior to~~ the order for involuntary outpatient ~~services placement~~ and must, ~~before prior to~~ filing a petition for involuntary outpatient ~~services placement~~, certify to the court whether the services recommended in the patient's discharge plan are available ~~in the local community~~ and whether the service provider agrees to provide those services. The service provider must develop with the patient, or the patient's guardian advocate, if appointed, a treatment or service plan that addresses the needs identified in the discharge plan. The plan must be deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in this chapter, who consults with, or is employed or contracted by, the service provider.

3. If the service provider certifies that the services in the proposed treatment or service plan are not available, the petitioner may not file the petition. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.*

~~(4)(3)~~ PETITION FOR INVOLUNTARY OUTPATIENT SERVICES PLACEMENT. —

(a) A petition for involuntary outpatient ~~services placement~~ may be filed by:

1. The administrator of a receiving facility; or
2. The administrator of a treatment facility.

(b) Each required criterion for involuntary outpatient ~~services placement~~ must be alleged and substantiated in the petition for involuntary outpatient ~~services placement~~. A copy of the certificate recommending involuntary outpatient ~~services placement~~ completed by a qualified professional specified in subsection (3) ~~(2)~~ must be attached to

the petition. A copy of the proposed treatment plan must be attached to the petition. Before the petition is filed, the service provider shall certify that the services in the proposed ~~treatment~~ plan are available. If the necessary services are not available ~~in the patient's local community to respond to the person's individual needs~~, the petition may not be filed. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.*

(c) The petition for involuntary outpatient ~~services placement~~ must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside. When the petition has been filed, the clerk of the court shall provide copies of the petition and the proposed treatment plan to the department, *the managing entity*, the patient, the patient's guardian or representative, the state attorney, and the public defender or the patient's private counsel. A fee may not be charged for filing a petition under this subsection.

~~(5)(4)~~ APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary outpatient ~~services placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of the appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, or the patient is discharged from involuntary outpatient ~~services placement~~. An attorney who represents the patient *must be provided* ~~shall have~~ access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

~~(6)(5)~~ CONTINUANCE OF HEARING.—The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. The continuance shall be for a period of up to 4 weeks.

~~(7)(6)~~ HEARING ON INVOLUNTARY OUTPATIENT SERVICES PLACEMENT. —

(a)1. The court shall hold the hearing on involuntary outpatient ~~services placement~~ within 5 working days after the filing of the petition, unless a continuance is granted. The hearing *must shall* be held in the county where the petition is filed, *must shall* be as convenient to the patient as is consistent with orderly procedure, and *must shall* be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient and if the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding.

2. The court may appoint a ~~magistrate master~~ to preside at the hearing. One of the professionals who executed the involuntary outpatient ~~services placement~~ certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall *ensure that one is provided, as otherwise provided by law* ~~provide for one~~. The independent expert's report *is shall be* confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(b)1. If the court concludes that the patient meets the criteria for involuntary outpatient ~~services placement~~ pursuant to subsection (2) ~~(1)~~, the court shall issue an order for involuntary outpatient ~~services placement~~. The court order shall be for a period of up to *90 days 6 months*. The order must specify the nature and extent of the patient's mental illness. The order of the court and the treatment plan *must shall* be made part of the patient's clinical record. The service provider shall discharge a patient from involuntary outpatient ~~services placement~~ when the order expires or any time the patient no longer meets the

criteria for involuntary placement. Upon discharge, the service provider shall send a certificate of discharge to the court.

2. The court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. *The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.* A copy of the order must be sent to the managing entity ~~Agency for Health Care Administration~~ by the service provider within 1 working day after it is received from the court. *The order may be submitted electronically through existing data systems.* After the ~~placement~~ order for involuntary services is issued, the service provider and the patient may modify ~~provisions~~ of the treatment plan. For any material modification of the treatment plan to which the patient or, *if one is appointed*, the patient's guardian advocate ~~agrees~~, ~~if appointed, does agree~~, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, *if applicable appointed*, must be approved or disapproved by the court consistent with subsection (3) ~~(2)~~.

3. If, in the clinical judgment of a physician, the patient has failed or has refused to comply with the treatment ordered by the court, and, in the clinical judgment of the physician, efforts were made to solicit compliance and the patient may meet the criteria for involuntary examination, a person may be brought to a receiving facility pursuant to s. 394.463. If, after examination, the patient does not meet the criteria for involuntary inpatient placement pursuant to s. 394.467, the patient must be discharged from the ~~receiving~~ facility. The involuntary outpatient ~~services placement~~ order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient ~~services placement~~ or until the order expires. The service provider must determine whether modifications should be made to the existing treatment plan and must attempt to continue to engage the patient in treatment. For any material modification of the treatment plan to which the patient or the patient's guardian advocate, *if applicable appointed, agrees does agree*, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, *if applicable appointed*, must be approved or disapproved by the court consistent with subsection (3) ~~(2)~~.

(c) If, at any time before the conclusion of the initial hearing on involuntary outpatient ~~services placement~~, it appears to the court that the person does not meet the criteria for involuntary outpatient ~~services placement~~ under this section but, instead, meets the criteria for involuntary inpatient placement, the court may order the person admitted for involuntary inpatient examination under s. 394.463. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings ~~are shall~~ be governed by chapter 397.

(d) At the hearing on involuntary outpatient ~~services placement~~, the court shall consider testimony and evidence regarding the patient's competence to consent to ~~services treatment~~. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598. The guardian advocate shall be appointed or discharged in accordance with s. 394.4598.

(e) The administrator of the receiving facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient ~~services placement~~. Such documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a ~~clinical~~ psychologist or a clinical social worker.

~~(8)(7)~~ **PROCEDURE FOR CONTINUED INVOLUNTARY OUTPATIENT SERVICES PLACEMENT.—**

(a)1. If the person continues to meet the criteria for involuntary outpatient ~~services placement~~, the service provider shall, *at least 10 days* before the expiration of the period during which the treatment is ordered for the person, file in the ~~circuit~~ court *that issued the order for*

involuntary outpatient services a petition for continued involuntary outpatient ~~services placement~~. *The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.*

2. The existing involuntary outpatient ~~services placement~~ order remains in effect until disposition on the petition for continued involuntary outpatient ~~services placement~~.

3. A certificate shall be attached to the petition which includes a statement from the person's physician or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was *receiving involuntary services involuntarily placed*, and an individualized plan of continued treatment.

4. The service provider shall develop the individualized plan of continued treatment in consultation with the patient or the patient's guardian advocate, *if applicable appointed*. When the petition has been filed, the clerk of the court shall provide copies of the certificate and the individualized plan of continued ~~services treatment~~ to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.

(b) Within 1 court working day after the filing of a petition for continued involuntary outpatient ~~services placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed or the court order expires or the patient is discharged from involuntary outpatient ~~services placement~~. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(c) Hearings on petitions for continued involuntary outpatient ~~services placement~~ shall be before the ~~circuit~~ court *that issued the order for involuntary outpatient services*. The court may appoint a ~~magistrate master~~ to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph *must meet the requirements of* ~~shall be in accordance with~~ subsection (7) ~~(6)~~, except that the time period included in paragraph (2)(e) ~~(1)(c)~~ is not applicable in determining the appropriateness of additional periods of involuntary outpatient placement.

(d) Notice of the hearing ~~must shall~~ be provided as set forth in s. 394.4599. The patient and the patient's attorney may agree to a period of continued outpatient ~~services placement~~ without a court hearing.

(e) The same procedure ~~must shall~~ be repeated before the expiration of each additional period the patient is placed in treatment.

(f) If the patient has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. Section 394.4598 governs the discharge of the guardian advocate if the patient's competency to consent to treatment has been restored.

Section 86. Paragraphs (c) and (d) of subsection (2) of section 394.4599, Florida Statutes, are amended to read:

394.4599 Notice.—

(2) INVOLUNTARY ADMISSION.—

(c)1. A receiving facility shall give notice of the whereabouts of a minor who is being involuntarily held for examination pursuant to s. 394.463 to the minor's parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor's arrival at the facility. The facility may delay notification for no more than 24 hours after the minor's arrival if the facility has submitted a report to the central abuse hotline, pursuant to s. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect and if the facility deems a delay in notification to be in the minor's best interest.

2. The receiving facility shall attempt to notify the minor's parent, guardian, caregiver, or guardian advocate until the receiving facility

receives confirmation from the parent, guardian, caregiver, or guardian advocate, verbally, by telephone or other form of electronic communication, or by recorded message, that notification has been received. Attempts to notify the parent, guardian, caregiver, or guardian advocate must be repeated at least once every hour during the first 12 hours after the minor's arrival and once every 24 hours thereafter and must continue until such confirmation is received, unless the minor is released at the end of the 72-hour examination period, or until a petition for involuntary services placement is filed with the court pursuant to s. 394.463(2)(g) ~~s. 394.463(2)(i)~~. The receiving facility may seek assistance from a law enforcement agency to notify the minor's parent, guardian, caregiver, or guardian advocate if the facility has not received within the first 24 hours after the minor's arrival a confirmation by the parent, guardian, caregiver, or guardian advocate that notification has been received. The receiving facility must document notification attempts in the minor's clinical record.

(d) The written notice of the filing of the petition for involuntary services for placement of an individual being held must contain the following:

1. Notice that the petition for:
 - a. *Involuntary inpatient treatment pursuant to s. 394.467* has been filed with the circuit court in the county in which the individual is hospitalized and the address of such court; or
 - b. *Involuntary outpatient services pursuant to s. 394.4655* has been filed with the criminal county court, as defined in s. 394.4655(1), or the circuit court, as applicable, in the county in which the individual is hospitalized and the address of such court.
2. Notice that the office of the public defender has been appointed to represent the individual in the proceeding, if the individual is not otherwise represented by counsel.
3. The date, time, and place of the hearing and the name of each examining expert and every other person expected to testify in support of continued detention.
4. Notice that the individual, the individual's guardian, guardian advocate, health care surrogate or proxy, or representative, or the administrator may apply for a change of venue for the convenience of the parties or witnesses or because of the condition of the individual.
5. Notice that the individual is entitled to an independent expert examination and, if the individual cannot afford such an examination, that the court will provide for one.

Section 87. Section 394.455, Florida Statutes, is amended to read:

394.455 Definitions.—As used in this part, ~~unless the context clearly requires otherwise~~, the term:

- (1) *“Access center” means a facility that has medical, mental health, and substance abuse professionals to provide emergency screening and evaluation for mental health or substance abuse disorders and may provide transportation to an appropriate facility if an individual is in need of more intensive services.*
- (2) *“Addictions receiving facility” is a secure, acute care facility that, at a minimum, provides emergency screening, evaluation, detoxification, and stabilization services; is operated 24 hours per day, 7 days per week; and is designated by the department to serve individuals found to have substance abuse impairment who qualify for services under this part.*
- (3)(1) *“Administrator” means the chief administrative officer of a receiving or treatment facility or his or her designee.*
- (4) *“Adult” means an individual who is 18 years of age or older or who has had the disability of nonage removed under chapter 743.*
- (5)(2) *“Clinical psychologist” means a psychologist as defined in s. 490.003(7) with 3 years of postdoctoral experience in the practice of clinical psychology, inclusive of the experience required for licensure, or a psychologist employed by a facility operated by the United States Department of Veterans Affairs that qualifies as a receiving or treatment facility under this part.*

(6)(3) *“Clinical record” means all parts of the record required to be maintained and includes all medical records, progress notes, charts, and admission and discharge data, and all other information recorded by a facility staff which pertains to the patient's hospitalization or treatment.*

(7)(4) *“Clinical social worker” means a person licensed as a clinical social worker under s. 491.005 or s. 491.006 chapter 491.*

(8)(5) *“Community facility” means a ~~any~~ community service provider that contracts ~~contracting~~ with the department to furnish substance abuse or mental health services under part IV of this chapter.*

(9)(6) *“Community mental health center or clinic” means a publicly funded, not-for-profit center that ~~which~~ contracts with the department for the provision of inpatient, outpatient, day treatment, or emergency services.*

(10)(7) *“Court,” unless otherwise specified, means the circuit court.*

(11)(8) *“Department” means the Department of Children and Families.*

(12) *“Designated receiving facility” means a facility approved by the department which may be a public or private hospital, crisis stabilization unit, or addictions receiving facility; which provides, at a minimum, emergency screening, evaluation, and short-term stabilization for mental health or substance abuse disorders; and which may have an agreement with a corresponding facility for transportation and services.*

(13) *“Detoxification facility” means a facility licensed to provide detoxification services under chapter 397.*

(14) *“Electronic means” means a form of telecommunication which requires all parties to maintain visual as well as audio communication when being used to conduct an examination by a qualified professional.*

(15)(9) *“Express and informed consent” means consent voluntarily given in writing, by a competent person, after sufficient explanation and disclosure of the subject matter involved to enable the person to make a knowing and willful decision without any element of force, fraud, deceit, duress, or other form of constraint or coercion.*

(16)(10) *“Facility” means any hospital, community facility, public or private facility, or receiving or treatment facility providing for the evaluation, diagnosis, care, treatment, training, or hospitalization of persons who appear to have a mental illness or who have been diagnosed as having a mental illness or substance abuse impairment. The term “Facility” does not include a ~~any~~ program or an entity licensed under ~~pursuant to~~ chapter 400 or chapter 429.*

(17)(11) *“Guardian” means the natural guardian of a minor, or a person appointed by a court to act on behalf of a ward's person if the ward is a minor or has been adjudicated incapacitated.*

(18)(12) *“Guardian advocate” means a person appointed by a court to make decisions regarding mental health treatment on behalf of a patient who has been found incompetent to consent to treatment pursuant to this part. ~~The guardian advocate may be granted specific additional powers by written order of the court, as provided in this part.~~*

(19)(13) *“Hospital” means a hospital facility as defined in s. 395.002 and licensed under chapter 395 and part II of chapter 408.*

(20)(14) *“Incapacitated” means that a person has been adjudicated incapacitated pursuant to part V of chapter 744 and a guardian of the person has been appointed.*

(21)(15) *“Incompetent to consent to treatment” means a state in which ~~that~~ a person's judgment is so affected by a ~~his or her~~ mental illness or a substance abuse impairment that he or she ~~the person~~ lacks the capacity to make a well-reasoned, willful, and knowing decision concerning his or her medical, ~~or~~ mental health, or substance abuse treatment.*

(22) *“Involuntary examination” means an examination performed under s. 394.463, s. 397.6772, s. 397.679, s. 397.6798, or s. 397.6811 to determine whether a person qualifies for involuntary services.*

(23) *“Involuntary services” means court-ordered outpatient services or inpatient placement for mental health treatment pursuant to s. 394.4655 or s. 394.467.*

(24)(16) *“Law enforcement officer” has the same meaning as provided means a law enforcement officer as defined in s. 943.10.*

(25) *“Marriage and family therapist” means a person licensed to practice marriage and family therapy under s. 491.005 or s. 491.006.*

(26) *“Mental health counselor” means a person licensed to practice mental health counseling under s. 491.005 or s. 491.006.*

(27)(17) *“Mental health overlay program” means a mobile service that which provides an independent examination for voluntary admission admissions and a range of supplemental onsite services to persons with a mental illness in a residential setting such as a nursing home, an assisted living facility, or an adult family-care home, or a nonresidential setting such as an adult day care center. Independent examinations provided pursuant to this part through a mental health overlay program must only be provided under contract with the department for this service or be attached to a public receiving facility that is also a community mental health center.*

(28)(18) *“Mental illness” means an impairment of the mental or emotional processes that exercise conscious control of one’s actions or of the ability to perceive or understand reality, which impairment substantially interferes with the person’s ability to meet the ordinary demands of living. For the purposes of this part, the term does not include a developmental disability as defined in chapter 393, intoxication, or conditions manifested only by antisocial behavior or substance abuse impairment.*

(29) *“Minor” means an individual who is 17 years of age or younger and who has not had the disability of nonage removed pursuant to s. 743.01 or s. 743.015.*

(30)(19) *“Mobile crisis response service” means a nonresidential crisis service attached to a public receiving facility and available 24 hours per a day, 7 days per a week, through which provides immediate intensive assessments and interventions, including screening for admission into a mental health receiving facility, an addictions receiving facility, or a detoxification facility, take place for the purpose of identifying appropriate treatment services.*

(31)(20) *“Patient” means any person, with or without a co-occurring substance abuse disorder, who is held or accepted for mental health treatment.*

(32)(21) *“Physician” means a medical practitioner licensed under chapter 458 or chapter 459 who has experience in the diagnosis and treatment of mental illness and nervous disorders or a physician employed by a facility operated by the United States Department of Veterans Affairs or the United States Department of Defense which qualifies as a receiving or treatment facility under this part.*

(33) *“Physician assistant” means a person licensed under chapter 458 or chapter 459 who has experience in the diagnosis and treatment of mental disorders.*

(34)(22) *“Private facility” means a any hospital or facility operated by a for-profit or not-for-profit corporation or association which that provides mental health or substance abuse services and is not a public facility.*

(35)(23) *“Psychiatric nurse” means an advanced registered nurse practitioner certified under s. 464.012 who has a master’s or doctoral degree in psychiatric nursing, holds a national advanced practice certification as a psychiatric mental health advanced practice nurse, and has 2 years of post-master’s clinical experience under the supervision of a physician.*

(36)(24) *“Psychiatrist” means a medical practitioner licensed under chapter 458 or chapter 459 who has primarily diagnosed and treated mental and nervous disorders for at least a period of not less than 3 years, inclusive of psychiatric residency.*

(37)(25) *“Public facility” means a any facility that has contracted with the department to provide mental health services to all persons,*

regardless of their ability to pay, and is receiving state funds for such purpose.

(38) *“Qualified professional” means a physician or a physician assistant licensed under chapter 458 or chapter 459; a psychiatrist licensed under chapter 458 or chapter 459; a psychologist as defined in s. 490.003(7); or a psychiatric nurse as defined in s. 394.455.*

(39)(26) *“Receiving facility” means a any public or private facility or hospital designated by the department to receive and hold or refer, as appropriate, involuntary patients under emergency conditions or for mental health or substance abuse psychiatric evaluation and to provide short-term treatment or transportation to the appropriate service provider. The term does not include a county jail.*

(40)(27) *“Representative” means a person selected to receive notice of proceedings during the time a patient is held in or admitted to a receiving or treatment facility.*

(41)(28)(a) *“Restraint” means: a physical device, method, or drug used to control behavior.*

(a) *A physical restraint, including is any manual method or physical or mechanical device, material, or equipment attached or adjacent to an the individual’s body so that he or she cannot easily remove the restraint and which restricts freedom of movement or normal access to one’s body. “Physical restraint” includes the physical holding of a person during a procedure to forcibly administer psychotropic medication. “Physical restraint” does not include physical devices such as orthopedically prescribed appliances, surgical dressings and bandages, supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for purposes of orthopedic, surgical, or other similar medical treatment when used to provide support for the achievement of functional body position or proper balance or when used to protect a person from falling out of bed.*

(b) *A drug or used as a restraint is a medication used to control a the person’s behavior or to restrict his or her freedom of movement which and is not part of the standard treatment regimen of a person with a diagnosed mental illness who is a client of the department. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint.*

(c) *Restraint does not include physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, supportive body bands, or other physical holding when necessary for routine physical examinations and tests; or for purposes of orthopedic, surgical, or other similar medical treatment; when used to provide support for the achievement of functional body position or proper balance; or when used to protect a person from falling out of bed.*

(42)(29) *“Seclusion” means the physical segregation of a person in any fashion or involuntary isolation of a person in a room or area from which the person is prevented from leaving. The prevention may be by physical barrier or by a staff member who is acting in a manner, or who is physically situated, so as to prevent the person from leaving the room or area. For purposes of this part chapter, the term does not mean isolation due to a person’s medical condition or symptoms.*

(43)(30) *“Secretary” means the Secretary of Children and Families.*

(44) *“Service provider” means a receiving facility, a facility licensed under chapter 397, a treatment facility, an entity under contract with the department to provide mental health or substance abuse services, a community mental health center or clinic, a psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician, a psychiatrist, an advanced registered nurse practitioner, a psychiatric nurse, or a qualified professional as defined in s. 39.01.*

(45) *“Substance abuse impairment” means a condition involving the use of alcoholic beverages or any psychoactive or mood-altering substance in such a manner that a person has lost the power of self-control and has inflicted or is likely to inflict physical harm on himself, herself, or another.*

(46)(31) *“Transfer evaluation” means the process by which, as approved by the appropriate district office of the department, whereby a person who is being considered for placement in a state treatment facility is first evaluated for appropriateness of admission to such the*

facility by a community-based public receiving facility or by a community mental health center or clinic if the public receiving facility is not a community mental health center or clinic.

(47)(32) “Treatment facility” means a ~~any~~ state-owned, state-operated, or state-supported hospital, center, or clinic designated by the department for extended treatment and hospitalization, beyond that provided for by a receiving facility, of persons who have a mental illness, including facilities of the United States Government, and any private facility designated by the department when rendering such services to a person pursuant to the provisions of this part. Patients treated in facilities of the United States Government shall be solely those whose care is the responsibility of the United States Department of Veterans Affairs.

(48) “Triage center” means a facility that has medical, mental health, and substance abuse professionals present or on call to provide emergency screening and evaluation for mental health or substance abuse disorders for individuals transported to the center by a law enforcement officer.

(33) ~~“Service provider” means any public or private receiving facility, an entity under contract with the Department of Children and Families to provide mental health services, a clinical psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician, a psychiatric nurse as defined in subsection (23), or a community mental health center or clinic as defined in this part.~~

(34) ~~“Involuntary examination” means an examination performed under s. 394.463 to determine if an individual qualifies for involuntary inpatient treatment under s. 394.467(1) or involuntary outpatient treatment under s. 394.4655(1).~~

(35) ~~“Involuntary placement” means either involuntary outpatient treatment pursuant to s. 394.4655 or involuntary inpatient treatment pursuant to s. 394.467.~~

(36) ~~“Marriage and family therapist” means a person licensed as a marriage and family therapist under chapter 491.~~

(37) ~~“Mental health counselor” means a person licensed as a mental health counselor under chapter 491.~~

(38) ~~“Electronic means” means a form of telecommunication that requires all parties to maintain visual as well as audio communication.~~

Section 88. Subsection (2) of section 394.463, Florida Statutes, is amended to read:

394.463 Involuntary examination.—

(2) INVOLUNTARY EXAMINATION.—

(a) An involuntary examination may be initiated by any one of the following means:

1. A circuit or county court may enter an ex parte order stating that a person appears to meet the criteria for involuntary examination and specifying, ~~giving~~ the findings on which that conclusion is based. The ex parte order for involuntary examination must be based on *written or oral sworn testimony that includes specific facts that support the findings, written or oral*. If other less restrictive means are not available, such as voluntary appearance for outpatient evaluation, a law enforcement officer, or other designated agent of the court, shall take the person into custody and deliver him or her to *an appropriate, or the nearest, receiving facility within the designated receiving system pursuant to s. 394.462* for involuntary examination. The order of the court shall be made a part of the patient’s clinical record. ~~A No fee may not shall~~ be charged for the filing of an order under this subsection. ~~A Any~~ receiving facility accepting the patient based on this order must send a copy of the order to the ~~department Agency for Health Care Administration on~~ the next working day. ~~The order may be submitted electronically through existing data systems, if available.~~ The order shall be valid only until *the person is delivered to the facility or executed or, if not executed, for the period specified in the order itself, whichever comes first.* If no time limit is specified in the order, the order shall be valid for 7 days after the date that the order was signed.

2. A law enforcement officer shall take a person who appears to meet the criteria for involuntary examination into custody and deliver the person or her delivered to *an appropriate, or the nearest, receiving facility within the designated receiving system pursuant to s. 394.462* for examination. The officer shall execute a written report detailing the circumstances under which the person was taken into custody, *which must and the report shall* be made a part of the patient’s clinical record. Any receiving facility accepting the patient based on this report must send a copy of the report to the ~~department Agency for Health Care Administration on~~ the next working day.

3. A physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker may execute a certificate stating that he or she has examined a person within the preceding 48 hours and finds that the person appears to meet the criteria for involuntary examination and stating the observations upon which that conclusion is based. If other less restrictive means, *such as voluntary appearance for outpatient evaluation*, are not available, ~~such as voluntary appearance for outpatient evaluation~~, a law enforcement officer shall take *into custody* the person named in the certificate ~~into custody~~ and deliver him or her to the *appropriate, or nearest, receiving facility within the designated receiving system pursuant to s. 394.462* for involuntary examination. The law enforcement officer shall execute a written report detailing the circumstances under which the person was taken into custody. The report and certificate shall be made a part of the patient’s clinical record. Any receiving facility accepting the patient based on this certificate must send a copy of the certificate to the ~~department Agency for Health Care Administration on~~ the next working day. *The document may be submitted electronically through existing data systems, if applicable.*

(b) A person ~~may shall~~ not be removed from any program or residential placement licensed under chapter 400 or chapter 429 and transported to a receiving facility for involuntary examination unless an ex parte order, a professional certificate, or a law enforcement officer’s report is first prepared. If the condition of the person is such that preparation of a law enforcement officer’s report is not practicable before removal, the report shall be completed as soon as possible after removal, but in any case before the person is transported to a receiving facility. A receiving facility admitting a person for involuntary examination who is not accompanied by the required ex parte order, professional certificate, or law enforcement officer’s report shall notify the ~~department Agency for Health Care Administration of~~ such admission by certified mail or by *e-mail, if available, by no later than* the next working day. The provisions of this paragraph do not apply when transportation is provided by the patient’s family or guardian.

(c) A law enforcement officer acting in accordance with an ex parte order issued pursuant to this subsection may serve and execute such order on any day of the week, at any time of the day or night.

(d) A law enforcement officer acting in accordance with an ex parte order issued pursuant to this subsection may use such reasonable physical force as is necessary to gain entry to the premises, and any dwellings, buildings, or other structures located on the premises, and to take custody of the person who is the subject of the ex parte order.

(e) ~~The department Agency for Health Care Administration shall~~ receive and maintain the copies of ex parte orders, involuntary outpatient ~~services placement~~ orders issued pursuant to s. 394.4655, involuntary inpatient placement orders issued pursuant to s. 394.467, professional certificates, and law enforcement officers’ reports. These documents shall be considered part of the clinical record, governed by the provisions of s. 394.4615. ~~These documents shall be used to The agency shall~~ prepare annual reports analyzing the data obtained from these documents, without information identifying patients, and shall provide copies of reports to the department, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of the Senate and the House of Representatives.

(f) A patient shall be examined by a physician ~~or,~~ a clinical psychologist, or by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist at a ~~receiving~~ facility without unnecessary delay to ~~determine if the criteria for involuntary services are met.~~ *Emergency treatment may be provided and may,* upon the order of a physician *if the physician determines, be given emergency treatment if it is determined* that such treatment is necessary for the safety of the patient or others. The patient may not be released by the

receiving facility or its contractor without the documented approval of a psychiatrist or a clinical psychologist or, if the receiving facility is owned or operated by a hospital or health system, the release may also be approved by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist, or an attending emergency department physician with experience in the diagnosis and treatment of mental illness and nervous disorders and after completion of an involuntary examination pursuant to this subsection. A psychiatric nurse may not approve the release of a patient if the involuntary examination was initiated by a psychiatrist unless the release is approved by the initiating psychiatrist. ~~However, a patient may not be held in a receiving facility for involuntary examination longer than 72 hours.~~

(g) ~~Within the 72-hour examination period or, if the 72 hours ends on a weekend or holiday, no later than the next working day thereafter, one of the following actions must be taken, based on the individual needs of the patient:~~

1. ~~The patient shall be released, unless he or she is charged with a crime, in which case the patient shall be returned to the custody of a law enforcement officer;~~

2. ~~The patient shall be released, subject to the provisions of subparagraph 1., for voluntary outpatient treatment;~~

3. ~~The patient, unless he or she is charged with a crime, shall be asked to give express and informed consent to placement as a voluntary patient and, if such consent is given, the patient shall be admitted as a voluntary patient; or~~

4. ~~A petition for involuntary services shall be filed in the circuit court if inpatient treatment is deemed necessary or with the criminal county court, as defined in s. 394.4655(1), as applicable. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. When a petition is to be filed for involuntary outpatient placement, it shall be filed by one of the petitioners specified in s. 394.4655(4)(a). A petition for involuntary inpatient placement shall be filed by the facility administrator.~~

(h)(g) A person for whom an involuntary examination has been initiated who is being evaluated or treated at a hospital for an emergency medical condition specified in s. 395.002 must be examined by a receiving facility within 72 hours. The 72-hour period begins when the patient arrives at the hospital and ceases when the attending physician documents that the patient has an emergency medical condition. If the patient is examined at a hospital providing emergency medical services by a professional qualified to perform an involuntary examination and is found as a result of that examination not to meet the criteria for involuntary outpatient services placement pursuant to s. 394.4655(2) ~~394.4655(1)~~ or involuntary inpatient placement pursuant to s. 394.467(1), the patient may be offered voluntary services or placement, if appropriate, or released directly from the hospital providing emergency medical services. The finding by the professional that the patient has been examined and does not meet the criteria for involuntary inpatient services placement or involuntary outpatient placement must be entered into the patient's clinical record. ~~Nothing in~~ This paragraph is not intended to prevent a hospital providing emergency medical services from appropriately transferring a patient to another hospital before ~~prior to stabilization if, provided~~ the requirements of s. 395.1041(3)(c) have been met.

(i)(h) One of the following must occur within 12 hours after the patient's attending physician documents that the patient's medical condition has stabilized or that an emergency medical condition does not exist:

1. The patient must be examined by a ~~designated receiving~~ facility and released; or

2. The patient must be transferred to a ~~designated receiving~~ facility in which appropriate medical treatment is available. However, the ~~receiving~~ facility must be notified of the transfer within 2 hours after the patient's condition has been stabilized or after determination that an emergency medical condition does not exist.

(j) ~~Within the 72-hour examination period or, if the 72 hours ends on a weekend or holiday, no later than the next working day thereafter,~~

~~one of the following actions must be taken, based on the individual needs of the patient:~~

1. ~~The patient shall be released, unless he or she is charged with a crime, in which case the patient shall be returned to the custody of a law enforcement officer;~~

2. ~~The patient shall be released, subject to the provisions of subparagraph 1., for voluntary outpatient treatment;~~

3. ~~The patient, unless he or she is charged with a crime, shall be asked to give express and informed consent to placement as a voluntary patient, and, if such consent is given, the patient shall be admitted as a voluntary patient; or~~

4. ~~A petition for involuntary placement shall be filed in the circuit court when outpatient or inpatient treatment is deemed necessary. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. When a petition is to be filed for involuntary outpatient placement, it shall be filed by one of the petitioners specified in s. 394.4655(3)(a). A petition for involuntary inpatient placement shall be filed by the facility administrator.~~

Section 89. Subsection (3) of section 394.4615, Florida Statutes, is amended to read:

394.4615 Clinical records; confidentiality.—

(3) Information from the clinical record may be released in the following circumstances:

(a) When a patient has declared an intention to harm other persons. When such declaration has been made, the administrator may authorize the release of sufficient information to provide adequate warning to the person threatened with harm by the patient.

(b) When the administrator of the facility or secretary of the department deems release to a qualified researcher as defined in administrative rule, an aftercare treatment provider, or an employee or agent of the department is necessary for treatment of the patient, maintenance of adequate records, compilation of treatment data, aftercare planning, or evaluation of programs.

For the purpose of determining whether a person meets the criteria for involuntary outpatient placement or for preparing the proposed treatment plan pursuant to s. 394.4655, the clinical record may be released to the state attorney, the public defender or the patient's private legal counsel, the court, and to the appropriate mental health professionals, including the service provider identified in s. 394.4655(7)(b)2. ~~394.4655(6)(b)2.~~, in accordance with state and federal law.

Section 90. *For the 2016-2017 fiscal year, the sum of \$400,000 in nonrecurring funds is appropriated from the Operations and Maintenance Trust Fund to the Department of Children and Families for the purpose of modifying the existing crisis stabilization database to collect and analyze data and information pursuant to s. 397.321, Florida Statutes, as amended by this act.*

Section 91. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete lines 4956-5263 and insert: A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.01, F.S.; defining a term; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child's care in residential treatment under certain circumstances; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and Legislature by a specified date; defining and revising terms; providing essential elements of a coordinated system of care; providing requirements for the department's annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.461, F.S.; creating a designated receiving system that functions as a no-wrong-door model, based on certain re-

ceiving system models; authorizing, rather than requiring, the department to adopt rules to implement the designated receiving system; repealing s. 394.675, F.S., relating to the substance abuse and mental health service system; amending ss. 394.75 and 394.76, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual's representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person's guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; revising exceptions to such requirements; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient's attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient's incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.4685, F.S.; requiring a public receiving facility initiating a patient transfer to a licensed hospital for certain mental health services to provide notice and transfer patient records to the hospital; amending s. 394.656, F.S.; revising the membership of the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; requiring the agency and the department to develop a plan for revenue maximization; providing requirements for the plan; providing duties for the agency and department relating to the plan; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.879, F.S.; providing that certain facilities may be in a multi-story building and authorized on certain floors; requiring the department to develop a plan to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; providing requirements for network accreditation and systems coordination agreements; providing for performance measurement and accountability and enhancements plans; providing a funding mechanism for managing entities; renaming the Crisis Stabilization Services Utilization Database as the Acute Care Services Utilization Database; requiring certain providers to provide utilization data; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.305, F.S.; providing legislative intent; amending s. 397.311, F.S.; defining and redefining terms; conforming a cross-reference; amending s. 397.321, F.S.; deleting a requirement for the department to appoint a substance abuse impairment coordinator; requiring the department to develop certain forms, display such forms on its website, and notify certain entities of the existence and availability of such forms; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.6772, F.S.; requiring law enforcement officers to use standard forms developed by the department to execute a certain written report; amending s. 397.6773, F.S.; revising a cross-reference; amending s. 397.679, F.S.; authorizing specified licensed professionals to complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person who has a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons authorized to deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons authorized to file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization; amending s. 397.6818, F.S.; limiting the validity of an order for involuntary admission to 7 days after it is signed unless otherwise specified in the order; amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; re-

quiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; extending the timeframe a respondent receives certain publicly funded licensed services; authorizing a court to order a respondent to undergo treatment through a publicly or privately funded licensed service provider under certain circumstances; requiring a copy of the court's order to be sent to the managing entity; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; prohibiting specified persons from being appointed as an individual's guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; reenacting s. 409.975(6), F.S., relating to provider payment; providing legislative intent; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, F.S., consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment coordination, juvenile substance abuse impairment coordination, and juvenile substance abuse impairment prevention and early intervention councils, respectively; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children's substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children's substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children's substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children's substance abuse services; amending ss. 39.407, 39.524, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.1678, 409.966, 409.972, 440.102, 744.704, and 960.065, F.S.; conforming cross-references; requiring the Secretary of Children and Families to appoint a workgroup on the use of advance directives for substance use disorders; requiring a report to the Governor and Legislature by a specified date; providing for expiration of the workgroup; amending s. 61.13, F.S.; providing that a parenting plan that provides for shared parental responsibility over health care decisions must authorize either parent to consent to mental health treatment for the child; amending s. 39.001, F.S.; conforming provisions to changes made by the act; amending ss. 39.507 and 39.521, F.S.; providing for consideration of mental health issues and involvement in mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; revising the qualifications for administrators of mental health and substance abuse assessments or evaluations; amending s. 394.4655, F.S.; defining the terms "court" and "criminal county court"; providing for involuntary outpatient services; authorizing certain licensed physicians and psychiatric nurses to provide a second opinion regarding a recommendation for involuntary outpatient services under certain circumstances; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; making technical changes; amending s. 394.4599, F.S.; conforming provisions to changes made by the act; amending s. 394.455, F.S.; defining and redefining terms; amending s. 394.463, F.S.; authorizing circuit or county courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certificates to the department, rather than the Agency for Health Care Administration; requiring the department to receive certain orders, certificates, and reports; requiring the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be

released to law enforcement custody; providing exceptions; conforming cross-references; amending s. 394.4615, F.S.; conforming a cross-reference; providing an appropriation; providing an effective date.

Senator Garcia moved the following amendment which was adopted:

Senate Amendment 1A (913064) to Senate Amendment 1 (259190) to House Amendment 1 (171349)—Delete line 852 and insert:

However, in a county that has a population of fewer than 50,000,

Senate Amendment 1 (259190) to House Amendment 1 (171349), as amended, was adopted.

On motion by Senator Garcia, the Senate concurred in **House Amendment 1 (171349)**, as amended, and requested the House to concur in the Senate amendment, as amended, to the House amendment.

CS for SB 12 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Brandes, Richter

SPECIAL GUESTS

Senator Galvano recognized Senate Majority Office employee Diane Vanderhoff who was present in the chamber. She is retiring after 33 years of employment.

SPECIAL RECOGNITION OF SENATOR LEGG

Senator Latvala introduced Senator Legg's wife, Suzanne, and his children, Jack, Rebecca, Dylan, Alexa, and Evangeline. Senator Latvala was recognized for farewell comments. Senator Legg was recognized for farewell remarks.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (550680), concurred in the same as amended, and passed CS/CS/HB 7029 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter

school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

House Amendment 1 (635159) to Senate Amendment 1 (550680) (with title amendment)—Remove lines 186-3599 of the amendment and insert:

(c) Each district school board must provide preferential treatment in its controlled open enrollment process to all of the following:

- 1. Dependent children of active duty military personnel whose move resulted from military orders.*
- 2. Children who have been relocated due to a foster care placement in a different school zone.*

3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

4. Students residing in the school district.

(d) As part of its controlled open enrollment process, a charter school may provide preferential treatment in its controlled open enrollment participation process to the enrollment limitations pursuant to s. 1002.33(10), if such special purposes are identified in the charter agreement. Each charter school shall annually post on its website the application process required to participate in controlled open enrollment, consistent with this section and s. 1002.33.

(e) Students residing in the district, including charter school students, may not be displaced by a student from another district seeking enrollment under the controlled open enrollment process.

(f) For purposes of continuity of educational choice, a student who transfers pursuant to this section may remain at the school chosen by the parent until the student completes the highest grade level at the school ~~may offer controlled open enrollment within the public schools which is in addition to the existing choice programs such as virtual instruction programs, magnet schools, alternative schools, special programs, advanced placement, and dual enrollment.~~

(3) Each district school board ~~offering controlled open enrollment shall adopt by rule and post on its website the process required to participate in controlled open enrollment. The process a controlled open enrollment plan which~~ must:

(a) Adhere to federal desegregation requirements.

(b) ~~Allow include an application process required to participate in controlled open enrollment that allows~~ parents to declare school preferences, including placement of siblings within the same school.

(c) Provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.

(d) Afford parents of students in multiple session schools preferred access to controlled open enrollment.

(e) Maintain socioeconomic, demographic, and racial balance.

(f) Address the availability of transportation.

(g) Maintain existing academic eligibility criteria for public school choice programs pursuant to s. 1002.20(6)(a).

(h) Identify schools that have not reached capacity, as determined by the school district.

(i) Ensure that each district school board adopts a policy to provide preferential treatment pursuant to paragraph (2)(c).

(4) In accordance with the reporting requirements of s. 1011.62, each district school board shall annually report the number of students ~~exercising public school choice, by type attending the various types of public schools of choice in the district, in accordance with including schools such as virtual instruction programs, magnet schools, and public charter schools, according to rules adopted by the State Board of Education.~~

(5) For a school or program that is a public school of choice under this section, the calculation for compliance with maximum class size pursuant to s. 1003.03(4) ~~s. 1003.03~~ is the average number of students at the school level.

(6)(a) A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment or a choice program from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.

2. Children who have been relocated due to a foster care placement in a different school zone.

3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

4. Authorized for good cause in district or charter school policy.

Section 6. Subsection (1), paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (6), paragraphs (a) and (d) of subsection (7), paragraphs (g), (n), and (p) of subsection (9), paragraph (d) of subsection (10), paragraphs (b) and (e) of subsection (17), paragraph (a) of subsection (18), and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended, and a new paragraph (g) is added to subsection (17) of that section, to read:

1002.33 Charter schools.—

(1) AUTHORIZATION.—Charter schools shall be part of the state's program of public education. All charter schools in Florida are public schools. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(d) to provide full-time online instruction to eligible students, pursuant to s. 1002.455, in kindergarten through grade 12. *An existing A* charter school *that is seeking to become a virtual charter school* must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subsections (18) and (19), subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.

(2) GUIDING PRINCIPLES; PURPOSE.—

(a) Charter schools in Florida shall be guided by the following principles:

1. Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system.

2. Promote enhanced academic success and financial efficiency by aligning responsibility with accountability.

3. Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year's worth of learning for every year spent in the charter school. *For a student who exhibits a substantial deficiency in reading, as determined by the charter school, the school shall notify the parent of the deficiency, the intensive interventions and supports used, and the student's progress in accordance with s. 1008.25(5).*

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity ~~seeking wishing~~ to open a charter school shall prepare and submit an application on a model application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below

grade level. A sponsor shall deny ~~an application a charter~~ if the school does not propose a reading curriculum that is *evidence-based and includes explicit, systematic, and multisensory reading instructional strategies*; however, a sponsor may not require the charter school to implement the reading plan adopted by the school district pursuant to s. 1011.62(9) ~~consistent with effective teaching strategies that are grounded in scientifically based reading research.~~

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. *Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.*

7.6. Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8.7. For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(b) A sponsor shall receive and review all applications for a charter school using ~~the an~~ evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application on or before May 1 with an application fee of \$500. If a draft application is timely submitted, the sponsor shall review and provide feedback as to material deficiencies in the application by July 1. The applicant shall then have until August 1 to resubmit a revised and final application. The sponsor may approve the draft application. *Except as provided for a draft application*, a sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any final application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the

sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the ~~charter~~ application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education *and, if an appeal is filed, must provide a copy of the appeal to the sponsor pursuant to paragraph (c) sub-subparagraph (c)3.b.*

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of ~~an a charter~~ application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of ~~an a charter~~ application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. *A charter school may defer the opening of the school's operations for up to 2 years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school unless the sponsor allows a waiver of this subparagraph for good cause.*

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and *evidence-based grounded in scientifically based reading research*.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. *Admission or dismissal must not be based on a student's academic performance.*

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, step-

mother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

~~(d)1. A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o). Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, charter school employee, or individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate individual representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website if a website is maintained by the school. The sponsor may not require that governing board members reside in the school district in which the charter school is located if the charter school complies with this paragraph.~~

~~2. Each charter school's governing board must hold at least two public meetings per school year in the school district. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her equivalent, must be physically present at each meeting.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(g)1. In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

a. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

b. At the discretion of the charter school's governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

2. Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph.

3. A charter school shall, upon approval of the charter contract, provide the sponsor with a concise, uniform, monthly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental funds format prescribed by the Governmental Accounting Standards Board. A high-performing charter school pursuant to s. 1002.331 may provide a quarterly financial statement in the same format and requirements as the uniform monthly financial statement summary sheet. The sponsor shall review each

monthly or quarterly financial statement to identify the existence of any conditions identified in s. 1002.345(1)(a).

4. A charter school shall maintain and provide financial information as required in this paragraph. The financial statement required in subparagraph 3. must be in a form prescribed by the Department of Education.

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades of "D," two consecutive grades of "D" followed by a grade of "F," or two non-consecutive grades of "F" within a 3-year period, the charter school governing board shall choose one of the following corrective actions:

(I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;

(II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;

(III) Reorganize the school under a new director or principal who is authorized to hire new staff; or

(IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade of "D," a grade of "F" following two consecutive grades of "D," or a second non-consecutive grade of "F" within a 3-year period.

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" is subject to subparagraph 4.

d. A charter school is no longer required to implement a corrective action if it improves by at least one letter grade. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

e. A charter school implementing a corrective action that does not improve by at least one letter grade after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" while implementing a corrective action is subject to subparagraph 4.

3. A charter school with a grade of "D" or "F" that improves by at least one letter grade must continue to implement the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

4. A charter school's charter contract is automatically terminated if the school earns two consecutive grades of "F" after all school grade appeals are final. The sponsor shall terminate a charter if the charter school earns two consecutive grades of "F" unless:

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)3. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school that earned a grade of “F” in the year before the charter school opened and the charter school earns at least a grade of “D” in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department’s official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school’s governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

5. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

6. Notwithstanding any provision of this paragraph except sub-subparagraphs 4.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school’s academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school’s annual budget and its annual independent fiscal audit; the school’s grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. *Each charter school’s governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative’s contact information must be provided annually in writing to parents and posted prominently on the charter school’s website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.*

3. *Each charter school’s governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school’s operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Administration Commission under s. 120.54(5).*

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. Students who are the children of:

a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or

b. A resident or employee of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school.

5. Students who have successfully completed a voluntary pre-kindergarten education program under ss. 1002.51-1002.79 provided by the charter school or the charter school’s governing board during the previous year.

6. Students who are the children of an active duty member of any branch of the United States Armed Forces.

7. *Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).*

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district’s operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district’s current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation, *the research-based reading allocation*, and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.

(e) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. *Payments of funds under paragraph (b) shall be made monthly or twice a month, beginning with the start of the district school board’s fiscal year. Each payment shall be one-twelfth, or one twenty-fourth, as applicable, of the total state and local funds described in paragraph (b) and adjusted as set forth therein. For the first 2 years of a charter school’s operation, if a minimum of 75 percent of the projected enrollment is entered into the sponsor’s student information system by the first day of the current month, the district school board shall ~~may~~ distribute funds to the ~~a charter~~ school for the ~~up to 3~~ months of July through October based on the projected full-time equivalent student membership of the charter school as submitted in the approved application. If less than 75 percent of the projected enrollment is entered into the sponsor’s student information system by the first day of the current month, the sponsor shall base payments on the actual number of student*

enrollment entered into the sponsor's student information system. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The ~~payments~~ ~~payment~~ shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds ~~or the date the payment is due pursuant to this subsection~~. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued. *The district school board may not delay payment to a charter school of any portion of the funds provided in paragraph (b) based on the timing of receipt of local funds by the district school board.*

(g) *To be eligible for public education capital outlay (PECO) funds, a charter school must be located in the State of Florida.*

(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. ~~Beginning July 1, 2011,~~ A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and *site planning* processes imposed upon public schools that are not charter schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. *If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded attorney fees and court costs.*

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s. 1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(3) ~~or 1013.62(2)~~.

3. For high-performing charter schools, as defined in s. 1002.331 ~~or 2011.232~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

- a. Includes both conversion charter schools and nonconversion charter schools;
- b. Has all schools located in the same county;
- c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- d. Has the same governing board; and
- e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(3) ~~or 1013.62(2)~~.

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 7. Paragraph (a) of subsection (3) and subsection (4) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

(3)(a) A high-performing charter school may submit an application pursuant to s. 1002.33(6) in any school district in the state to establish and operate a new charter school that will substantially replicate its educational program. An application submitted by a high-performing charter school must state that the application is being submitted pursuant to this paragraph and must include the verification letter provided by the Commissioner of Education pursuant to subsection (4) ~~(5)~~. If the sponsor fails to act on the application within 60 days after receipt, the application is deemed approved and the procedure in s. 1002.33(6)(h) applies. If the sponsor denies the application, the high-performing charter school may appeal pursuant to s. 1002.33(6).

~~(4) A high-performing charter school may not increase enrollment or expand grade levels following any school year in which it receives a school grade of "C" or below. If the charter school receives a school grade of "C" or below in any 2 years during the term of the charter awarded under subsection (2), the term of the charter may be modified by the sponsor and the charter school loses its high-performing charter school status until it regains that status under subsection (1).~~

Section 8. Section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) *A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.*

(3)(a) *Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.*

(b) *A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. Beginning in the 2017-2018 fiscal year, the ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.*

(c) *The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.*

(4) *Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.*

(5) *By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.*

(6) *The State Board of Education shall adopt rules to administer this section.*

Section 9. Subsection (1) of section 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (8) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) **STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.**—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) **ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.**—~~Effective July 1, 2013,~~ The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, *including, but not limited to, the U.S. News and World Report rankings*, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, *including professional doctoral degrees awarded in medical and health care disciplines*, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) **PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.**—

(a) The Board of Governors shall designate each state ~~research~~ university that *annually* meets at least 11 of the 12 academic and re-

search excellence standards identified in subsection (2) as a "preeminent state research university" ~~preeminent state research university.~~

(b) *The Board of Governors shall designate each state university that annually meets at least six of the 12 academic and research excellence standards identified in subsection (2) as an "emerging preeminent state research university."*

(5) ~~PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM UNIVERSITY SUPPORT.—~~

(a) ~~A state research university that is designated as a preeminent state research university, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

(b) *A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.*

(c) *The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:*

1. *Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.*

2. *Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.*

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.—A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

~~(6)(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a six-credit 9 to 12 credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.~~

~~(7)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to~~

ensure that ~~each a~~ designated preeminent state research university ~~and each designated emerging preeminent state research university~~ is free from unnecessary restrictions.

Section 10. Subsections (4) and (5) are added to section 1001.71, Florida Statutes, to read:

1001.71 University boards of trustees; membership.—

(4) *Each university board of trustees shall select its chair and vice chair from the appointed members. Each chair shall serve for 2 years and may be reselected for one additional consecutive 2-year term, except that, for each additional consecutive term beyond two terms, by a two-thirds vote, the board of trustees may reselect the chair for additional consecutive 2-year terms. The chair shall preside at all meetings of the board of trustees and may call special meetings of the board. The chair shall also attest to actions of the board of trustees. The chair shall notify the Governor or the Board of Governors, as applicable, in writing whenever a board member has three consecutive unexcused absences from regular board meetings in any fiscal year, which may be grounds for removal by the Governor or the Board of Governors, as applicable.*

(5) *Each university board of trustees shall keep and, within 2 weeks after a board meeting, post prominently on the university's website detailed meeting minutes for all meetings, including the vote history and attendance of each trustee. The Board of Governors shall adopt regulations to implement this subsection.*

Section 11. Section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, *including wage thresholds that reflect the added value of a baccalaureate degree*; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based ~~funding model metrics~~ shall consist of the state's investment in ~~appropriation for~~ performance funding, ~~including increases in base funding~~ plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System; in an amount provided in the General Appropriations Act. *The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding.* The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based ~~funding model metrics~~.

(3)(a) A state university that fails to meet the Board of Governors' minimum *institutional investment* performance funding *eligibility* threshold shall have ~~a portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university ~~that is~~

determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation which must reflect the rankings and award distributions.

(6) *The Board of Governors shall adopt regulations to administer this section expires July 1, 2016.*

Section 12. Subsection (4) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(4) **ONLINE COURSE REQUIREMENT.**—At least one course within the 24 credits required under this section must be completed through online learning. ~~A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester.~~

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills *the requirements of this subsection requirement.* ~~The~~ This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets *the* ~~this~~ requirement.

(b) A district school board or a charter school governing board, as applicable, may offer students the following options to satisfy the online course requirements of this subsection:

1. Completion of a course in which a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passage of the information technology certification examination without enrollment in or completion of the corresponding course or courses, as applicable.

2. Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.

For purposes of this subsection, a school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. ~~This subsection requirement~~ does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 13. Paragraphs (a), (b), and (c) of subsection (1) of section 1013.62, Florida Statutes, are amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools *as specified in this section.*

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 2 ~~3~~ or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. *Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available stability for future operation as a charter school.*

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

~~(b) The first priority for charter school capital outlay funding is to allocate to charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full time equivalent student, up to the lesser of the actual number of capital outlay full time equivalent students in the current year, or the capital outlay full time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth greater than the 2005-2006 capital outlay full time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation must be allocated to all eligible charter schools.~~

~~(c) A charter school's allocation may not exceed one fifteenth of the cost per student station specified in s. 1013.64(6)(b). Before releasing capital outlay funds to a school district on behalf of the charter school, the Department of Education must ensure that the district school board and the charter school governing board enter into a written agreement that provides for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3) if the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund.~~

Section 14. Paragraphs (a) and (b) of subsection (2) and paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. ~~A No district may not shall~~ receive funding for more than one approved project in any 3-year period *or while any portion of the district's participation requirement is outstanding.* The first year of the 3-

year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. ~~Before~~ ~~Prior to~~ developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. *A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1.* Within 90 ~~60~~ days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district's pattern of student growth; the district's existing and projected capital outlay full-time equivalent student enrollment as determined by the demographic, revenue, and education estimating conferences established in s. 216.136 ~~department~~; the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or *survey amendment cooperatively prepared surveys* by the district *and the department, and approved by the department* under the rules of the State Board of Education. *If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.*

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) *except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district's control as determined by the Special Facility Construction Committee.*

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. *For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district's participation requirement of 3 years, levy the maximum millage against its ~~their~~ nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to*

budget no more than the value of 1 mill ~~1.5 mills~~ per year to the project until the district's ~~to satisfy the annual~~ participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied in the Special Facility Construction Account.

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its ~~3-year~~ *commitment to satisfy its participation requirement, which is equivalent to of* all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), *in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.*

12. Final phase III plans must be certified by the *district school board as complete and in compliance with the building and life safety codes before June 1 of the year the application is made ~~prior to August 1.~~*

(b) The Special Facility Construction Committee shall be composed of the following: two representatives of the Department of Education, a representative from the Governor's office, a representative selected annually by the district school boards, and a representative selected annually by the superintendents. *A representative of the department shall chair the committee.*

(6)

(b1). A district school board ~~may not~~ use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

- a. \$17,952 for an elementary school,
- b. \$19,386 for a middle school, or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. *School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The department shall make the final determination on district compliance based on the recommendation of the Auditor General.*

3. *The Office of Economic and Demographic Research, in consultation with the department, shall conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of core facilities, including required media centers, gymnasiums, music rooms, cafeterias and their associated kitchens and food service areas, vocational areas, and other defined specialty areas, including exceptional student education areas. The study must take into account appropriate cost-effectiveness factors in*

school construction and should include input from industry experts. The Office of Economic and Demographic Research must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

4. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of the State Requirements for Education Facilities (SREF) to identify current requirements that can be eliminated or modified in order to decrease the cost of construction of educational facilities while ensuring student safety. OPPAGA must provide the results of the study, and an overall recommendation as to whether SREF should be retained, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

5. Effective July 1, 2017, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index.

6.2. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

(c) Except as otherwise provided, new construction initiated by a district school board on or after July 1, 2017, may ~~after June 30, 1997, must~~ not exceed the cost per student station as provided in paragraph (b). A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be subject to sanctions. If the Auditor General determines that the cost per student station overage is de minimus or due to extraordinary circumstances outside the control of the district, the sanctions shall not apply. The sanctions are as follows:

1. The school district shall be ineligible for allocations from the Public Education Capital Outlay and Debt Service Trust Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.

a. Each oversight committee shall be composed of the following:

(I) One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.

(II) One appointee of the office of the state attorney with jurisdiction over the district.

(III) One appointee of the Chief Financial Officer who is a licensed certified public accountant.

b. An appointee to the oversight committee may not be employed by the school district; be a relative, as defined in s. 1002.33(24)(a)2., of any school district employee; or be an elected official. Each appointee must sign an affidavit attesting to these conditions and affirming that no conflict of interest exists in his or her oversight role.

(d) The department shall:

1. Compute for each calendar year the statewide average construction costs for facilities serving each instructional level, for relocatable educational facilities, for administrative facilities, and for other ancillary and auxiliary facilities. The department shall compute the statewide average costs per student station for each instructional level.

2. Annually review the actual completed construction costs of educational facilities in each school district. For any school district in which the total actual cost per student station, including change orders, exceeds the statewide limits established in paragraph (b), the school district shall report to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall provide these reports to the Auditor General for verification purposes ~~report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31 of each year a summary of each school district's spending in excess of the cost per student station provided in paragraph (b) as reported by the school districts.~~

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs. Cost per student station does not include the cost of purchasing or leasing the site for the construction or the cost of related offsite improvements.

~~(e) The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of ss. 212.055 and 1011.73 and s. 9, Art. VII of the State Constitution, if the school board approves the project by majority vote.~~

Section 15. Paragraph (a) of subsection (3) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. The calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to s. 1011.61(4). ~~For a student in grades 9 through 12, a "full time equivalent student" is one student who has successfully completed six full credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full credit courses is a fraction of a full time equivalent student. Half credit course completions shall be included in determining a full time equivalent student.~~

2. ~~For a student in kindergarten through grade 8, a "full time equivalent student" is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full time equivalent student.~~

2.3. For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a). ~~Beginning in the 2016-2017 fiscal year, the reported full time equivalent students and associated funding of students enrolled in courses requiring passage of an end of course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end of course assessment. However, no adjustment shall be made for home education program students who choose not to take an end of course assessment or for a student who enrolls in a segmented remedial course delivered online.~~

~~For purposes of this paragraph, the calculation of "full time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to the requirements in s. 1011.61(4).~~

Section 16. Subsection (4) is added to section 1002.391, Florida Statutes, to read:

1002.391 Auditory-oral education programs.—

(4) Beginning with the 2017-2018 school year, a school district shall add four special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.

Section 17. Paragraphs (c) and (d) of subsection (1), paragraph (e) of subsection (7), and paragraphs (c) and (d) of subsection (8) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(c) To provide students with the option of participating in virtual instruction programs as required by paragraph (b), a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School for the provision of a program under paragraph (b). Using this option is subject to the requirements of this section and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which was completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.

2. Contract with an approved provider under subsection (2) for the provision of a full-time or part-time program under paragraph (b).

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under paragraph (b) for students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements that may be executed by a regional consortium for its member districts. A multidistrict contractual arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. These arrangements may be used to fulfill the requirements of paragraph (b).

(d) A virtual charter school may provide full-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:

1. Contract with the Florida Virtual School.

2. Contract with an approved provider under subsection (2).

3. Enter into an agreement with a school district to allow the participation of the virtual charter school's students in the school district's virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

~~(c) Beginning in the 2016-2017 fiscal year, the reported full time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(8) ASSESSMENT AND ACCOUNTABILITY.—

(c) An approved provider that receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) An approved provider's contract must be terminated if the provider receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 for 2 years during any consecutive 4-year period or has violated any qualification requirement pursuant to subsection (2). A provider that has a contract terminated under this paragraph may not be an approved provider for a period of at least 1 year after the date upon which the contract was terminated and until the department determines that the provider is in compliance with subsection (2) and has corrected each cause of the provider's low performance.

Section 18. Section 1003.3101, Florida Statutes, is created to read:

1003.3101 Additional educational choice options.—Each school district board shall establish a transfer process for a parent to request his or her child be transferred to another classroom teacher. This section does not give a parent the right to choose a specific classroom teacher. A school must approve or deny the transfer within 2 weeks after receiving a request. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication.

Section 19. Subsection (3) of section 1003.4295, Florida Statutes, is amended to read:

1003.4295 Acceleration options.—

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in *courses required for high school graduation through passage of an end-of-course assessment Algebra I, Algebra II, geometry, United States history, or biology if the student passes the statewide, standardized assessment administered under s. 1008.22, an Advanced Placement Examination, or a College Level Examination Program (CLEP)*. Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding *end-of-course assessment, Advanced Placement Examination, or CLEP statewide, standardized assessment*. The school district shall permit a *public school or home education* student who is not enrolled in the course, or who has not completed the course, to take the assessment or *examination* during the regular administration of the assessment or *examination*.

Section 20. Effective June 29, 2016, section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education ~~Pilot~~ Program.—

(1) The Adults with Disabilities Workforce Education ~~Pilot~~ Program is established in the Department of Education ~~through June 30, 2016~~, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive "supported employment services," which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term "student with a disability" includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, in-

cluding, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the ~~pilot~~ program may continue to participate in the program until the student graduates from high school or reaches the age of 40 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a non-profit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the ~~pilot~~ program may be sectarian or nonsectarian and must:

(a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student's progress.

(b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(c) Meet state and local health and safety laws and codes.

(d) Provide to the provider of supported employment services all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the ~~pilot~~ program.

(6)(a) If the student chooses to participate in the ~~pilot~~ program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the ~~pilot~~ program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student's or parent's attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. ~~During the pilot program,~~ The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the ~~pilot~~ program, and subsequent payments shall be made upon verification of continued participation in the ~~pilot~~ program. Payment must be by individual warrant made payable to the student or parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall re-

strictively endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 21. Subsection (3) and paragraph (a) of subsection (8) of section 1006.15, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)(a) *As used in this section and s. 1006.20, the term "eligible to participate" includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:*

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. ~~1002.31 district or interdistrict controlled open enrollment provisions,~~ or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend, ~~pursuant to district or interdistrict controlled open enrollment provisions~~, in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend; pursuant to s. 1002.31 ~~district or interdistrict controlled open enrollment policies~~, if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before the beginning date of the season for the activity in which he or she wishes to participate. A Florida Virtual School student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).

(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).

(h)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment, or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

a. *Dependent children of active duty military personnel whose move resulted from military orders.*

b. *Children who have been relocated due to a foster care placement in a different school zone.*

c. *Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.*

d. *Authorized for good cause in district or charter school policy.*

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with each district school board, shall facilitate a program in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA ~~and does not offer an interscholastic or intrascholastic athletic program.~~

2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board. At a minimum, such guidelines shall provide:

a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.

b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance which apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not

reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.
2. Children who have been relocated due to a foster care placement in a different school zone.
3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
4. Authorized for good cause in district or charter school policy.

Section 22. Section 1006.195, Florida Statutes, is created to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.
2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(3)(h).
3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(3)(c)-(e) and (8), are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

(c) The provisions of this subsection apply to interscholastic and intrascholastic extracurricular activities conducted by charter schools and private schools, as applicable, except that the charter school governing board, or equivalent private school authority, is responsible for the authority and responsibility otherwise provided to district school boards.

(2)(a) The Florida High School Athletic Association (FHSAA) continues to retain jurisdiction over the following provisions in s. 1006.20, which may not be implemented in a manner contrary to this section: membership in the FHSAA; recruiting prohibitions and violations; student medical evaluations; investigations; and sanctions for coaches; school eligibility and forfeiture of contests; student concussions or head injuries; the sports medical advisory committee; and the general operational provisions of the FHSAA.

(b) The FHSAA must adopt, and prominently publish, the text of this section on its website and in its bylaws, rules, procedures, training and education materials, and all other governing authority documents by August 1, 2016.

Section 23. Subsection (1) and paragraphs (a), (b), (c), and (g) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(1) **GOVERNING NONPROFIT ORGANIZATION.—**The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. *The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association.* The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) **ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—**

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws shall also allow the student to be immediately eligible in the school to which the student has transferred during the school year if the transfer is made by a deadline established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport. ~~These transfers shall be allowed pursuant to the district school board policies in the case of transfer to a public school or pursuant to the private school policies in the case of transfer to a private school.~~ The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools shall be applied similarly to public school students and private school students.

(b) The FHSAA shall adopt bylaws that specifically prohibit the recruiting of students for athletic purposes. The bylaws shall prescribe penalties and an appeals process for athletic recruiting violations.

1. If it is determined that a school has recruited a student in violation of FHSAA bylaws, the FHSAA may require the school to participate in a higher classification for the sport in which the recruited student competes for a minimum of one classification cycle, in addition to the penalties in subparagraphs 2. and 3. and any other appropriate fine or sanction imposed on the school, its coaches, or adult representatives who violate recruiting rules.

2. Any recruitment by a school district employee or contractor in violation of FHSAA bylaws results in escalating punishments as follows:

- a. For a first offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

b. For a second offense, suspension without pay for 12 months from coaching, directing, or advertising an extracurricular activity and a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

c. For a third offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation. If the individual who committed the violation holds an educator certificate, the FHSAA shall also refer the violation to the department for review pursuant to s. 1012.796 to determine whether probable cause exists, and, if there is a finding of probable cause, the commissioner shall file a formal complaint against the individual. If the complaint is upheld, the individual's educator certificate shall be revoked for 3 years, in addition to any penalties available under s. 1012.796. Additionally, the department shall revoke any adjunct teaching certificates issued pursuant to s. 1012.57 and all permissions under ss. 1012.39 and 1012.43, and the educator is ineligible for such certificates or permissions for a period of time equal to the period of revocation of his or her state-issued certificate.

3. Notwithstanding any other provision of law, a school, team, or activity shall forfeit all competitions, including honors resulting from such competitions, in which a student who participated in any fashion was recruited in a manner prohibited pursuant to state law or the FHSAA bylaws.

4. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit ~~or any promise of benefit~~ if such benefit is not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

5. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity, as determined by a district school board pursuant to s. 1006.195(1)(a)3., may not be affected by any alleged recruiting violation until final disposition of the allegation.

(c) The FHSAA shall adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012, and in good standing with the practitioner's regulatory board. The bylaws shall establish requirements for eliciting a student's medical history and performing the medical evaluation required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form shall incorporate the recommendations of the American Heart Association for participation cardiovascular screening and shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form shall advise students to complete a cardiovascular assessment and shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. ~~A student is not eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.~~

(g) The FHSAA shall adopt bylaws establishing the process and standards by which FHSAA determinations of eligibility are made. Such bylaws shall provide that:

1. Ineligibility must be established by a preponderance of the ~~clear and convincing~~ evidence;

2. Student athletes, parents, and schools must have notice of the initiation of any investigation or other inquiry into eligibility and may present, to the investigator and to the individual making the eligibility determination, any information or evidence that is credible, persuasive, and of a kind reasonably prudent persons rely upon in the conduct of serious affairs;

3. An investigator may not determine matters of eligibility but must submit information and evidence to the executive director or a person designated by the executive director or by the board of directors for an unbiased and objective determination of eligibility; and

4. A determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

Section 24. Subsection (5), paragraph (j) of subsection (6), and paragraph (a) of subsection (8) of section 1007.35, Florida Statutes, are amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.—

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or *ACT Aspire Preliminary ACT (PLAN)* to all enrolled 10th grade students. However, a written notice shall be provided to each parent that shall include the opportunity to exempt his or her child from taking the PSAT/NMSQT or *ACT Aspire PLAN*.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.

(b) Funding for the PSAT/NMSQT or *ACT Aspire PLAN* for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the PSAT/NMSQT or *ACT Aspire PLAN* for districtwide administration.

(6) The partnership shall:

(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding PSAT/NMSQT or *ACT Aspire PLAN* administration, including, but not limited to:

1. Test administration dates and times.
2. That participation in the PSAT/NMSQT or *ACT Aspire PLAN* is open to all 10th grade ~~10~~ students.
3. The value of such tests in providing diagnostic feedback on student skills.
4. The value of student scores in predicting the probability of success on AP or other advanced course examinations.

(8)(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or *ACT Aspire PLAN* testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

Section 25. Section 1009.893, Florida Statutes, is amended to read:

1009.893 *Benacquisto Scholarship Florida National Merit Scholar Incentive Program.*—

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

(a) “Department” means the Department of Education.

(b) “*Scholarship Incentive program*” means the *Benacquisto Scholarship Florida National Merit Scholar Incentive Program*.

(2) The *Benacquisto Scholarship Florida National Merit Scholar Incentive Program* is created to reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(3) The department shall administer the *scholarship incentive program* according to rules and procedures established by the State Board of Education. The department shall advertise the availability of the *scholarship incentive program* and notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria.

(4) In order to be eligible for an award under the *scholarship incentive program*, a student must:

(a) Be a state resident as determined in s. 1009.40 and rules of the State Board of Education;

(b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;

(c) Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

(d) Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida public postsecondary educational institution shall receive a *scholarship an incentive award* equal to the institutional cost of attendance minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(b) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida independent postsecondary educational institution shall receive a *scholarship an incentive award* equal to the highest cost of attendance at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(6)(a) To be eligible for a renewal award, a student must earn all credits for which he or she was enrolled and maintain a 3.0 or higher grade point average.

(b) A student may receive the *scholarship incentive award* for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(7) The department shall annually issue awards from the *scholarship incentive program*. Before the registration period each semester, the department shall transmit payment for each award to the president

or director of the postsecondary educational institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the *scholarship incentive program* must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advances within 60 days after the end of regular registration.

(c) If funds appropriated are not adequate to provide the maximum allowable award to each eligible student, awards must be prorated using the same percentage reduction.

(8) Funds from any award within the *scholarship incentive program* may not be used to pay for remedial coursework or developmental education.

(9) A student may use an award for a summer term if funds are available and appropriated by the Legislature.

(10) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the *scholarship incentive program* within the student financial assistance database as specified in s. 1009.94.

(11) Section 1009.40(4) does not apply to awards issued under this section.

(12) *A student who receives an award under the scholarship program shall be known as a Benacquisto Scholar.*

(13) *All eligible Florida public or independent postsecondary educational institutions are encouraged to become, and all eligible state universities shall become, college sponsors of the National Merit Scholarship Program.*

(14)(12) The State Board of Education shall adopt rules necessary to administer this section.

Section 26. Subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A “full-time equivalent student” in each program of the district is defined in terms of full-time students and part-time students as follows:

(a) A “full-time student” is one student on the membership roll of one school program or a combination of school programs listed in s. 1011.62(1)(c) for the school year or the equivalent for:

1. Instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program; or

2. ~~Instruction in a double-session school or a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3; or~~

2.3. Instruction comprising the appropriate number of net hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for students who, within the past year, have moved with their parents for the purpose of engaging in the farm labor or fish industries, if a plan furnishing such an extended school day or week, or a combination thereof, has been approved by the commissioner. Such plan may be approved to accommodate the needs of migrant students only or may serve all students in

schools having a high percentage of migrant students. The plan described in this subparagraph is optional for any school district and is not mandated by the state.

(b) A “part-time student” is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. *A student who receives instruction in a school that operates for less than the minimum term shall generate full-time equivalent student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as provided in s. 1011.60(2).*

(c)1. A “full-time equivalent student” is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student’s time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016 2017 fiscal year, the reported full time equivalent students and associated funding of students enrolled in courses requiring passage of an end of course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end of course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016 2017 fiscal year, the reported full time equivalent students and associated funding of students enrolled in courses requiring passage of an end of course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end of course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016 2017 fiscal year, the reported full time equivalent students and associated funding of students enrolled in courses requiring passage of an end of course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end of course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016 2017 fiscal year. Beginning in the 2016 2017 fiscal year, the FTE for the course shall be assessment based and shall be equal to 1/6 FTE. The reported FTE shall be adjusted if the student does not pass the end of course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

a. Juvenile justice education programs.

b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student’s class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for ~~experimental schools and for~~ schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum *term as provided in s. 1011.60(2) school day.*

Section 27. Effective July 1, 2016, and upon the expiration of the amendments made to section 1011.62, Florida Statutes, by chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of subsection (1), paragraph (a) of subsection (4), and present subsection (13) of that section are amended, present subsections (13), (14), and (15) of that section are renumbered as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) Funding model for exceptional student education programs.—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by

using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated *initially annually* to each school district in the amount provided in the General Appropriations Act. These funds shall be *supplemental in addition* to the funds appropriated for the basic funding level ~~on the basis of FTE student membership in the Florida Education Finance Program~~, and the amount allocated for each school district shall ~~not~~ be recalculated *once* during the year, *based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount.* These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.~~

(o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.—

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student ~~may not~~ exceed 0.1 for

certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year ~~for courses that were not provided through dual enrollment~~. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. *However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.*

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus ~~in the amount~~ of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus ~~in the amount~~ of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2, ~~0.3, 0.5, and 1.0~~.

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph may not exceed \$3,000 ~~\$2,000~~ in any given school year and is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance

Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days ~~before~~ ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) **FEDERALLY CONNECTED STUDENT SUPPLEMENT.**—*The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.*

(c) *The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).*

(14)(13) **QUALITY ASSURANCE GUARANTEE.**—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 28. Effective July 1, 2016, and upon the expiration of the amendments made to section 1011.71, Florida Statutes, by chapter 2015-222, Laws of Florida, subsection (1) of that section is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under ~~the provisions of~~ s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 29. Subsection (2) of section 1012.42, Florida Statutes, is amended to read:

1012.42 Teacher teaching out-of-field.—

(2) **NOTIFICATION REQUIREMENTS.**—When a teacher in a district school system is assigned teaching duties in a class dealing with subject matter that is outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by district school board policy in the subject area to be taught, the parents of all students in the class shall be notified in writing of such assignment, and each school district shall report out-of-field teachers on the district's website within 30 days before the beginning of each semester. A parent whose student is assigned an out-of-field teacher may request that his or her child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. The school district must approve or deny the parent's request and transfer the student to a different classroom

teacher within a reasonable period of time, not to exceed 2 weeks, if an in-field teacher for that course or grade level is employed by the school and the transfer does not violate maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication. This subsection does not provide a parent the right to choose a specific teacher.

Section 30. Paragraph (b) of subsection (8) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(b)1. Each school district must and a private school or state-supported ~~state-supported~~ public school, including a charter school, ~~or a private school~~ may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established ~~approved~~ under s. 1012.34, as applicable.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 31. Section 1012.583, Florida Statutes, is created to read:

1012.583 Continuing education and inservice training for youth suicide awareness and prevention.—

(1) Beginning with the 2016-2017 school year, the Department of Education, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, shall develop a list of approved youth suicide awareness and prevention training materials that may be used for training in youth suicide awareness and prevention for instructional personnel in elementary school, middle school, and high school. The approved list of materials:

(a) Must include training on how to identify appropriate mental health services and how to refer youth and their families to those services.

(b) May include materials currently being used by a school district if such materials meet any criteria established by the department.

(c) May include programs that instructional personnel can complete through a self-review of approved youth suicide awareness and prevention materials.

(2) A school that chooses to incorporate 2 hours of training offered pursuant to this section shall be considered a "Suicide Prevention Certified School." The training must be included in the existing continuing education or inservice training requirements for instructional personnel and may not add to the total hours currently required by the department. A school that chooses to participate in the training must require all instructional personnel to participate.

(3) A school that participates in the suicide awareness and prevention training pursuant to this section must report its participation to the department. The department shall keep an updated record of all Suicide Prevention Certified Schools.

(4) A person has no cause of action for any loss or damage caused by an act or omission resulting from the implementation of this section or resulting from any training required by this section unless the loss or damage was caused by willful or wanton misconduct. This section does not create any new duty of care or basis of liability.

(5) The State Board of Education may adopt rules to implement this section.

Section 32. Paragraph (o) is added to subsection (1) of section 1012.795, Florida Statutes, and subsection (5) of that section is amended, to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; or may impose any other penalty provided by law, if the person:

(o) Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to s. 1006.20(2)(b).

(5) Each district school superintendent and the governing authority of each university lab school, state-supported school, ~~or~~ private school, and the FHSAA shall report to the department the name of any person certified pursuant to this chapter or employed and qualified pursuant to s. 1012.39:

(a) Who has been convicted of, or who has pled nolo contendere to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;

(b) Who that official has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension under subsection (1); or

(c) Who has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act.

Section 33. Subsections (3) and (7) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(3) The department staff shall advise the commissioner concerning the findings of the investigation and of all referrals by the Florida High School Athletic Association (FHSAA) pursuant to ss. 1006.20(2)(b) and 1012.795. The department general counsel or members of that staff shall review the investigation or the referral and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause if, in his or her judgment, such agreements are in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into if there is probable cause to believe that a felony or an act of moral turpitude, as defined by rule of the State Board of Education, has occurred, or for referrals by the FHSAA. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(7) A panel of the commission shall enter a final order either dismissing the complaint or imposing one or more of the following penalties:

(a) Denial of an application for a teaching certificate or for an administrative or supervisory endorsement on a teaching certificate. The denial may provide that the applicant may not reapply for certification, and that the department may refuse to consider that applicant's application, for a specified period of time or permanently.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed \$2,000 for each count or separate offense.

(d) Placement of the teacher, administrator, or supervisor on probation for a period of time and subject to such conditions as the commission may specify, including requiring the certified teacher, administrator, or supervisor to complete additional appropriate college courses or work with another certified educator, with the administrative costs of monitoring the probation assessed to the educator placed on probation. An educator who has been placed on probation shall, at a minimum:

1. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

2. Have his or her immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

3. Pay to the commission within the first 6 months of each probation year the administrative costs of monitoring probation assessed to the educator.

4. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

5. Satisfactorily perform his or her assigned duties in a competent, professional manner.

6. Bear all costs of complying with the terms of a final order entered by the commission.

(e) Restriction of the authorized scope of practice of the teacher, administrator, or supervisor.

(f) Reprimand of the teacher, administrator, or supervisor in writing, with a copy to be placed in the certification file of such person.

(g) Imposition of an administrative sanction, upon a person whose teaching certificate has expired, for an act or acts committed while that person possessed a teaching certificate or an expired certificate subject to late renewal, which sanction bars that person from applying for a new certificate for a period of 10 years or less, or permanently.

(h) Refer the teacher, administrator, or supervisor to the recovery network program provided in s. 1012.798 under such terms and conditions as the commission may specify.

The penalties imposed under this subsection are in addition to, and not in lieu of, the penalties required for a third recruiting offense pursuant to s. 1006.20(2)(b).

Section 34. Section 1013.385, Florida Statutes, is created to read:

1013.385 School district construction flexibility.—

(1) A district school board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the educational facilities construction requirements provided in this section. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for each educational facility to be constructed, as applicable, and demonstrates that implementation of the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed re-

solution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(a) Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.

(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.

(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

(d) Site lighting, by approving construction specifications regarding site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.

2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.

3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.

Section 35. *Notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education Program years, the office shall not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year shall remain on probation until the provider or school meets the minimum rate adopted by the office. This section expires July 1, 2017.*

Section 36. Effective upon this act becoming a law, subsection (8) of section 1012.33, Florida Statutes, is amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(8) *Notwithstanding any other provision of law, a retired member may interrupt retirement and be reemployed in any public school as instructional personnel under a 1-year probationary contract as defined in s. 1012.335(1). If the retiree successfully completes the probationary contract, the district school board may reemploy the retiree under an annual contract as defined in s. 1012.335(1). The retiree is not eligible for a professional service contract. ~~A member reemployed by the same district from which he or she retired may be employed on a probationary contractual basis as provided in subsection (1).~~*

Section 37. Section 413.207, Florida Statutes, is amended to read:

413.207 Division of Vocational Rehabilitation; quality assurance; performance improvement plan.—

(1) The Division of Vocational Rehabilitation shall maintain an internal system of quality assurance, have proven functional systems, perform due diligence, review provider systems of quality assurance, and be subject to monitoring for compliance with state and federal laws, rules, and regulations.

(2) *No later than October 1, 2016, the division shall develop and implement a performance improvement plan designed to achieve the following goals:*

- (a) *Decrease the average wait list time for reportable individuals.*
- (b) *Increase the percentage of participants who are in unsubsidized employment during the second quarter after they exit the program.*
- (c) *Increase the percentage of participants who are in unsubsidized employment during the fourth quarter after they exit the program.*
- (d) *Increase the number of persons earning CAPE industry certifications and CAPE postsecondary industry certifications approved pursuant to s. 1008.44.*
- (e) *Increase the median earnings of participants who are in unsubsidized employment during the second quarter after they exit the program.*
- (f) *Increase the percentage of participants who obtained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in, or within 1 year after they exit, the program.*
- (g) *Increase the percentage of youth who received preemployment transition services without applying for additional vocational rehabilitation services and who obtained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in, or within 1 year after they exit, the program.*
- (h) *Increase the percentage of participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or to employment and who are achieving a measurable gain of skill, including documented academic, technical, occupational gains or other forms of progress toward a postsecondary credential or employment.*
- (i) *Increase the number of students receiving preemployment transition services.*
- (j) *Increase the division's effectiveness in serving employers, based on indicators developed as required by section 116(b)(2)(A)(iv) of the federal Workforce Innovation and Opportunity Act.*

(3) *The goals established under subsection (2) must be designed to elevate the state vocational rehabilitation program to one of the top 10 in the nation.*

(4) *By December 1 of each year, the division shall submit a performance report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes the following information for each of the 5 most recent fiscal years:*

- (a) *Caseload data, including the number of individuals who apply for services and who receive services, by service type, reported statewide and by service area.*
- (b) *Service use data, by service type, including the number of units of service provided, statewide and by service area.*
- (c) *Financial data, by service type, including expenditures for administration and the provision of services. Expenditure data shall be reported on a statewide basis and by service area, and expenditures for education-related services must be identified in specific categories such as tuition and fees, program fees, and support services.*
- (d) *Outcome data, statewide and by service area, including the number of cases closed without employment and the number of cases closed with employment. Employment data must be provided separately for supported employment.*

Section 38. Subsection (1) of section 1003.44, Florida Statutes, is amended to read:

1003.44 Patriotic programs; rules.—

(1) Each district school board may adopt rules to require, in all of the schools of the district, programs of a patriotic nature to encourage greater respect for the government of the United States and its national anthem and flag, subject always to other existing pertinent laws of the United States or of the state. When the national anthem is played, students and all civilians shall stand at attention, men removing the

headdress, except when such headdress is worn for religious purposes. The pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all," shall be rendered by students standing with the right hand over the heart. The pledge of allegiance to the flag shall be recited at the beginning of the day in each public elementary, middle, and high school in the state. Each student shall be informed by a *written notice published in the student handbook or a similar publication pursuant to s. 1006.07(2) posting a notice in a conspicuous place* that the student has the right not to participate in reciting the pledge. Upon written request by his or her parent, the student must be excused from reciting the pledge, *including standing and placing the right hand over his or her heart*. When the pledge is given, *unexcused students* ~~civilians~~ must show full respect to the flag by standing at attention, men removing the headdress, except when such headdress is worn for religious purposes, as provided by Pub. L. ch. 77-435, s. 7, approved June 22, 1942, 56 Stat. 377, as amended by Pub. L. ch. 77-806, 56 Stat. 1074, approved December 22, 1942.

Section 39. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.—

(1) The office shall adopt minimum standards for one or more training courses in emergent literacy for prekindergarten instructors. Each course must comprise 5 clock hours and provide instruction in *explicit, systematic, and multisensory instruction strategies and techniques* to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Each course must *address early identification of and intervention for students experiencing difficulties with emergent literacy skills and* ~~also~~ provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(d)5., 402.313(6), and 402.3131(5).

Section 40. Paragraphs (a) and (c) of subsection (3) of section 1002.67, Florida Statutes, are amended, and paragraphs (d), (e), and (f) are added to that subsection, to read:

1002.67 Performance standards; curricula and accountability.—

(3)

(a) Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must implement an evidence-based pre- and post-assessment that has been approved by ~~the office~~ ~~rule of the State Board of Education~~.

(c) The pre- and post-assessment must be administered by individuals meeting requirements established by ~~the office~~ ~~rule of the State Board of Education~~.

(d) *Students who exhibit a deficiency in emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development, must be provided intensive, explicit, and systematic instruction.*

(e) *The office shall identify by rule guidelines for determining whether a student has exhibited a deficiency in emergent literacy skills.*

(f) *The office shall provide examples of appropriate instructional strategies and supports to remediate identified deficiencies in emergent literacy skills.*

Section 41. Paragraph (b) of subsection (2), paragraph (a) of subsection (4), and subsection (5) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

(b) The rules to establish uniform core curricula for each state-approved teacher preparation program must include, but are not limited to, the following:

1. The Florida Educator Accomplished Practices.
2. The state-adopted content standards.
3. Scientifically researched *and evidence-based* reading instruction strategies, including explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.
4. Content literacy and mathematics practices.
5. Strategies appropriate for the instruction of English language learners.
6. Strategies appropriate for the instruction of students with disabilities.
7. School safety.

(4) CONTINUED PROGRAM APPROVAL.—Continued approval of a teacher preparation program shall be based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.

(a) The criteria for continued approval must include each of the following:

1. Documentation ~~from the program~~ that each program candidate met the admission requirements provided in subsection (3).
2. Documentation ~~from the program~~ that the program and each program completer have met the requirements provided in subsection (2).
3. *Documentation that each program completer received instruction in technology literacy through the program's content-area and pedagogy coursework, including instructional strategies for using media and technology to support subject-matter understanding.*
4. ~~3.~~ Evidence of performance in each of the following areas:
 - a. Placement rate of program completers into instructional positions in Florida public schools and private schools, if available.
 - b. Rate of retention for employed program completers in instructional positions in Florida public schools.
 - c. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34.
 - d. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers aggregated by student subgroup, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II), as a measure of how well the program prepares teachers to work with a diverse population of students in a variety of settings in Florida public schools.
 - e. Results of program completers' annual evaluations in accordance with the timeline as set forth in s. 1012.34.
 - f. Production of program completers in statewide critical teacher shortage areas as identified in s. 1012.07.

(5) PRESERVICE FIELD EXPERIENCE.—All postsecondary instructors, school district personnel and instructional personnel, and school sites preparing instructional personnel through preservice field experience courses and internships shall meet special requirements.

District school boards may pay student teachers during their internships. *For purposes of this subsection, "specialized training in clinical supervision" and "clinical educator training" must include content-specific strategies for integrating media and emerging technologies into classroom and online instruction.*

(a) All individuals in postsecondary teacher preparation programs who instruct or supervise preservice field experience courses or internships in which a candidate demonstrates his or her impact on student learning growth shall have the following: specialized training in clinical supervision; at least 3 years of successful, relevant pre-kindergarten through grade 12 teaching, student services, or school administration experience; and an annual demonstration of experience in a relevant prekindergarten through grade 12 school setting as defined by State Board of Education rule.

(b)1. All school district personnel and instructional personnel who supervise or direct teacher preparation students during field experience courses or internships taking place in this state in which candidates demonstrate an impact on student learning growth must have evidence of "clinical educator" training, a valid professional certificate issued pursuant to s. 1012.56, and at least 3 years of teaching experience in prekindergarten through grade 12 and must have earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34 or be a peer evaluator under the district's evaluation system approved under s. 1012.34. The State Board of Education shall approve the training requirements.

2. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates his or her impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place, and have at least 3 years of teaching experience in prekindergarten through grade 12.

3. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least 3 years teaching experience in prekindergarten through grade 12.

(c) Preservice field experience must include candidate practice and demonstration of the uniform core curricula specific to the candidates' area or areas of program concentration with a diverse population of students in a variety of settings, *including instructional strategies for using media and technology to support subject-matter understanding.* The length of structured field experiences may be extended to ensure that candidates achieve the competencies needed to meet certification requirements.

(d) Postsecondary teacher preparation programs in cooperation with district school boards and approved private school associations shall select the school sites for preservice field experience activities based upon the qualifications of the supervising personnel as described in this subsection and the needs of the candidates. These sites must represent the full spectrum of school communities, including, but not limited to, schools located in urban settings. In order to be selected, school sites must demonstrate commitment to the education of public school students and to the preparation of future teachers.

Section 42. Paragraph (a) of subsection (3) of section 1004.85, Florida Statutes, is amended, and paragraph (c) is added to subsection (4) of that section, to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this

section must implement a program previously approved by the Department of Education for this purpose or a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(a) Within 90 days after receipt of a request for approval, the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:

- 1.a. Participant instruction and assessment in the Florida Educator Accomplished Practices.
- b. The state-adopted student content standards.
- c. Scientifically researched *and evidence-based* reading instruction strategies, including explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.
- d. Content literacy and mathematical practices.
- e. Strategies appropriate for instruction of English language learners.
- f. Strategies appropriate for instruction of students with disabilities.
- g. School safety.

2. An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in the areas listed in subparagraph 1.

3. Field experiences appropriate to the certification subject area specified in the educational plan with a diverse population of students in a variety of settings under the supervision of qualified educators.

4. A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening pursuant to s. 1012.32 and educator professional or temporary certification pursuant to s. 1012.56.

(4) Continued approval of each program approved pursuant to this section shall be determined by the Commissioner of Education based upon a periodic review of the following areas:

(c) *Documentation that each program completer received instruction in technology literacy through the program's content-area and pedagogy coursework, including instructional strategies for using media and technology to support subject-matter understanding.*

Section 43. Subsection (3) and paragraphs (a) and (c) of subsection (5), of section 1008.25, Florida Statutes, are amended, and paragraph (c) is added to subsection (4) of that section, to read:

1008.25 Public school student progression; student support; reporting requirements.—

(3) ALLOCATION OF RESOURCES.—District school boards shall allocate remedial and supplemental instruction resources to students in the following priority:

(a) ~~Students in kindergarten through grade 3 who have a substantial deficiency are deficient in reading as determined in paragraph (5)(a) by the end of grade 3.~~

(b) Students who fail to meet performance levels required for promotion consistent with the district school board's plan for student progression required in ~~subsection (2) paragraph (2)(b).~~

(4) ASSESSMENT AND SUPPORT.—

(c) *A student who has a substantial reading deficiency as determined in paragraph (5)(a) must be covered by a federally required student plan such as an individual education plan or an individualized progress monitoring plan, or both, as necessary.*

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student *in kindergarten through grade 3* who exhibits a substantial deficiency in reading, based upon *screening, diagnostic, progress monitoring, or assessment data; locally determined or statewide assessments; conducted in kindergarten or grade 1, grade 2, or grade 3, or through* teacher observations, must be *provided given* intensive, explicit, systematic, and multisensory reading interventions ~~instruction~~ immediately following the identification of the reading deficiency. *A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. The student's reading proficiency must be monitored and the intensive interventions instruction must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 3 has a substantial deficiency in reading.*

(c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, *including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.*

2. A description of the current services that are provided to the child.

3. A description of the proposed *intensive interventions supplemental instructional services* and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

4. That if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. *Opportunities to observe effective instruction and intervention strategies in the classroom; receive literacy instruction from the school or through community adult literacy initiatives; and receive strategies, including multisensory strategies, through a read-at-home plan the parent can for parents to use in helping his or her their child succeed in reading proficiency.*

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (6)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

After initial notification, the school shall apprise the parent, at least monthly, of the student's growth toward meeting goals based on the student's grade level. These communications must explain any additional interventions or supports that will be used to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

Section 44. Subsection (2) of section 1011.67, Florida Statutes, is amended to read:

1011.67 Funds for instructional materials.—

(2) Annually by July 1 and ~~before~~ ~~prior to~~ the release of instructional materials funds, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, ~~including—The report shall include~~ verification that training was provided; ~~and~~ that the materials are being implemented as designed; ~~and, beginning July 1, 2020, for core reading materials and reading intervention materials used in kindergarten through grade 5, that the materials incorporate explicit, systematic, sequential, and multisensory approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies. This paragraph does not preclude school districts from purchasing or using other materials to supplement reading instruction and provide additional skills practice.~~

Section 45. Paragraph (a) of subsection (3) of section 1012.585, Florida Statutes, is amended, and paragraph (f) is added to that subsection, to read:

1012.585 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must earn a minimum of 6 college credits or 120 inservice points or a combination thereof. For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in “clinical educator” training pursuant to s. 1004.04(5)(b) and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy, *including explicit, systematic, and multisensory approaches to reading instruction and intervention; and computational skills acquisition;* exceptional student education; normal child development; and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, *except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6.* Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district’s approved master plan for inservice educational training; *however, such points may not be used to satisfy the specialization requirements of this paragraph; including, but not limited to, serving as a trainer in an approved teacher training activity, serving on an instructional materials committee or a state board or commission that deals with educational issues, or serving on an advisory council created pursuant to s. 1001.452.*

(f) *An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2019, or thereafter, must earn a minimum of 2 college credits or the equivalent inservice points in the use of explicit, systematic, and multisensory approaches to reading instruction and intervention. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional development systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.*

Section 46. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education

website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

(a) *To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.*

(b) *By July 1, 2017, and at least once every 5 years thereafter, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates; requirements for demonstrating competency in instruction or intervention strategies proven to improve student reading performance, including explicit, systematic, and multisensory approaches to reading instruction and intervention; and effective methods for identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills. At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements based upon any identified instruction or intervention strategies proven to improve student reading performance, including the strategies and methods enumerated in this paragraph. This paragraph does not authorize the state board to establish any new certification subject coverage.*

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 47. Section 1003.432, Florida Statutes, is created to read:

1003.432 *Florida Seal of Biliteracy Program for high school graduates.—*

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

(a) *“Biliteracy” means attainment of a high level of competency in listening, speaking, reading, and writing in one or more foreign languages in addition to English, which is signified on a high school graduate’s diploma and transcript as either a Gold Seal of Biliteracy or a Silver Seal of Biliteracy.*

(b) *“Foreign language” means a language other than English and includes American Sign Language, classical languages, and indigenous languages.*

(c) *“Gold” means the highest level of competency certified by the Florida Seal of Biliteracy Program.*

(d) *“Silver” means the second-highest level of competency certified by the Florida Seal of Biliteracy Program.*

(2) *The Florida Seal of Biliteracy Program is established to recognize a high school graduate who has attained a high level of competency in listening, speaking, reading, and writing in one or more foreign languages in addition to English. The Commissioner of Education shall award the Seal of Biliteracy upon graduation to a high school student who meets the qualifications in this section. The seal must differentiate between two levels of competency, designated as Gold and Silver, which must be at least as rigorous as is recommended in the biliteracy seal guidelines established by national organizations supporting foreign languages instruction.*

(3) *The purpose of the Florida Seal of Biliteracy Program is to:*

(a) *Encourage students to study foreign languages.*

(b) *Certify attainment of biliteracy.*

(c) Provide employers with a method of identifying an individual with biliteracy skills who is seeking employment.

(d) Provide a postsecondary institution with a method of recognizing an applicant with biliteracy skills who is seeking admission to the postsecondary institution.

(e) Recognize and promote foreign language instruction in public schools.

(f) Affirm the value of diversity, honor multiple cultures and foreign languages, and strengthen the relationships between multiple cultures in a community.

(4) Beginning with the 2016-2017 school year, the Gold Seal of Biliteracy or the Silver Seal of Biliteracy must be awarded to a high school student who has earned a standard high school diploma and who:

(a) Has earned four foreign language course credits in the same foreign language with a cumulative 3.0 grade point average or higher on a 4.0 scale;

(b) Has achieved a qualifying score on a foreign language assessment; or

(c) Has satisfied alternative requirements as determined by the State Board of Education pursuant to subsection (8).

(5) The Commissioner of Education shall:

(a) Prepare and provide to each school district an appropriate insignia to be affixed to the student's diploma indicating that the student has been awarded the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.

(b) Provide information necessary for a school district to successfully implement the program.

(6) Each school district shall:

(a) Maintain appropriate records to identify a student who has met the requirements to receive the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.

(b) Provide the Commissioner of Education with the number of students who have met the requirements to receive the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.

(c) Affix the appropriate insignia to the student's diploma and indicate on the student's transcript that the student has earned the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.

(7) A school district or the Department of Education may not charge a fee for the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.

(8) The State Board of Education shall adopt rules to implement this section. Such rules, at a minimum, must include:

(a) A process to confirm a student's successful completion of the requirements in subsection (4).

(b) The assessments and corresponding passing scores required to earn the Gold Seal of Biliteracy or the Silver Seal of Biliteracy, which may not be lower than the passing scores on at least one of the following:

1. An International Baccalaureate examination in the foreign language;

2. An Advanced Placement examination in the foreign language;

3. An SAT Subject Test examination in the foreign language; or

4. An Advanced International Certificate of Education examination in the foreign language.

(c) Alternative requirements a student may satisfy to demonstrate equivalent competency in a foreign language, including requirements a student whose native language is not English may satisfy to demonstrate competency in his or her native language to earn the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.

(d) A process to award foreign language course credits to a student who was not enrolled in a foreign language course or who did not complete the course but has demonstrated competency in a foreign language as provided in this subsection.

And the title is amended as follows:

Remove lines 3643-3912 of the amendment and insert: a controlled open enrollment process; providing criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; prohibiting a student from participating in a sport under certain circumstances; providing exemptions; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; requiring a charter school to notify a parent if his or her child exhibits a substantial deficiency in reading; revising required contents of charter school applications; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan; requiring a person or entity seeking to open a charter school to disclose certain information; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities within a specified timeframe; providing that a student may not be dismissed from a charter school based on his or her academic performance; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; requiring a charter school applicant to provide monthly financial statements upon approval of the charter contract; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; requiring governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; providing that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising requirements for payments to charter schools; requiring a charter school to be located in the state to be eligible for public education capital outlay funds; providing for an injunction under certain circumstances; amending s. 1002.331, F.S.; deleting obsolete provision relating to high-performing charter schools; conforming a cross-reference; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; requiring the Commissioner of Education to withhold certain disbursements under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; revising the requirements for the unique course requirement; amending s. 1001.71, F.S.; providing for selection of the chair and vice chair of each state university board of trustees; specifying terms and duties of the chair; providing grounds for the removal of a board member; requiring each state university board of trustees to post certain information on the university's website; requiring the Board of Governors to adopt regulations; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state's threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; deleting an expiration date; amending s. 1003.4282, F.S.; revising the online course requirement; authorizing a district school board or a charter school governing board to offer options to meet the requirement; amending s. 1013.62, F.S.; revising requirements for a charter school to be eligible for funding appropriated for charter school capital outlay purposes;

deleting provisions relating to the priorities for charter school capital outlay allocations and requirements for the release of allocations to charter schools; amending s. 1013.64, F.S.; providing that a school district may not receive funds from the Special Facility Construction Account under certain circumstances; revising the criteria for a request for funding; authorizing the request for a preapplication review to take place at any time; providing exceptions; revising the timeframe for completion of the review; providing that certain capital outlay full-time equivalent student enrollment estimates be determined by specified estimating conferences; requiring surveys to be cooperatively prepared by certain entities and approved by the Department of Education; prohibiting certain consultants from specified employment and compensation; providing an exception to prohibiting the cost per student station from exceeding a certain amount; requiring a school district to levy the maximum millage against certain property value under certain circumstances; reducing the required millage to be budgeted for a project; requiring certain plans to be finalized by a specified date; requiring a representative of the department to chair the Special Facility Construction Committee; requiring school districts to maintain accurate documentation related to specified costs; requiring the Auditor General to review such documentation; providing that the department makes final determinations on compliance; requiring the Office of Economic and Demographic Research to conduct a study, in consultation with the department, on cost per student station amounts; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study on the State Requirements for Education Facilities; requiring the reports to be submitted to the Governor and the Legislature by a specified date; prohibiting a district school board from using funds for specified purposes for certain projects; providing sanctions for school districts that exceed certain costs; providing an exemption to the sanctions; providing for the creation of a district capital outlay oversight committee; providing for membership of the oversight committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; amending s. 1002.391, F.S.; revising the calculation of a matrix of services for certain students beginning in a specific school year; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1006.15, F.S.; defining the term "eligible to participate"; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; prohibiting a student from participating in a sport under certain circumstances; providing exemptions; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; creating s. 1006.195, F.S.; requiring district school boards to establish in codes of student conduct eligibility standards and disciplinary actions relating to students participating in interscholastic and intrascholastic extracurricular activities; providing guidelines and applicability; requiring the FHSAA to comply with certain requirements by a specified date; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; revising student eligibility requirements; providing penalties for recruiting violations; requiring a school to forfeit a competition, including resulting honors, in which a student who was recruited in a prohibitive manner; revising circumstances under which a student may

be declared ineligible; amending s. 1007.35, F.S.; revising the exams each public high school is required to administer to all enrolled 10th grade students to include ACT Aspire; amending s. 1009.893, F.S.; changing the name of the "Florida National Merit Scholar Incentive Program" to the "Benacquisto Scholarship Program"; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; revising a provision prohibiting a teacher's bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher's field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for youth suicide awareness and prevention training materials for certain purposes; specifying requirements for training materials; providing that a school which incorporates the training materials into the existing continuing education or inservice training requirements be considered a "Suicide Prevention Certified School"; requiring participating schools to report certain information to the department; requiring the department to maintain an updated record of participating schools; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending s. 1012.795, F.S.; authorizing the Education Practices Commission to suspend the educator certificate of a person who has committed a third recruiting offense as determined by the FHSAA; requiring the FHSAA to report certain information to the department; amending s. 1012.796, F.S.; requiring department staff to advise the Commissioner of Education of all referrals by the FHSAA relating to recruiting offenses by certain individuals; providing that certain penalties are in addition to penalties required under s. 1006.20, F.S.; amending s. 1013.385, F.S.; authorizing a district school board to implement certain exceptions to the educational facilities construction requirements under certain circumstances; providing that the Office of Early Learning may not adopt a kindergarten readiness rate for specific Voluntary Prekindergarten Education Program years; providing that providers on probation for the 2013-2014 program year must remain on probation until certain criteria are met; providing an expiration date; amending s. 1012.33, F.S.; providing for a retiree to be employed as instructional personnel under a 1-year probationary contract; authorizing the retiree to be hired under an annual contract under certain circumstances; providing that the retiree is ineligible for a professional service contract; amending s. 413.207, F.S.; requiring the Division of Vocational Rehabilitation to initiate, by a specified date, a performance improvement plan designed to achieve specific goals; requiring the division to submit a performance report annually, by a specified date, to the Governor and Legislature which includes specified information; amending ss. 1012.795 and amending s. 1003.44, F.S.; requiring written notice of a student's right not to participate in the pledge of allegiance to be included in a specific publication; providing that a student may be excused from certain actions associated with the pledge of allegiance; requiring unexcused students to show full respect to the flag during the pledge of allegiance; amending s. 1002.59, F.S.; revising the emergent literacy and performance standards training course requirements to include specific reading instruction; amending s. 1002.67, F.S.; requiring the Office of Early Learning to approve specific Voluntary Prekindergarten Education Program assessments and establish requirements for individuals administering the assessments; requiring certain prekindergarten students to receive specific reading instruction; requiring the office to identify certain guidelines by rule and provide examples of certain instructional strategies; amending s. 1004.04, F.S.; revising core curricula

requirements for certain teacher preparation programs to include certain reading instruction and interventions; revising certain requirements related to clinical education training and preservice field experiences; amending s. 1004.85, F.S.; requiring certain educator preparation institutes to provide evidence of specified reading and technology instruction as a condition of program approval and continued approval; amending s. 1008.25, F.S.; requiring district school boards to allocate certain instruction resources to certain students deficient in reading; revising criteria and requiring the State Board of Education to identify guidelines for determining whether certain students have a substantial deficiency in reading; providing that students with a substantial reading deficiency must be covered by certain plans; revising the parental notification requirements for students with a substantial deficiency in reading; requiring a school to provide updates to parents of students who receive certain services; amending s. 1011.67, F.S.; revising the contents of a comprehensive staff development plan required for each school district; amending s. 1012.585, F.S.; revising requirements for renewal of professional teaching certificates; amending s. 1012.586, F.S.; authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates; requiring the department to review and make recommendations regarding certain subject coverage or endorsement requirements; providing construction; creating s. 1003.432, F.S.; defining terms; establishing the program to recognize a high school graduate who has attained a high level of competency in one or more foreign languages; providing the purpose of the program; specifying criteria to earn a Gold Seal of Biliteracy or a Silver Seal of Biliteracy; requiring the Commissioner of Education and school districts to perform specified duties to administer the program; prohibiting a school district or the Department of Education from charging a fee for the seals; requiring the State Board of Education to adopt rules;

Senator Gaetz moved the following amendment which was adopted:

Senate Amendment 1 (927886) to House Amendment 1 (635159) to Senate Amendment 1 (550680) (with title amendment)—Delete lines 125-3828 and insert:
in the charter school.

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity ~~seeking~~ ~~wishing~~ to open a charter school shall prepare and submit an application on a model application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.
3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.
4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny *an application* ~~a charter~~ if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.
5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. *Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history*

of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.

7.6. Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8.7. For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(b) A sponsor shall receive and review all applications for a charter school using *the* ~~an~~ evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application on or before May 1 with an application fee of \$500. If a draft application is timely submitted, the sponsor shall review and provide feedback as to material deficiencies in the application by July 1. The applicant shall then have until August 1 to resubmit a revised and final application. The sponsor may approve the draft application. *Except as provided for a draft application*, a sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any final application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the ~~charter~~ application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-paragraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education and, if an appeal is filed, must provide a copy of the appeal to the sponsor pursuant to paragraph (c) ~~sub-paragraph (c)3.b.~~

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of ~~an a-charter~~ application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of ~~an a-charter~~ application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. *A charter school may defer the opening of the school's operations for up to 2 years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school unless the sponsor allows a waiver of this subparagraph for good cause.*

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and grounded in scientifically based research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques.

Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. *Admission or dismissal must not be based on a student's academic performance.*

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including

whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

~~(d) A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-~~

~~(g) and (9)(o) Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, charter school employee, or individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate individual representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website if a website is maintained by the school. The sponsor may not require that governing board members reside in the school district in which the charter school is located if the charter school complies with this paragraph.~~

~~2. Each charter school's governing board must hold at least two public meetings per school year in the school district. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her equivalent, must be physically present at each meeting.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(g)1. In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

a. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

b. At the discretion of the charter school's governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

2. Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph.

3. A charter school shall, *upon approval of the charter contract*, provide the sponsor with a concise, uniform, monthly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental funds format prescribed by the Governmental Accounting Standards Board. A high-performing charter school pursuant to s. 1002.331 may provide a quarterly financial statement in the same format and requirements as the uniform monthly financial statement summary sheet. *The sponsor shall review each monthly or quarterly financial statement to identify the existence of any conditions identified in s. 1002.345(1)(a).*

4. A charter school shall maintain and provide financial information as required in this paragraph. The financial statement required in subparagraph 3. must be in a form prescribed by the Department of Education.

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades of “D,” two consecutive grades of “D” followed by a grade of “F,” or two non-consecutive grades of “F” within a 3-year period, the charter school governing board shall choose one of the following corrective actions:

(I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;

(II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;

(III) Reorganize the school under a new director or principal who is authorized to hire new staff; or

(IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade of “D,” a grade of “F” following two consecutive grades of “D,” or a second non-consecutive grade of “F” within a 3-year period.

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of “F” is subject to subparagraph 4.

d. A charter school is no longer required to implement a corrective action if it improves by at least one letter grade. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school’s continued improvement pursuant to subparagraph 5.

e. A charter school implementing a corrective action that does not improve by at least one letter grade after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of “F” while implementing a corrective action is subject to subparagraph 4.

3. A charter school with a grade of “D” or “F” that improves by at least one letter grade must continue to implement the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school’s continued improvement pursuant to subparagraph 5.

4. ~~A charter school’s charter contract is automatically terminated if the school earns two consecutive grades of “F” after all school grade appeals are final. The sponsor shall terminate a charter if the charter school earns two consecutive grades of “F” unless:~~

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)3. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school that earned a grade of “F” in the year before the charter school opened and the charter school earns at least a grade of “D” in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department’s official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for

more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school’s governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

5. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

6. Notwithstanding any provision of this paragraph except sub-subparagraphs 4.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school’s academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school’s annual budget and its annual independent fiscal audit; the school’s grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. *Each charter school’s governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative’s contact information must be provided annually in writing to parents and posted prominently on the charter school’s website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.*

3. *Each charter school’s governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school’s operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Administration Commission under s. 120.54(5).*

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. Students who are the children of:

a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or

b. A resident or employee of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school.

5. Students who have successfully completed a voluntary pre-kindergarten education program under ss. 1002.51-1002.79 provided by the charter school or the charter school's governing board during the previous year.

6. Students who are the children of an active duty member of any branch of the United States Armed Forces.

7. *Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).*

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation, *the research-based reading allocation*, and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.

(e) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. *Payments of funds under paragraph (b) shall be made monthly or twice a month, beginning with the start of the district school board's fiscal year. Each payment shall be one-twelfth, or one twenty-fourth, as applicable, of the total state and local funds described in paragraph (b) and adjusted as set forth therein. For the first 2 years of a charter school's operation, if a minimum of 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the district school board shall may distribute funds to the a charter school for the up to 2 months of July through October based on the projected full-time equivalent student membership of the charter school as submitted in the approved application. If less than 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the sponsor shall base payments on the actual number of student enrollment entered into the sponsor's student information system. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The payments payment shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds or the date the payment is due pursuant to this subsection. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued. The district school board may not delay payment to a charter school of any portion of the funds provided in paragraph (b) based on the timing of receipt of local funds by the district school board.*

(g) *To be eligible for public education capital outlay (PECO) funds, a charter school must be located in the State of Florida.*

(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. ~~Beginning July 1, 2011,~~ A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and *site planning* processes imposed upon public schools that are not charter schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. *If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded attorney fees and court costs.*

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s. 1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(3) ~~s. 1013.62(2).~~

3. For high-performing charter schools, as defined in s. 1002.331 ~~et~~ ~~2011-2012~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

- a. Includes both conversion charter schools and nonconversion charter schools;
- b. Has all schools located in the same county;
- c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- d. Has the same governing board; and
- e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(3) ~~s. 1013.62(2)~~.

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 7. Paragraph (a) of subsection (3) and subsection (4) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

(3)(a) A high-performing charter school may submit an application pursuant to s. 1002.33(6) in any school district in the state to establish and operate a new charter school that will substantially replicate its educational program. An application submitted by a high-performing charter school must state that the application is being submitted pursuant to this paragraph and must include the verification letter provided by the Commissioner of Education pursuant to subsection (4) ~~(5)~~. If the sponsor fails to act on the application within 60 days after receipt, the application is deemed approved and the procedure in s. 1002.33(6)(h) applies. If the sponsor denies the application, the high-performing charter school may appeal pursuant to s. 1002.33(6).

~~(4) A high-performing charter school may not increase enrollment or expand grade levels following any school year in which it receives a school grade of "C" or below. If the charter school receives a school grade of "C" or below in any 2 years during the term of the charter awarded under subsection (2), the term of the charter may be modified by the sponsor and the charter school loses its high-performing charter school status until it regains that status under subsection (1).~~

Section 8. Section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance

funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.

(3)(a) Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. Beginning in the 2017-2018 fiscal year, the ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) The State Board of Education shall adopt rules to administer this section.

Section 9. Subsection (1) of section 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (8) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective July 1, 2013,~~ The following academic and research excellence

standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state research university that annually meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) as a “preeminent state research university” ~~preeminent state research university~~.

(b) The Board of Governors shall designate each state university that annually meets at least six of the 12 academic and research excellence standards identified in subsection (2) as an “emerging preeminent state research university.”

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM UNIVERSITY SUPPORT.—

(a) A state ~~research~~ university that is designated as a preeminent state research university, ~~as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors,~~ shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section ~~an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period.~~

~~Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE. A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master’s degree in cloud virtualization, and instituting an entrepreneurs in residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

~~(6)(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—~~In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a ~~six-credit~~ ~~9-to-12-credit~~ set of unique courses specifically determined by the university and published on the university’s website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student’s request.

~~(7)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—~~The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that each a designated preeminent state research university and each designated emerging preeminent state research university is free from unnecessary restrictions.

Section 10. Subsections (4) and (5) are added to section 1001.71, Florida Statutes, to read:

1001.71 University boards of trustees; membership.—

(4) Each university board of trustees shall select its chair and vice chair from the appointed members. Each chair shall serve for 2 years and may be reselected for one additional consecutive 2-year term, except that, for each additional consecutive term beyond two terms, by a two-thirds vote, the board of trustees may reselect the chair for additional consecutive 2-year terms. The chair shall preside at all meetings of the board of trustees and may call special meetings of the board. The chair shall also attest to actions of the board of trustees. The chair shall notify the Governor or the Board of Governors, as applicable, in writing whenever a board member has three consecutive unexcused absences from regular board meetings in any fiscal year, which may be grounds for removal by the Governor or the Board of Governors, as applicable.

(5) Each university board of trustees shall keep and, within 2 weeks after a board meeting, post prominently on the university's website detailed meeting minutes for all meetings, including the vote history and attendance of each trustee. The Board of Governors shall adopt regulations to implement this subsection.

Section 11. Section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model metrics shall consist of the state's investment in appropriation for performance funding, including increases in base funding plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System, in an amount provided in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based funding model metrics.

(3)(a) A state university that fails to meet the Board of Governors' minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university that is determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation which must reflect the rankings and award distributions.

(6) The Board of Governors shall adopt regulations to administer this section expires July 1, 2016.

Section 12. Subsection (4) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(4) ONLINE COURSE REQUIREMENT.—At least one course within the 24 credits required under this section must be completed through online learning. ~~A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester.~~

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills the requirements of this subsection requirement. ~~The~~ This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets the ~~this~~ requirement.

(b) A district school board or a charter school governing board, as applicable, may offer students the following options to satisfy the online course requirements of this subsection:

1. Completion of a course in which a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passage of the information technology certification examination without enrollment in or completion of the corresponding course or courses, as applicable.

2. Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.

For purposes of this subsection, a school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. This subsection requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 13. Section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools as specified in this section.

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 2 ½ or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available ~~stability for future operation as a charter school.~~

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

~~(b) The first priority for charter school capital outlay funding is to allocate to charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student, up to the lesser of the actual number of capital outlay full-time equivalent students in the current year, or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth greater than the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation must be allocated to all eligible charter schools.~~

~~(c) A charter school's allocation may not exceed one fifteenth of the cost per student station specified in s. 1013.64(6)(b). Before releasing capital outlay funds to a school district on behalf of the charter school, the Department of Education must ensure that the district school board and the charter school governing board enter into a written agreement that provides for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3) if the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund.~~

~~(b)(4) A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.~~

~~(c) The funding allocation for eligible charter schools shall be calculated as follows:~~

~~1. Eligible charter schools shall be grouped into categories based on their student populations according to the following criteria:~~

~~a. Seventy-five percent or greater who are eligible for free or reduced-price school lunch.~~

~~b. Twenty-five percent or greater with disabilities as defined in state board rule and consistent with the requirements of the Individuals with Disabilities Education Act.~~

~~2. If an eligible charter school does not meet the criteria for either category under subparagraph 1., its FTE shall be provided as the base amount of funding and shall be assigned a weight of 1.0. An eligible charter school that meets the criteria under sub-subparagraph 1.a. or sub-subparagraph 1.b. shall be provided an additional 25 percent above the base funding amount, and the total FTE shall be multiplied by a weight of 1.25. An eligible charter school that meets the criteria under both sub-subparagraphs 1.a. and 1.b. shall be provided an additional 50 percent above the base funding amount, and the FTE for that school shall be multiplied by a weight of 1.5.~~

~~3. The state appropriation for charter school capital outlay shall be divided by the total weighted FTE for all eligible charter schools to determine the base charter school per weighted FTE allocation amount. The per weighted FTE allocation amount shall be multiplied by the weighted FTE to determine each charter school's capital outlay allocation.~~

~~(c) Unless otherwise provided in the General Appropriations Act, the funding allocation for each eligible charter school is determined by multiplying the school's projected student enrollment by one fifteenth of the cost per student station specified in s. 1013.64(6)(b) for an elementary, middle, or high school, as appropriate. If the funds appropriated are not sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, a charter school or charter lab school may not receive state charter school capital outlay funds greater than the one fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds~~

~~allowed in s. 1002.32(9)(e) and (h) exceeds the one fifteenth cost per student station formula.~~

~~(2)(a)(4) The department shall calculate the eligible charter school funding allocations. Funds shall be allocated using distributed on the basis of the capital outlay full-time equivalent membership from by grade level, which is calculated by averaging the results of the second and third enrollment surveys and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.~~

~~(b) The department of Education shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter schools.~~

~~(3)(2) A charter school's governing body may use charter school capital outlay funds for the following purposes:~~

~~(a) Purchase of real property.~~

~~(b) Construction of school facilities.~~

~~(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.~~

~~(d) Purchase of vehicles to transport students to and from the charter school.~~

~~(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.~~

~~(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.~~

~~(g) Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.~~

~~(h) Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.~~

~~Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.~~

~~(4)(3) If when a charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with district public funds shall revert to the ownership of the district school board, as provided for in s. 1002.33(8)(e) and (f). In the case of a charter lab school, any unencumbered funds and all equipment and property purchased with university public funds shall revert to the ownership of the state university that issued the charter. The reversion of such equipment, property, and furnishings shall focus on recoverable assets, but not on intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. The reversion of all property secured with public funds is subject to the complete satisfaction of all lawful liens or encumbrances. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.~~

~~(5)(4) The Commissioner of Education shall specify procedures for submitting and approving requests for funding under this section and procedures for documenting expenditures.~~

~~(6)(6)~~ The annual legislative budget request of the Department of Education shall include a request for capital outlay funding for charter schools. The request shall be based on the projected number of students to be served in charter schools who meet the eligibility requirements of this section. ~~A dedicated funding source, if identified in writing by the Commissioner of Education and submitted along with the annual charter school legislative budget request, may be considered an additional source of funding.~~

~~(6) Unless authorized otherwise by the Legislature, allocation and proration of charter school capital outlay funds shall be made to eligible charter schools by the Commissioner of Education in an amount and in a manner authorized by subsection (1).~~

Section 14. Paragraphs (a) and (b) of subsection (2) and paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the “Special Facility Construction Account.” The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. ~~A No district may not shall~~ receive funding for more than one approved project in any 3-year period ~~or while any portion of the district’s participation requirement is outstanding.~~ The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. ~~Before~~ ~~Prior to~~ developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. ~~A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department’s next annual capital outlay legislative budget request, the preapplication review request must be made before February 1.~~ Within 90 ~~60~~ days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district’s pattern of student growth; the district’s existing and projected capital outlay full-time equivalent student enrollment as determined by the ~~demographic, revenue, and education estimating conferences established in s. 216.136~~ ~~department~~; the district’s existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or survey amendment ~~cooperatively prepared surveys~~ by the district and the department, and approved by the department under the rules of the State Board of Education. ~~If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.~~

3. The construction project must appear on the district’s approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) ~~except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district’s control as determined by the Special Facility Construction Committee.~~

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. ~~For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district’s participation requirement of 3 years, levy the maximum millage against its their nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district’s nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of 1 mill 1.5 mills per year to the project until the district’s to satisfy the annual participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied in the Special Facility Construction Account.~~

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its ~~3-year~~ commitment ~~to satisfy its participation requirement, which is equivalent to~~ of all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), ~~in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.~~

12. Final phase III plans must be certified by the ~~district school board as complete and in compliance with the building and life safety codes before June 1 of the year the application is made~~ ~~prior to August 1.~~

(b) The Special Facility Construction Committee shall be composed of the following: two representatives of the Department of Education, a representative from the Governor’s office, a representative selected annually by the district school boards, and a representative selected annually by the superintendents. ~~A representative of the department shall chair the committee.~~

(6)

(b)1. A district school board ~~may~~ ~~must~~ not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

- a. \$17,952 for an elementary school,
- b. \$19,386 for a middle school, or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The department shall make the final determination on district compliance based on the recommendation of the Auditor General.

3. The Office of Economic and Demographic Research, in consultation with the department, shall conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of core facilities, including required media centers, gymnasiums, music rooms, cafeterias and their associated kitchens and food service areas, vocational areas, and other defined specialty areas, including exceptional student education areas. The study must take into account appropriate cost-effectiveness factors in school construction and should include input from industry experts. The Office of Economic and Demographic Research must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

4. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of the State Requirements for Education Facilities (SREF) to identify current requirements that can be eliminated or modified in order to decrease the cost of construction of educational facilities while ensuring student safety. OPPAGA must provide the results of the study, and an overall recommendation as to whether SREF should be retained, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

5. Effective July 1, 2017, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index.

~~6.2.~~ A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

(c) Except as otherwise provided, new construction initiated by a district school board on or after July 1, 2017, ~~may~~ ~~after June 30, 1997,~~ ~~must~~ not exceed the cost per student station as provided in paragraph (b). A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be subject to sanctions. If the Auditor General determines that the cost per student station overage is de minimus or due to extraordinary circumstances

outside the control of the district, the sanctions shall not apply. The sanctions are as follows:

1. The school district shall be ineligible for allocations from the Public Education Capital Outlay and Debt Service Trust Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.

a. Each oversight committee shall be composed of the following:

(I) One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.

(II) One appointee of the office of the state attorney with jurisdiction over the district.

(III) One appointee of the Chief Financial Officer who is a licensed certified public accountant.

b. An appointee to the oversight committee may not be employed by the school district; be a relative, as defined in s. 1002.33(24)(a)2., of any school district employee; or be an elected official. Each appointee must sign an affidavit attesting to these conditions and affirming that no conflict of interest exists in his or her oversight role.

(d) The department shall:

1. Compute for each calendar year the statewide average construction costs for facilities serving each instructional level, for relocatable educational facilities, for administrative facilities, and for other ancillary and auxiliary facilities. The department shall compute the statewide average costs per student station for each instructional level.

2. Annually review the actual completed construction costs of educational facilities in each school district. For any school district in which the total actual cost per student station, including change orders, exceeds the statewide limits established in paragraph (b), the school district shall report to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall provide these reports to the Auditor General for verification purposes ~~report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31 of each year a summary of each school district's spending in excess of the cost per student station provided in paragraph (b) as reported by the school districts.~~

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs. Cost per student station does not include the cost of purchasing or leasing the site for the construction or the cost of related offsite improvements.

~~(c) The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of ss. 212.055 and 1011.73 and s. 9, Art. VII of the State Constitution, if the school board approves the project by majority vote.~~

Section 15. Paragraph (a) of subsection (3) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. The calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to s. 1011.61(4). ~~For a student in grades 9 through 12, a "full-time equivalent student" is one student who has successfully completed six full credit courses that count toward the minimum number of credits required for high school~~

graduation. A student who completes fewer than six full-credit courses is a fraction of a full-time equivalent student. Half-credit course completions shall be included in determining a full-time equivalent student.

~~2. For a student in kindergarten through grade 8, a "full-time equivalent student" is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.~~

~~2.3. For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a). Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1002.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment or for a student who enrolls in a segmented remedial course delivered online.~~

For purposes of this paragraph, the calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to the requirements in s. 1011.61(4).

Section 16. Subsection (4) is added to section 1002.391, Florida Statutes, to read:

1002.391 Auditory-oral education programs.—

(4) *Beginning with the 2017-2018 school year, a school district shall add four special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.*

Section 17. Paragraphs (c) and (d) of subsection (1), paragraph (e) of subsection (7), and paragraphs (c) and (d) of subsection (8) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(c) To provide students with the option of participating in virtual instruction programs as required by paragraph (b), a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School for the provision of a program under paragraph (b). Using this option is subject to the requirements of this section and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which was completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.

2. Contract with an approved provider under subsection (2) for the provision of a full-time or part-time program under paragraph (b).

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under paragraph (b) for students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements that may be executed by a regional consortium for its member districts. A multidistrict contractual

arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. These arrangements may be used to fulfill the requirements of paragraph (b).

(d) A virtual charter school may provide full-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:

1. Contract with the Florida Virtual School.
2. Contract with an approved provider under subsection (2).

3. Enter into an agreement with a school district to allow the participation of the virtual charter school's students in the school district's virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph (7)(e) ~~(7)(f)~~.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

~~(c) Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(8) ASSESSMENT AND ACCOUNTABILITY.—

(c) An approved provider that receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) An approved provider's contract must be terminated if the provider receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 for 2 years during any consecutive 4-year period or has violated any qualification requirement pursuant to subsection (2). A provider that has a contract terminated under this paragraph may not be an approved provider for a period of at least 1 year after the date upon which the contract was terminated and until the department determines that the provider is in compliance with subsection (2) and has corrected each cause of the provider's low performance.

Section 18. Section 1003.3101, Florida Statutes, is created to read:

1003.3101 Additional educational choice options.—Each school district board shall establish a transfer process for a parent to request his or her child be transferred to another classroom teacher. This section does not give a parent the right to choose a specific classroom teacher. A school must approve or deny the transfer within 2 weeks after receiving a request. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication.

Section 19. Subsection (3) of section 1003.4295, Florida Statutes, is amended to read:

1003.4295 Acceleration options.—

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in *courses required for high school graduation through passage of an end-of-course assessment Algebra I, Algebra II, geometry, United States history, or biology if the student passes the statewide, standardized assessment administered under s. 1008.22, an Advanced Placement Examination, or a College Level Examination Program (CLEP)*. Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding *end-of-course assessment, Advanced Placement Examination, or CLEP statewide, standardized assessment*. The school district shall permit a *public*

school or home education student who is not enrolled in the course, or who has not completed the course, to take the assessment or *examination* during the regular administration of the assessment or *examination*.

Section 20. Effective June 29, 2016, section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education ~~Pilot~~ Program.—

(1) The Adults with Disabilities Workforce Education ~~Pilot~~ Program is established in the Department of Education ~~through June 30, 2016~~, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the ~~pilot~~ program may continue to participate in the program until the student graduates from high school or reaches the age of 40 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a non-profit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the ~~pilot~~ program may be sectarian or nonsectarian and must:

- (a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student’s progress.
- (b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.
- (c) Meet state and local health and safety laws and codes.
- (d) Provide to the provider of supported employment services all documentation required for a student’s participation, including the private school’s and student’s fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the ~~pilot~~ program.

(6)(a) If the student chooses to participate in the ~~pilot~~ program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the ~~pilot~~ program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student’s or parent’s attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district’s Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. ~~During the pilot program~~, The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the ~~pilot~~ program, and subsequent payments shall be made upon verification of continued participation in the ~~pilot~~ program. Payment must be by individual warrant made payable to the student or parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall restrictively endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 21. Subsection (3) and paragraph (a) of subsection (8) of section 1006.15, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)(a) *As used in this section and s. 1006.20, the term “eligible to participate” includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:*

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student’s parents, if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31 ~~district or interdistrict controlled open enrollment provisions~~, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend, pursuant to ~~district or interdistrict controlled open enrollment provisions~~, in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend; pursuant to s. 1002.31 ~~district or interdistrict controlled open enrollment policies~~, if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before the beginning date of the season for the activity in which he or she wishes to participate. A Florida Virtual School student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).

(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).

(h)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment, or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

- a. Dependent children of active duty military personnel whose move resulted from military orders.
- b. Children who have been relocated due to a foster care placement in a different school zone.
- c. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- d. Authorized for good cause in district or charter school policy.

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with each district school board, shall facilitate a program in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA ~~and does not offer an interscholastic or intrascholastic athletic program.~~
2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board. At a minimum, such guidelines shall provide:
 - a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.
 - b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance which apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.
2. Children who have been relocated due to a foster care placement in a different school zone.
3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
4. Authorized for good cause in district or charter school policy.

Section 22. Section 1006.195, Florida Statutes, is created to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and

intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.
2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(3)(h).
3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(3)(c)-(e) and (8), are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

(c) The provisions of this subsection apply to interscholastic and intrascholastic extracurricular activities conducted by charter schools and private schools, as applicable, except that the charter school governing board, or equivalent private school authority, is responsible for the authority and responsibility otherwise provided to district school boards.

(2)(a) The Florida High School Athletic Association (FHSAA) continues to retain jurisdiction over the following provisions in s. 1006.20, which may not be implemented in a manner contrary to this section: membership in the FHSAA; recruiting prohibitions and violations; student medical evaluations; investigations; and sanctions for coaches; school eligibility and forfeiture of contests; student concussions or head injuries; the sports medical advisory committee; and the general operational provisions of the FHSAA.

(b) The FHSAA must adopt, and prominently publish, the text of this section on its website and in its bylaws, rules, procedures, training and education materials, and all other governing authority documents by August 1, 2016.

Section 23. Subsection (1) and paragraphs (a), (b), (c), and (g) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by

which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be *immediately* eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws shall also allow the student to be *immediately* eligible in the school to which the student has transferred ~~during the school year if the transfer is made by a deadline established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport. These transfers shall be allowed pursuant to the district school board policies in the case of transfer to a public school or pursuant to the private school policies in the case of transfer to a private school.~~ The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools shall be applied similarly to public school students and private school students.

(b) The FHSAA shall adopt bylaws that specifically prohibit the recruiting of students for athletic purposes. The bylaws shall prescribe penalties and an appeals process for athletic recruiting violations.

1. If it is determined that a school has recruited a student in violation of FHSAA bylaws, the FHSAA may require the school to participate in a higher classification for the sport in which the recruited student competes for a minimum of one classification cycle, in addition to the penalties in subparagraphs 2. and 3. and any other appropriate fine or ~~and~~ sanction imposed on the school, its coaches, or adult representatives who violate recruiting rules.

2. Any recruitment by a school district employee or contractor in violation of FHSAA bylaws results in escalating punishments as follows:

a. For a first offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

b. For a second offense, suspension without pay for 12 months from coaching, directing, or advertising an extracurricular activity and a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

c. For a third offense, a \$5,000 forfeiture of pay for the school district employee or contractor who committed the violation. If the individual who committed the violation holds an educator certificate, the FHSAA shall also refer the violation to the department for review pursuant to s. 1012.796 to determine whether probable cause exists, and, if there is a finding of probable cause, the commissioner shall file a formal complaint against the individual. If the complaint is upheld, the individual's educator certificate shall be revoked for 3 years, in addition to any penalties available under s. 1012.796. Additionally, the department shall revoke any adjunct teaching certificates issued pursuant to s. 1012.57 and all permissions under ss. 1012.39 and 1012.43, and the educator is ineligible for such certificates or permissions for a period of time equal to the period of revocation of his or her state-issued certificate.

3. Notwithstanding any other provision of law, a school, team, or activity shall forfeit all competitions, including honors resulting from such competitions, in which a student who participated in any fashion was recruited in a manner prohibited pursuant to state law or the FHSAA bylaws.

4. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit ~~or any promise of benefit~~ if such benefit is not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

5. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity, as determined by a district school board pursuant to s. 1006.195(1)(a)3., may not be affected by any alleged recruiting violation until final disposition of the allegation.

(c) The FHSAA shall adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012, and in good standing with the practitioner's regulatory board. The bylaws shall establish requirements for eliciting a student's medical history and performing the medical evaluation required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form shall incorporate the recommendations of the American Heart Association for participation cardiovascular screening and shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form shall advise students to complete a cardiovascular assessment and shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. A ~~student is not~~ ~~no student shall~~ be eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.

(g) The FHSAA shall adopt bylaws establishing the process and standards by which FHSAA determinations of eligibility are made. Such bylaws shall provide that:

1. Ineligibility must be established by a preponderance of the ~~clear~~ ~~and convincing~~ evidence;

2. Student athletes, parents, and schools must have notice of the initiation of any investigation or other inquiry into eligibility and may present, to the investigator and to the individual making the eligibility determination, any information or evidence that is credible, persuasive, and of a kind reasonably prudent persons rely upon in the conduct of serious affairs;

3. An investigator may not determine matters of eligibility but must submit information and evidence to the executive director or a person designated by the executive director or by the board of directors for an unbiased and objective determination of eligibility; and

4. A determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

Section 24. Subsection (5), paragraph (j) of subsection (6), and paragraph (a) of subsection (8) of section 1007.35, Florida Statutes, are amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.—

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or *ACT Aspire* ~~Preliminary ACT (PLAN)~~ to all enrolled 10th grade students. However, a written notice shall be provided to each parent that shall include the

opportunity to exempt his or her child from taking the PSAT/NMSQT or *ACT Aspire* ~~PLAN~~.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.

(b) Funding for the PSAT/NMSQT or *ACT Aspire* ~~PLAN~~ for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the PSAT/NMSQT or *ACT Aspire* ~~PLAN~~ for districtwide administration.

(6) The partnership shall:

(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding PSAT/NMSQT or *ACT Aspire* ~~PLAN~~ administration, including, but not limited to:

1. Test administration dates and times.
2. That participation in the PSAT/NMSQT or *ACT Aspire* ~~PLAN~~ is open to all 10th grade ~~10~~ students.
3. The value of such tests in providing diagnostic feedback on student skills.
4. The value of student scores in predicting the probability of success on AP or other advanced course examinations.

(8)(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or *ACT Aspire* ~~PLAN~~ testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

Section 25. Section 1009.893, Florida Statutes, is amended to read:

1009.893 *Benacquisto Scholarship* ~~Florida National Merit Scholar Incentive Program~~.—

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

(a) “Department” means the Department of Education.

(b) “*Scholarship Incentive* program” means the *Benacquisto Scholarship* ~~Florida National Merit Scholar Incentive~~ Program.

(2) The *Benacquisto Scholarship* ~~Florida National Merit Scholar Incentive~~ Program is created to reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(3) The department shall administer the *scholarship incentive* program according to rules and procedures established by the State Board of Education. The department shall advertise the availability of the *scholarship incentive* program and notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria.

(4) In order to be eligible for an award under the *scholarship incentive* program, a student must:

(a) Be a state resident as determined in s. 1009.40 and rules of the State Board of Education;

(b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;

(c) Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

(d) Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida public postsecondary educational institution shall receive a *scholarship* ~~an incentive~~ award equal to the institutional cost of attendance minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(b) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida independent postsecondary educational institution shall receive a *scholarship* ~~an incentive~~ award equal to the highest cost of attendance at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(6)(a) To be eligible for a renewal award, a student must earn all credits for which he or she was enrolled and maintain a 3.0 or higher grade point average.

(b) A student may receive the *scholarship incentive* award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(7) The department shall annually issue awards from the *scholarship incentive* program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the *scholarship incentive* program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advances within 60 days after the end of regular registration.

(c) If funds appropriated are not adequate to provide the maximum allowable award to each eligible student, awards must be prorated using the same percentage reduction.

(8) Funds from any award within the *scholarship incentive* program may not be used to pay for remedial coursework or developmental education.

(9) A student may use an award for a summer term if funds are available and appropriated by the Legislature.

(10) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the *scholarship incentive* program within the student financial assistance database as specified in s. 1009.94.

(11) Section 1009.40(4) does not apply to awards issued under this section.

(12) *A student who receives an award under the scholarship program shall be known as a Benacquisto Scholar.*

(13) *All eligible Florida public or independent postsecondary educational institutions are encouraged to become, and all eligible state universities shall become, college sponsors of the National Merit Scholarship Program.*

(14)~~(12)~~ The State Board of Education shall adopt rules necessary to administer this section.

Section 26. Subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A “full-time equivalent student” in each program of the district is defined in terms of full-time students and part-time students as follows:

(a) A “full-time student” is one student on the membership roll of one school program or a combination of school programs listed in s. 1011.62(1)(c) for the school year or the equivalent for:

1. Instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program; *or*

~~2. Instruction in a double-session school or a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3; or~~

~~2.3.~~ Instruction comprising the appropriate number of net hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for students who, within the past year, have moved with their parents for the purpose of engaging in the farm labor or fish industries, if a plan furnishing such an extended school day or week, or a combination thereof, has been approved by the commissioner. Such plan may be approved to accommodate the needs of migrant students only or may serve all students in schools having a high percentage of migrant students. The plan described in this subparagraph is optional for any school district and is not mandated by the state.

(b) A “part-time student” is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. *A student who receives instruction in a school that operates for less than the minimum term shall generate full-time equivalent student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as provided in s. 1011.60(2).*

(c)1. A “full-time equivalent student” is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student’s time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year. Beginning in the 2016-2017 fiscal year, the FTE for the course shall be assessment based and shall be equal to 1/6 FTE. The reported FTE shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

- a. Juvenile justice education programs.
- b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for ~~experimental schools and for~~ schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum *term as provided in s. 1011.60(2) school day.*

Section 27. Effective July 1, 2016, and upon the expiration of the amendments made to section 1011.62, Florida Statutes, by chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of subsection (1), paragraph (a) of subsection (4), and present subsection (13) of that section are amended, present subsections (13), (14), and (15) of that section are renumbered as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) Funding model for exceptional student education programs.—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in sub-paragraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated *initially*

~~annually~~ to each school district in the amount provided in the General Appropriations Act. These funds shall be ~~supplemental in addition to~~ the funds appropriated for the ~~basic funding level on the basis of FTE student membership in the Florida Education Finance Program,~~ and the amount allocated for each school district shall ~~not~~ be recalculated ~~once~~ during the year, based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.—

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student ~~may shall~~ not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year ~~for courses that were not provided through dual enrollment.~~ CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. *However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.*

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus ~~in the amount~~ of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus ~~in the amount~~ of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2, ~~0.3, 0.5, and 1.0.~~

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph may not exceed \$3,000 ~~\$2,000~~ in any given school year and is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days ~~before~~ ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Fi-

nance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) *FEDERALLY CONNECTED STUDENT SUPPLEMENT.*—*The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.*

(c) *The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).*

(14)~~(12)~~ *QUALITY ASSURANCE GUARANTEE.*—*The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guar-*

antee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 28. Effective July 1, 2016, and upon the expiration of the amendments made to section 1011.71, Florida Statutes, by chapter 2015-222, Laws of Florida, subsection (1) of that section is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 29. Subsection (2) of section 1012.42, Florida Statutes, is amended to read:

1012.42 Teacher teaching out-of-field.—

(2) NOTIFICATION REQUIREMENTS.—When a teacher in a district school system is assigned teaching duties in a class dealing with subject matter that is outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by district school board policy in the subject area to be taught, the parents of all students in the class shall be notified in writing of such assignment, *and each school district shall report out-of-field teachers on the district's website within 30 days before the beginning of each semester. A parent whose student is assigned an out-of-field teacher may request that his or her child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. The school district must approve or deny the parent's request and transfer the student to a different classroom teacher within a reasonable period of time, not to exceed 2 weeks, if an in-field teacher for that course or grade level is employed by the school and the transfer does not violate maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication. This subsection does not provide a parent the right to choose a specific teacher.*

Section 30. Paragraph (b) of subsection (8) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(b)1. Each school district must and a private school or state-supported ~~state supported~~ public school, *including a charter school, or a private school* may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established ~~approved~~ under s. 1012.34, as applicable.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall

review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 31. Section 1012.583, Florida Statutes, is created to read:

1012.583 Continuing education and inservice training for youth suicide awareness and prevention.—

(1) Beginning with the 2016-2017 school year, the Department of Education, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, shall develop a list of approved youth suicide awareness and prevention training materials that may be used for training in youth suicide awareness and prevention for instructional personnel in elementary school, middle school, and high school. The approved list of materials:

(a) Must include training on how to identify appropriate mental health services and how to refer youth and their families to those services.

(b) May include materials currently being used by a school district if such materials meet any criteria established by the department.

(c) May include programs that instructional personnel can complete through a self-review of approved youth suicide awareness and prevention materials.

(2) A school that chooses to incorporate 2 hours of training offered pursuant to this section shall be considered a "Suicide Prevention Certified School." The training must be included in the existing continuing education or inservice training requirements for instructional personnel and may not add to the total hours currently required by the department. A school that chooses to participate in the training must require all instructional personnel to participate.

(3) A school that participates in the suicide awareness and prevention training pursuant to this section must report its participation to the department. The department shall keep an updated record of all Suicide Prevention Certified Schools.

(4) A person has no cause of action for any loss or damage caused by an act or omission resulting from the implementation of this section or resulting from any training required by this section unless the loss or damage was caused by willful or wanton misconduct. This section does not create any new duty of care or basis of liability.

(5) The State Board of Education may adopt rules to implement this section.

Section 32. Paragraph (o) is added to subsection (1) of section 1012.795, Florida Statutes, and subsection (5) of that section is amended, to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; or may impose any other penalty provided by law, if the person:

(o) Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to s. 1006.20(2)(b).

(5) Each district school superintendent and the governing authority of each university lab school, state-supported school, ~~or~~ private school, and the FHSAA shall report to the department the name of any person certified pursuant to this chapter or employed and qualified pursuant to s. 1012.39:

(a) Who has been convicted of, or who has pled nolo contendere to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;

(b) Who that official has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension under subsection (1); or

(c) Who has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act.

Section 33. Subsections (3) and (7) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(3) The department staff shall advise the commissioner concerning the findings of the investigation and of all referrals by the Florida High School Athletic Association (FHSAA) pursuant to ss. 1006.20(2)(b) and 1012.795. The department general counsel or members of that staff shall review the investigation or the referral and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause if, in his or her judgment, such agreements are in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into if there is probable cause to believe that a felony or an act of moral turpitude, as defined by rule of the State Board of Education, has occurred, or for referrals by the FHSAA. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(7) A panel of the commission shall enter a final order either dismissing the complaint or imposing one or more of the following penalties:

(a) Denial of an application for a teaching certificate or for an administrative or supervisory endorsement on a teaching certificate. The denial may provide that the applicant may not reapply for certification, and that the department may refuse to consider that applicant's application, for a specified period of time or permanently.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed \$2,000 for each count or separate offense.

(d) Placement of the teacher, administrator, or supervisor on probation for a period of time and subject to such conditions as the commission may specify, including requiring the certified teacher, administrator, or supervisor to complete additional appropriate college courses or work with another certified educator, with the administrative costs of monitoring the probation assessed to the educator placed on probation. An educator who has been placed on probation shall, at a minimum:

1. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

2. Have his or her immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

3. Pay to the commission within the first 6 months of each probation year the administrative costs of monitoring probation assessed to the educator.

4. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

5. Satisfactorily perform his or her assigned duties in a competent, professional manner.

6. Bear all costs of complying with the terms of a final order entered by the commission.

(e) Restriction of the authorized scope of practice of the teacher, administrator, or supervisor.

(f) Reprimand of the teacher, administrator, or supervisor in writing, with a copy to be placed in the certification file of such person.

(g) Imposition of an administrative sanction, upon a person whose teaching certificate has expired, for an act or acts committed while that person possessed a teaching certificate or an expired certificate subject to late renewal, which sanction bars that person from applying for a new certificate for a period of 10 years or less, or permanently.

(h) Refer the teacher, administrator, or supervisor to the recovery network program provided in s. 1012.798 under such terms and conditions as the commission may specify.

The penalties imposed under this subsection are in addition to, and not in lieu of, the penalties required for a third recruiting offense pursuant to s. 1006.20(2)(b).

Section 34. Section 1013.385, Florida Statutes, is created to read:

1013.385 School district construction flexibility.—

(1) A district school board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the educational facilities construction requirements provided in this section. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for each educational facility to be constructed, as applicable, and demonstrates that implementation of the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(a) Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.

(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.

(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

(d) Site lighting, by approving construction specifications regarding site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.

2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of

the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.

3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.

Section 35. Notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education Program years, the office shall not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year shall remain on probation until the provider or school meets the minimum rate adopted by the office. This section expires July 1, 2017.

Section 36. Effective upon this act becoming a law, subsection (8) of section 1012.33, Florida Statutes, is amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(8) Notwithstanding any other provision of law, a retired member may interrupt retirement and be reemployed in any public school as instructional personnel under a 1-year probationary contract as defined in s. 1012.335(1). If the retiree successfully completes the probationary contract, the district school board may reemploy the retiree under an annual contract as defined in s. 1012.335(1). The retiree is not eligible for a professional service contract. ~~A member reemployed by the same district from which he or she retired may be employed on a probationary contractual basis as provided in subsection (1).~~

Section 37. Section 413.207, Florida Statutes, is amended to read:

413.207 Division of Vocational Rehabilitation; quality assurance; performance improvement plan.—

(1) The Division of Vocational Rehabilitation shall maintain an internal system of quality assurance, have proven functional systems, perform due diligence, review provider systems of quality assurance, and be subject to monitoring for compliance with state and federal laws, rules, and regulations.

(2) No later than October 1, 2016, the division shall develop and implement a performance improvement plan designed to achieve the following goals:

- (a) Decrease the average wait list time for reportable individuals.
- (b) Increase the percentage of participants who are in unsubsidized employment during the second quarter after they exit the program.
- (c) Increase the percentage of participants who are in unsubsidized employment during the fourth quarter after they exit the program.
- (d) Increase the number of persons earning CAPE industry certifications and CAPE postsecondary industry certifications approved pursuant to s. 1008.44.
- (e) Increase the median earnings of participants who are in unsubsidized employment during the second quarter after they exit the program.
- (f) Increase the percentage of participants who obtained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in, or within 1 year after they exit, the program.
- (g) Increase the percentage of youth who received preemployment transition services without applying for additional vocational rehabilitation services and who obtained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in, or within 1 year after they exit, the program.
- (h) Increase the percentage of participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or to employment and who are achieving a measurable gain of skill, including documented academic, technical,

occupational gains or other forms of progress toward a postsecondary credential or employment.

(i) Increase the number of students receiving preemployment transition services.

(j) Increase the division's effectiveness in serving employers, based on indicators developed as required by section 116(b)(2)(A)(iv) of the federal Workforce Innovation and Opportunity Act.

(3) The goals established under subsection (2) must be designed to elevate the state vocational rehabilitation program to one of the top 10 in the nation.

(4) By December 1 of each year, the division shall submit a performance report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes the following information for each of the 5 most recent fiscal years:

(a) Caseload data, including the number of individuals who apply for services and who receive services, by service type, reported statewide and by service area.

(b) Service use data, by service type, including the number of units of service provided, statewide and by service area.

(c) Financial data, by service type, including expenditures for administration and the provision of services. Expenditure data shall be reported on a statewide basis and by service area, and expenditures for education-related services must be identified in specific categories such as tuition and fees, program fees, and support services.

(d) Outcome data, statewide and by service area, including the number of cases closed without employment and the number of cases closed with employment. Employment data must be provided separately for supported employment.

Section 38. Subsection (1) of section 1003.44, Florida Statutes, is amended to read:

1003.44 Patriotic programs; rules.—

(1) Each district school board may adopt rules to require, in all of the schools of the district, programs of a patriotic nature to encourage greater respect for the government of the United States and its national anthem and flag, subject always to other existing pertinent laws of the United States or of the state. When the national anthem is played, students and all civilians shall stand at attention, men removing the headdress, except when such headdress is worn for religious purposes. The pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all," shall be rendered by students standing with the right hand over the heart. The pledge of allegiance to the flag shall be recited at the beginning of the day in each public elementary, middle, and high school in the state. Each student shall be informed by a written notice published in the student handbook or a similar publication pursuant to s. 1006.07(2) ~~posting a notice in a conspicuous place~~ that the student has the right not to participate in reciting the pledge. Upon written request by his or her parent, the student must be excused from reciting the pledge, including standing and placing the right hand over his or her heart. When the pledge is given, ~~unexcused students~~ ~~civilians~~ must show full respect to the flag by standing at attention, men removing the headdress, except when such headdress is worn for religious purposes, as provided by Pub. L. ch. 77-435, s. 7, approved June 22, 1942, 56 Stat. 377, as amended by Pub. L. ch. 77-806, 56 Stat. 1074, approved December 22, 1942.

And the title is amended as follows:

Delete lines 3943-4270 and insert: cross-references; revising required contents of charter school applications; requiring a person or entity seeking to open a charter school to disclose certain information; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities within a specified timeframe; providing that a student

may not be dismissed from a charter school based on his or her academic performance; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; requiring a charter school applicant to provide monthly financial statements upon approval of the charter contract; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; requiring governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; providing that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising requirements for payments to charter schools; requiring a charter school to be located in the state to be eligible for public education capital outlay funds; providing for an injunction under certain circumstances; amending s. 1002.331, F.S.; deleting obsolete provision relating to high-performing charter schools; conforming a cross-reference; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; requiring the Commissioner of Education to withhold certain disbursements under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; revising the requirements for the unique course requirement; amending s. 1001.71, F.S.; providing for selection of the chair and vice chair of each state university board of trustees; specifying terms and duties of the chair; providing grounds for the removal of a board member; requiring each state university board of trustees to post certain information on the university's website; requiring the Board of Governors to adopt regulations; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state's threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; deleting an expiration date; amending s. 1003.4282, F.S.; revising the online course requirement; authorizing a district school board or a charter school governing board to offer options to meet the requirement; amending s. 1013.62, F.S.; revising requirements for a charter school to be eligible for funding appropriated for charter school capital outlay purposes; deleting provisions relating to the priorities for charter school capital outlay funding; deleting provisions relating to a charter school's allocation; revising the funding allocation calculation; requiring the Department of Education to calculate and periodically recalculate, as necessary, the eligible charter school funding allocations; deleting provisions relating to certain duties of the Commissioner of Education; amending s. 1013.64, F.S.; providing that a school district may not receive funds from the Special Facility Construction Account under certain circumstances; revising the criteria for a request for funding; authorizing the request for a preapplication review to take place at any time; providing exceptions; revising the timeframe for completion of the review; providing that certain capital outlay full-time equivalent student enrollment estimates be determined by specified estimating conferences; requiring surveys to be cooperatively prepared by certain entities and approved by the Department of Education; prohibiting certain consultants from specified employment and compensation; providing an exception to prohibiting the cost per student station from exceeding a certain amount; requiring a school district to levy the maximum millage against certain property value under certain circumstances; reducing the required millage to be budgeted for a project; requiring certain plans to be finalized by a specified date; requiring a representative of the department to chair the Special Facility Construction Committee; requiring school districts to maintain accurate documentation related to specified costs; requiring the Auditor General to review such documentation; providing that the department makes final determinations on compliance; requiring the Office of Economic and Demographic Re-

search to conduct a study, in consultation with the department, on cost per student station amounts; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study on the State Requirements for Education Facilities; requiring the reports to be submitted to the Governor and the Legislature by a specified date; prohibiting a district school board from using funds for specified purposes for certain projects; providing sanctions for school districts that exceed certain costs; providing an exemption to the sanctions; providing for the creation of a district capital outlay oversight committee; providing for membership of the oversight committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; amending s. 1002.391, F.S.; revising the calculation of a matrix of services for certain students beginning in a specific school year; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1006.15, F.S.; defining the term "eligible to participate"; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; prohibiting a student from participating in a sport under certain circumstances; providing exemptions; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; creating s. 1006.195, F.S.; requiring district school boards to establish in codes of student conduct eligibility standards and disciplinary actions relating to students participating in interscholastic and intrascholastic extracurricular activities; providing guidelines and applicability; requiring the FHSAA to comply with certain requirements by a specified date; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; revising student eligibility requirements; providing penalties for recruiting violations; requiring a school to forfeit a competition, including resulting honors, in which a student who was recruited in a prohibitive manner; revising circumstances under which a student may be declared ineligible; amending s. 1007.35, F.S.; revising the exams each public high school is required to administer to all enrolled 10th grade students to include ACT Aspire; amending s. 1009.893, F.S.; changing the name of the "Florida National Merit Scholar Incentive Program" to the "Benacquisto Scholarship Program"; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent post-secondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; revising a provision prohibiting a teacher's bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher's field to request that the child be transferred to another

classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for youth suicide awareness and prevention training materials for certain purposes; specifying requirements for training materials; providing that a school which incorporates the training materials into the existing continuing education or inservice training requirements be considered a "Suicide Prevention Certified School"; requiring participating schools to report certain information to the department; requiring the department to maintain an updated record of participating schools; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending s. 1012.795, F.S.; authorizing the Education Practices Commission to suspend the educator certificate of a person who has committed a third recruiting offense as determined by the FHSAA; requiring the FHSAA to report certain information to the department; amending s. 1012.796, F.S.; requiring department staff to advise the Commissioner of Education of all referrals by the FHSAA relating to recruiting offenses by certain individuals; providing that certain penalties are in addition to penalties required under s. 1006.20, F.S.; amending s. 1013.385, F.S.; authorizing a district school board to implement certain exceptions to the educational facilities construction requirements under certain circumstances; providing that the Office of Early Learning may not adopt a kindergarten readiness rate for specific Voluntary Prekindergarten Education Program years; providing that providers on probation for the 2013-2014 program year must remain on probation until certain criteria are met; providing an expiration date; amending s. 1012.33, F.S.; providing for a retiree to be employed as instructional personnel under a 1-year probationary contract; authorizing the retiree to be hired under an annual contract under certain circumstances; providing that the retiree is ineligible for a professional service contract; amending s. 413.207, F.S.; requiring the Division of Vocational Rehabilitation to initiate, by a specified date, a performance improvement plan designed to achieve specific goals; requiring the division to submit a performance report annually, by a specified date, to the Governor and Legislature which includes specified information; amending ss. 1012.795 and amending s. 1003.44, F.S.; requiring written notice of a student's right not to participate in the pledge of allegiance to be included in a specific publication; providing that a student may be excused from certain actions associated with the pledge of allegiance; requiring unexcused students to show full respect to the flag during the pledge of allegiance; creating s. 1003.432, F.S.; defining

Senator Lee moved the following amendment which was adopted:

Senate Amendment 2 (137784) to House Amendment 1 (635159) to Senate Amendment 1 (550680) (with title amendment)—Between lines 87 and 88 insert:

Section 6. Subsections (1) and (2) of section 1002.53, Florida Statutes, are amended to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(1) The Voluntary Prekindergarten Education Program is created and shall be organized, designed, and delivered in accordance with s. 1(b) and (c), Art. IX of the State Constitution.

(2) Each child who resides in this state who will have attained the age of 4 years on or before September 1 of the school year is eligible for the Voluntary Prekindergarten Education Program during *either* that school year *or the following school year*. The child remains eligible until ~~the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2, or until the child is admitted to kindergarten, or unless he or she will have attained the age of 6 years by February 1 of any school year under s. 1003.21(1)(a)1 whichever occurs first.~~

And the title is amended as follows:

Delete line 3940 and insert: exemptions; amending s. 1002.53, F.S.; revising eligibility for the Voluntary Prekindergarten Education Program; amending s. 1002.33, F.S.; making

SENATOR RICHTER PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Gaetz, the Senate concurred in **House Amendment 1 (635159) to Senate Amendment 1 (550680)**, as amended, and requested the House to concur in **Senate Amendment 1 (927886) to House Amendment 1 (635159) to Senate Amendment 1 (550680)**.

On motion by Senator Lee, the Senate concurred in **House Amendment 1 (635159) to Senate Amendment 1 (550680)**, as amended, and requested the House to concur in **Senate Amendment 2 (137784) to House Amendment 1 (635159) to Senate Amendment 1 (550680)**.

CS for CS for HB 7029 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Sachs
Dean	Hukill	Simmons
Detert	Hutson	Simpson
Diaz de la Portilla	Lee	Stargel
Evers	Legg	

Nays—10

Abruzzo	Gibson	Soto
Braynon	Joyner	Thompson
Bullard	Smith	
Clemens	Sobel	

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (156670) and concurred in the same as amended, and passed HB 423 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

HB 423—A bill to be entitled An act relating to drug prescription by advanced registered nurse practitioners and physician assistants; providing a short title; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy or state pilot; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances to an advanced registered nurse practitioner; amending s. 456.44, F.S.; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; expanding the prescribing authority of a licensed physician assistant; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, rather than to monitor and alter drug therapies; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a

license for or disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or physician assistant is an exception from a prohibition relating to the possession of drugs or narcotics during probation; reenacting s. 310.071(3), F.S., relating to deputy pilot certification, to incorporate the amendment made by the act to s. 310.071, F.S., in a reference thereto; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.347(4)(e) and (9)(c), 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the non-applicability of certain provisions to specified health care practitioners, the prescribing or dispensing of medications by physician assistants, the duties of the Council on Physician Assistants, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, standing orders, and established protocols, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting ss. 464.008(2), 464.009(5), 464.018(2), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to the exclusion as a defense and nonadmissibility as evidence of voluntary intoxication, to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to the receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing an effective date.

House Amendment 1 (926589) to Senate Amendment 1 (156670) (with title amendment)— Remove lines 124-189 and lines 868-922 of the amendment

And the title is amended as follows:

Remove lines 1084-1089 of the amendment and insert: s. 456.072, F.S.; applying

Remove lines 1133-1146 of the amendment and insert: nurse practitioner; amending s.

House Amendment 2 (740423) to Senate Amendment 1 (156670) (with title amendment)—Between lines 922 and 923 of the amendment, insert:

Section 20. Paragraph (a) of subsection (3) of section 766.1115, Florida Statutes, is amended to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

(3) DEFINITIONS.—As used in this section, the term:

(a) "Contract" means an agreement executed in compliance with this section between a health care provider and a governmental contractor *for volunteer, uncompensated services* which allows the health care provider to deliver health care services to low-income recipients as

an agent of the governmental contractor. ~~The contract must be for volunteer, uncompensated services, except as provided in paragraph (4)(g).~~ For services to qualify as volunteer, uncompensated services under this section, the health care provider, *or any employee or agent of the health care provider*, must receive no compensation from the governmental contractor for any services provided under the contract and must not bill or accept compensation from the recipient, or a public or private third-party payor, for the specific services provided to the low-income recipients covered by the contract, *except as provided in paragraph (4)(g). A free clinic as described in subparagraph (d)14. may receive a legislative appropriation, a grant through a legislative appropriation, or a grant from a governmental entity or nonprofit corporation to support the delivery of contracted services by volunteer health care providers, including the employment of health care providers to supplement, coordinate, or support the delivery of such services. The appropriation or grant for the free clinic does not constitute compensation under this paragraph from the governmental contractor for services provided under the contract, nor does receipt or use of the appropriation or grant constitute the acceptance of compensation under this paragraph for the specific services provided to the low-income recipients covered by the contract.*

And the title is amended as follows:

Between lines 1146 and 1147 of the amendment, insert: 766.1115, F.S.; revising the definition of the term "contract"; amending s.

Senator Grimsley moved the following amendments which were adopted:

Senate Amendment 1 (310800) to House Amendment 1 (926589) to Senate Amendment 1 (156670) (with title amendment)—Delete line 4 and insert:

Delete lines 124-189 and 892-922 of the amendment.

And the title is amended as follows:

Delete line 12 and insert: nurse practitioner; creating s. 627.42392, F.S.; defining the term "health insurer"; requiring that certain health insurers that do not already use a certain form use only a prior authorization form approved by the Financial Services Commission in consultation with the Agency for Health Care Administration; requiring the commission in consultation with the agency to adopt by rule guidelines for such forms; amending s.

Senate Amendment 2 (854278) to House Amendment 1 (926589) to Senate Amendment 1 (156670) (with title amendment)—After line 4 insert:

Between lines 891 and 892 of the amendment, insert:

(4) *Electronic prior-authorization approvals do not preclude benefit verification or medical review by the insurer under either the medical or pharmacy benefits.*

And the title is amended as follows:

Delete line 11 and insert: delete line 1141 and insert: guidelines for such forms; providing that prior-authorization approvals do not preclude certain benefit verifications or medical reviews; amending s. 627.6131, F.S.;

On motion by Senator Grimsley, the Senate concurred in **House Amendment 1 (926589) to Senate Amendment 1 (156670)**, as amended, and requested the House to concur in the Senate amendments to the House amendment; and concurred in **House Amendment 2 (740423) to Senate Amendment 1 (156670)**.

HB 423 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley

Hays	Margolis	Simpson
Hukill	Montford	Sobel
Hutson	Negron	Soto
Joyner	Richter	Stargel
Latvala	Ring	Thompson
Lee	Sachs	
Legg	Simmons	

Nays—None

Vote after roll call:

Yea—Brandes, Evers

SENATOR RICHTER PRESIDING

THE PRESIDENT PRESIDING

SENATOR BRAYNON PRESIDING

SPECIAL GUESTS

Senator Sobel recognized her husband, Dr. Stuart Sobel, who was present in the gallery.

Senator Sachs recognized her husband, Peter Sachs, who was present in the gallery.

THE PRESIDENT PRESIDING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 (253290) to CS/CS/CS/HB 221 and requests the Senate to recede.

Bob Ward, Clerk

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

On motion by Senator Garcia, further consideration of **CS for CS for CS for HB 221** was deferred.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (852928) and concurred in the same as amended, and passed CS/CS/CS/HB 153 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for CS for HB 153—A bill to be entitled An act relating to the Healthy Food Financing Initiative Pilot Program; creating the Healthy Food Financing Initiative Pilot Program; providing definitions; directing the Department of Agriculture and Consumer Services to establish a program to provide specified financing to construct, rehabilitate, or expand grocery stores and supermarkets in underserved communities in low-income and moderate-income areas; authorizing the department to contract with a third-party administrator; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department submit a report to the Legislature by a specified date; requiring that loan repayments be transferred to the General Revenue Fund; directing the department to adopt rules; providing for expiration of the program; providing an appropriation; providing an effective date.

House Amendment 1 (965613) to Senate Amendment 1 (852928) (with title amendment)—Remove lines 55-183 of the amendment and insert: *financial assistance for the rehabilitation or expansion of independent grocery stores, supermarkets, community facilities, or other structures to increase access to fresh produce and other nutritious food in underserved communities.*

(3)(a) *The department may contract with one or more qualified nonprofit organizations or Florida-based federally certified community development financial institutions to administer the program through a public-private partnership. Eligible community development financial institutions must be able to demonstrate:*

1. *Prior experience in healthy food financing.*
2. *Support from the Community Development Financial Institutions Fund of the United States Department of the Treasury.*
3. *The ability to successfully manage and operate lending and tax credit programs.*
4. *The ability to assume full financial risk for loans made under this initiative.*

(b) *The department shall:*

1. *Establish program guidelines, raise matching funds, promote the program statewide, evaluate applicants, underwrite and disburse grants and loans, and monitor compliance and impact. The department may contract with a third-party administrator to carry out such duties. If the department contracts with a third-party administrator, funds shall be granted to the third-party administrator to create a revolving loan fund for the purpose of financing projects that meet the criteria of the program. The third-party administrator shall report to the department annually.*
2. *Create eligibility guidelines and provide financing through an application process. Eligible projects must:*
 - a. *Be located in an underserved community;*
 - b. *Primarily serve low-income communities; and*
 - c. *Provide for the renovation or expansion of, including infrastructure upgrades to, existing independent grocery stores or supermarkets; or the renovation or expansion of, including infrastructure upgrades to, community facilities to improve the availability and quality of fresh produce and other healthy foods.*
3. *Report annually to the President of the Senate and the Speaker of the House of Representatives on the projects funded, the geographic*

distribution of the projects, the costs of the program, and the outcomes, including the number and type of jobs created.

(4)(a) The Office of Program Policy Analysis and Government Accountability shall review the program and data collected from the department after a term of 7 years and report to the President of the Senate and the Speaker of the House of Representatives. The report shall include, but is not limited to, health impacts based on data collected by the state on diabetes, heart disease and other obesity-related diseases, and other factors as determined by the department.

(b) If the report determines the program to be unsuccessful after 7 years, the department shall create guidelines for unused funds to be returned to the initial investor.

(5) A for-profit entity, including a convenience store or a fueling station, or a not-for-profit entity, including, but not limited to, a sole proprietorship, partnership, limited liability company, corporation, cooperative, nonprofit organization, nonprofit community development entity, or private university, may apply for financing. An applicant for financing must:

- (a) Demonstrate the capacity to successfully implement the project and the likelihood that the project will be economically self-sustaining;
- (b) Demonstrate the ability to repay the loan; and
- (c) Agree, as an independent grocery store or supermarket, for at least 5 years, to:
 1. Accept Supplemental Nutrition Assistance Program benefits;
 2. Apply to accept Special Supplemental Nutrition Program for Women, Infants, and Children benefits and accept such benefits, if approved;
 3. Allocate at least 30 percent of food retail space for the sale of perishable foods, which may include fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish;
 4. Comply with all data collection and reporting requirements established by the department; and
 5. Promote the hiring of local residents.

Projects including, but not limited to, corner stores, bodegas, or other types of nontraditional grocery stores that do not meet the 30 percent minimum in subparagraph 3. can still qualify for funding if such funding will be used for refrigeration, displays, or other one-time capital expenditures to promote the sale of fresh produce and other healthy foods.

(6) In determining which qualified projects to finance, the department or third-party administrator shall:

- (a) Give preference to local Florida-based grocers or local business owners with experience in grocery stores and to grocers and business owners with a business plan model that includes written documentation of opportunities to purchase from Florida farmers and growers before seeking out-of-state purchases;
 - (b) Consider the level of need in the area to be served;
 - (c) Consider the degree to which the project will have a positive economic impact on the underserved community, including the creation or retention of jobs for local residents;
 - (d) Consider the location of existing independent grocery stores, supermarkets, or other markets relevant to the applicant's project and provide the established entity the right of first refusal for such project; and
 - (e) Consider other criteria as determined by the department.
- (7) Financing for projects may be used for the following purposes:
- (a) Site acquisition and preparation.
 - (b) Construction and build-out costs.

- (c) Equipment and furnishings.
 - (d) Workforce training or security.
 - (e) Predevelopment costs, such as market studies and appraisals.
 - (f) Energy efficiency measures.
 - (g) Working capital for first-time inventory and startup costs.
 - (h) Acquisition of seeds and starter plants for the residential cultivation of fruits, vegetables, herbs, and other culinary products. However, only 7 percent of the total funds expended in any one project under this section may be used for such acquisition.
 - (i) Other purposes as determined by the department or a third-party administrator.
- (8) The department shall adopt rules to administer this section.
- (9) The department may not distribute more than \$500,000 among more than three recipients.

Section 2. For the 2016-2017 fiscal year, the sum of \$500,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Agriculture and Consumer Services for the purpose of implementing this act.

And the title is amended as follows:

Remove lines 195-196 of the amendment and insert: to provide specified financing to rehabilitate or expand independent grocery stores and

On motion by Senator Bean, the Senate concurred in the House amendment to the Senate amendment.

CS for CS for CS for HB 153 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 (291762), and requests the Senate to recede therefrom, concurred in Senate Amendment 2 (108966), and passed CS/CS/CS/HB 491 as further amended, and request the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for CS for HB 491—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified

percentage or cost; amending s. 367.081, F.S.; providing that the commission may authorize a utility to create a utility reserve fund under certain circumstances; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; specifying the time period over which rate case expenses may be apportioned if a public utility is authorized to recover those expenses through its rates; prohibiting a utility from earning a return on the unamortized balance of the rate case expense; amending s. 367.0814, F.S.; requiring the commission to award rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; requiring the commission to propose rules by a certain date; repealing s. 367.0816, F.S., relating to the recovery of rate case expenses; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service under certain circumstances; amending s. 367.165, F.S.; requiring counties to comply with requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; removing current restrictions on such activities; providing an effective date.

On motion by Senator Hays, the Senate receded from **Senate Amendment 1 (291762)**.

CS for CS for CS for HB 491 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (312750) and concurred in the same as amended, and passed CS/CS/HB 7061 as further amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

CS for CS for HB 7061—A bill to be entitled An act relating to transportation; amending s. 311.12, F.S.; establishing the Seaport Security Advisory Committee directed by the Florida Seaport Transportation and Economic Development Council; providing for membership and duties; directing the council to establish a Seaport Security Grant Program to assist in implementation of security at specified seaports; directing the council to adopt rules; amending s. 316.003, F.S.; revising and providing definitions; creating s. 316.2069, F.S.; authorizing a municipality or county to permit the use of commercial megacycles; providing requirements; providing applicability; amending s. 316.235, F.S.; revising specifications for bus deceleration lighting systems; amending s. 316.303, F.S.; providing exceptions to a prohibition of a viewer or screen visible from the driver's seat of a motor vehicle; amending s. 320.525, F.S.; revising the definition of the term "port vehicles and equipment"; amending s. 332.08, F.S.; revising the maximum period of time for which certain municipalities may lease airports, na-

vigation facilities, or related real property; amending s. 333.01, F.S.; revising and providing definitions of terms used in provisions relating to airport safety regulation; amending s. 333.025, F.S.; revising requirements for a permit to construct or alter an obstruction; revising procedures for issuing such permit; revising duties of the department relating to issuance of the permit; providing for administrative review of a denial of a permit; amending s. 333.03, F.S.; revising requirements and procedures for certain local political subdivisions to adopt and enforce airport zoning regulations; directing the department to provide assistance to political subdivisions with regard to federal obstruction standards; providing minimum requirements for airport land use compatibility zoning regulations; directing political subdivisions to provide the department with copies of airport zoning regulations; providing applicability and effect; amending s. 333.04, F.S.; revising provisions for incorporation of zoning regulations with a political subdivision's comprehensive regulations; revising provisions for a conflict between airport zoning regulations and other regulations; amending s. 333.05, F.S.; revising procedure for adoption of zoning regulations; revising provisions relating to an airport zoning commission; amending s. 333.06, F.S.; revising airport zoning regulation requirements; revising requirements for adoption of an airport master plan and amendments thereto; amending s. 333.07, F.S.; requiring a permit to construct, alter, or allow an airport obstruction in an airport hazard area under certain circumstances; providing conditions for issuance or denial of such permit; revising provisions to compel conformance; removing provisions for obtaining a variance to zoning regulations; removing reference to a board of adjustment; revising provisions directing a political subdivision to require an owner to install and maintain certain lighting or marking of obstructions; amending s. 333.09, F.S.; revising requirements for administration of airport protection zoning regulations; requiring the political subdivision to provide a process for permitting, notifications to the department, and enforcement; providing for appeal of decisions made by the political subdivision; amending s. 333.11, F.S.; revising provisions for judicial review of decisions by a political subdivision; revising jurisdiction of the court relating to decisions of the political subdivision; removing reference to a board of adjustment; requiring certain procedures before an appeal to a court; amending s. 333.12, F.S.; revising provisions for acquisition of property when a nonconforming obstruction is determined to be an airport hazard; amending s. 333.13, F.S.; revising penalty provisions; creating s. 333.135, F.S.; providing a timeframe for compliance by political subdivisions; repealing ss. 333.065, 333.08, 333.10, and 333.14, F.S., relating to guidelines regarding land use near airports, appeals, boards of adjustment, and a short title; reenacting s. 350.81(6), F.S., relating to communications services offered by governmental entities, to incorporate changes made by the act in a reference thereto; amending s. 337.18, F.S., relating to contracts for construction or maintenance; revising conditions for waiver of a required surety bond; amending 338.165, F.S.; removing an option to issue certain bonds secured by toll revenues collected on certain facilities; authorizing the department to transfer the Pinellas Bayway System to the Florida Turnpike; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S., relating to the Florida Turnpike; removing a provision that authorizes the department to use revenues from the turnpike system for the payment of principal and interest of certain bonds and the operation and maintenance expenses of the Sawgrass Expressway; amending s. 339.175, F.S., relating to the Tampa Bay Area Regional Transportation Authority; revising provisions for a coordinating committee composed of metropolitan planning organizations; designating the committee as the "TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee"; revising membership of the committee; providing duties of the authority, M.P.O.'s, and the department; amending s. 339.2818, F.S., relating to the Small County Outreach Program; revising the definition of the term "small county"; amending s. 339.55, F.S., relating to the State Infrastructure Bank; revising the types of projects eligible for consideration for state infrastructure loans; repealing s. 341.0532, F.S., relating to statewide transportation corridors; amending s. 341.301, F.S.; revising definitions relating to rail programs; amending s. 341.302, F.S., relating to the rail program; revising provisions for assumption of obligations and liability in conjunction with the acquisition, ownership, construction, operation, maintenance, and management of a rail corridor; amending s. 343.92, F.S.; revising membership of the governing board of the Tampa Bay Area Regional Transportation Authority; providing for the Secretary of Transportation to appoint two advisors to the board; amending s. 343.922, F.S., relating to powers and duties of such authority; revising the time period for updating the authority's master

plan; directing the authority to provide administrative support and direction to the TBARTA Metropolitan Planning Organizations Chairs Coordinating Committee; amending s. 348.565, relating to the Tampa-Hillsborough County Expressway Authority; revising provisions that authorize certain projects to be financed by revenue bonds; amending s. 348.753, F.S., relating to the Central Florida Expressway Authority; revising provisions for membership on the authority; removing a provision for appointment of a secretary of the authority; amending s. 565.02, F.S., authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a license for the sale of beer and wine on certain commercial megacycles; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; providing a definition; directing the Office of Economic and Demographic Research to determine the economic benefits of the Department of Transportation's adopted work program; directing the department to provide access to necessary data; requiring a report to the Legislature; directing the department to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; directing the department to conduct a feasibility study of state interchange improvements; requiring a report to the Governor and Legislature; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031, 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; providing an effective date.

House Amendment 1 (613901) to Senate Amendment 1 (312750) (with title amendment)—Remove lines 14-16 of the amendment and insert: 624.4625.

And the title is amended as follows:

Remove lines 3438-3440 of the amendment and insert: a self-insurance fund; amending ss. 296.11 and 296.38,

House Amendment 2 (548489) to Senate Amendment 1 (312750) (with title amendment)—Remove lines 17-75 of the amendment

And the title is amended as follows:

Remove lines 3440-3447 of the amendment and insert: Insurance Regulation; amending s. 311.07, F.S.;

House Amendment 6 (628163) to Senate Amendment 1 (312750) (with title amendment)—Remove lines 2570-2596 of the amendment

And the title is amended as follows:

Remove lines 3728-3733 of the amendment and insert: directing the Department of

House Amendment 7 (955507) to Senate Amendment 1 (312750) (with title amendment)—Remove lines 2783-2827 of the amendment

And the title is amended as follows:

Remove lines 3772-3784 of the amendment and insert: donor registry;

On motion by Senator Brandes, the Senate concurred in the House amendments to the Senate amendment.

CS for CS for HB 7061 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bullard	Galvano
Abruzzo	Clemens	Garcia
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Hutson
Braynon	Gaetz	Joyner

Latvala	Richter	Smith
Lee	Ring	Sobel
Legg	Sachs	Soto
Montford	Simmons	Stargel
Negron	Simpson	Thompson

Nays—1

Margolis

By direction of the President, the Senate resumed consideration of the returning message on—

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—which was previously considered this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Garcia, the Senate reconsidered the vote by which **Senate Amendment 1 (253290)** was adopted March 3.

Senator Garcia moved the following amendment to **Amendment 1 (253290)** which was adopted:

Amendment 1A (379122) (with title amendment)—Delete lines 5-30 and insert:

Section 1. Paragraph (b) of subsection (3) of section 627.6686, Florida Statutes, is amended to read:

627.6686 Coverage for individuals with autism spectrum disorder required; exception.—

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(b) Treatment of autism spectrum disorder and Down syndrome through speech therapy, occupational therapy, physical therapy, and applied behavior analysis. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

Section 2. Paragraph (b) of subsection (3) of section 641.31098, Florida Statutes, is amended to read:

641.31098 Coverage for individuals with developmental disabilities.—

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(b) Treatment of autism spectrum disorder and Down syndrome, through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

Section 3. Notwithstanding the enactment of subsection (2) made to s. 627.42392, Florida Statutes, by HB 423, 1st Eng., 2016 Regular Session, subsection (2) of s. 627.42392, Florida Statutes, is enacted to read:

(2) Notwithstanding any other provision of law, effective January 1, 2017 or six (6) months after the effective date of the rule adopting the prior authorization form, whichever is later, a health insurer, or a pharmacy benefits manager on behalf of the health insurer, which does not provide an electronic prior authorization process for use by its contracted providers, shall only use the prior authorization form that has been approved by the Financial Services Commission for granting a prior authorization for a medical procedure, course of treatment, or prescription drug benefit. Such form may not exceed two pages in length, excluding any instructions or guiding documentation, and must include all clinical documentation necessary for health insurer to make a decision. At a minimum, the form must include: (1) sufficient patient information to identify the member, date of birth, full name, and Health Plan ID number; (2) Provider name, address and phone number; (3) the medical procedure, course of treatment, or prescription drug benefit being requested, including the medical reason therefor, and all services tried and failed; (4) any laboratory documentation required; and (5) an attestation that all information provided is true and accurate.

Section 4. It is the intent of the Legislature that the enactment of s. 627.42392(2), Florida Statutes, made by this act shall control over the enactment of that subsection made by HB 423, 1st Eng., 2016 Regular Session, regardless of the order in which the bills are enacted.

And the title is amended as follows:

Delete lines 335-339 and insert: plan to provide specified coverage for treatment of Down syndrome; amending s. 641.31098, F.S.; requiring a specified health maintenance contract to provide specified health maintenance contract to provide specified coverage for treatment of Down syndrome; enacting s. 627.42392, F.S.; requiring a health insurer or a pharmacy benefits manager to only use a certain form; providing requirements for such form; providing legislative intent that the enactment of s. 627.42392(2), F.S., made by this act controls; amending s. 627.6131, F.S.;

Amendment 1 (253290), as amended, was adopted.

On motion by Senator Garcia, the Senate requested the House to concur in the Senate amendment, as amended.

CS for CS for CS for HB 221 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Table listing names of Senators and their districts: Mr. President, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Evers, Flores, Gaetz, Galvano, Garcia, Gibson, Grimsley, Hays, Hutson, Joyner, Latvala, Lee, Legg, Margolis, Montford, Negron, Richter, Ring, Sachs.

Table listing names of Senators: Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson.

Nays—None

By direction of the President, the following Conference Committee Report was read:

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5001, as amended by the Conference Committee Report.

Bob Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5001

The Honorable Steve Crisafulli Speaker, House of Representatives March 10, 2016

The Honorable Andy Gardiner President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5001, same being:

An act relating to making Appropriations.

having met, and after full and free conference, do recommend to their respective houses as follows:

- 1. That the Senate recede from its Amendment 1 (953700).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Table listing names of Representatives: Richard Corcoran, Janet H. Adkins, Ben Albritton, Frank Artilles, Jason T. Brodeur, Colleen Burton, Daphne D. Campbell, Neil Combee, John Cortes, Janet Cruz, Jose Felix Diaz, Dwight Dudley, Erik Fresen, Matt Gaetz, Tom Goodson, Gayle B. Harrell, Matt Hudson, Kristin Jacobs, Shevryn D. Shev Jones, Mike LaRosa, Larry Lee, Jr., Debbie Mayfield, Mike Miller, Amanda Murphy, Ed Narain, Jose R. Oliva, Mark S. Pafford, W. Keith Perry, Cary Pigman, Bobby Powell, Holly Raschein, Lake Ray, David Richardson, Hazelle P. Hazel Rogers, Irving Irv Slosberg, Ross Spano, Jim Boyd, Larry Ahern, Bruce Antone, Dennis K. Baxley, Doug Broxson, Matthew H. Matt Caldwell, Guyndolen Guwyn Clarke-Reed, Robert Bob Cortes, Fredrick W. Fred Costello, W. Travis Cummings, Brad Drake, Heather Fitzenhagen, Reggie Fullwood, Julio Gonzalez, James W. J.W. Grant, Walter Bryan Mike Hill, Clay Ingram, Mia L. Jones, Dave Kerner, Chris Latvala, MaryLynn ML Magar, Larry Metz, George R. Moraitis, Jr., Jeanette M. Nunez, H. Marlene OToole, Kathleen C. Passidomo, Kathleen M. Peters, Ray Pilon, Jake Raburn, Daniel D. Dan Raulerson, Paul Renner, Ray Wesley Rodrigues, Darryl Ervin Rouson, Jimmie T. Smith, Cynthia A. Stafford.

s/ Richard Stark
s/ Charlie Stone
s/ Victor Manuel "Vic" Torres, Jr.
s/ Barbara Watson
s/ John Wood, At Large
s/ Dana D. Young, At Large

s/ Cyndi Stevenson
s/ Dwayne L. Taylor
s/ Carlos Trujillo, At Large
s/ Alan B. Williams, At Large
s/ Ritch Workman, At Large

Managers on the part of the House

s/ Tom Lee, Chair
s/ Thad Altman
s/ Aaron Bean
s/ Jeff Brandes
s/ Dwight Bullard
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Anitere Flores, At Large
s/ Bill Galvano, At Large
s/ Audrey Gibson
s/ Alan Hays
s/ Travis Hutson
s/ Jack Latvala
s/ Gwen Margolis, At Large
s/ Joe Negron
s/ Maria Lorts Sachs
s/ Wilton Simpson
s/ Eleanor Sobel
s/ Kelli Stargel

s/ Lizbeth Benacquisto
Vice Chair
s/ Rob Bradley
s/ Oscar Braynon II
s/ Jeff Clemens
s/ Nancy C. Detert
s/ Greg Evers
s/ Don Gaetz
s/ Rene Garcia
s/ Denise Grimsley, At Large
s/ Dorothy L. Hukill
s/ Arthenia L. Joyner, At Large
s/ John Legg
s/ Bill Montford
s/ Garrett Richter, At Large
s/ David Simmons, At Large
s/ Christopher L. Smith, At Large
s/ Darren Soto
s/ Geraldine F. "Geri" Thompson

Conferees on the part of the Senate

Conference Committee Amendment (212343)—Delete everything and insert:

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

The moneys contained herein are appropriated from the named funds for Fiscal Year 2016-2017 to the state agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts, and allocation conference documents. Of the funds provided in Specific Appropriations 65, 69 through 69B, 70 through 78A, and 151, 60 percent of general revenue shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

No funds are appropriated in Specific Appropriations 1 through 161 and sections 9, 14, 18, and 19, for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 480:0570, 480:0644 or 480:M139, or Florida State University Lease No. 2011:101, or any other lease, by the Department of Education or any state university, notwithstanding any lease or contract to the contrary. The Department of Education and all

SECTION 1 - EDUCATION ENHANCEMENT SPECIFIC APPROPRIATION

state universities are prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 480:0570, 480:0644 or 480:M139, or Florida State University Lease No. 2011:101, or any other lease.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1	FIXED CAPITAL OUTLAY	
	CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL	
	OUTLAY BOND PROGRAMS - OPERATING FUNDS AND	
	DEBT SERVICE	
	FROM EDUCATIONAL ENHANCEMENT TRUST	
	FUND	155,786,420

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida.

Funds in Specific Appropriation 1 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service and projects resulting from these transfers.

2	FIXED CAPITAL OUTLAY	
	DEBT SERVICE - CLASS SIZE REDUCTION	
	LOTTERY CAPITAL OUTLAY PROGRAM	
	FROM EDUCATIONAL ENHANCEMENT TRUST	
	FUND	151,265,624

Funds in Specific Appropriation 2 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds in Specific Appropriation 2 are for Fiscal Year 2016-2017 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, for class size reduction, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

3	FIXED CAPITAL OUTLAY	
	EDUCATIONAL FACILITIES	
	FROM EDUCATIONAL ENHANCEMENT TRUST	
	FUND	6,650,622

Funds in Specific Appropriation 3 for educational facilities are provided for debt service requirements associated with bond proceeds from the Lottery Capital Outlay and Debt Service Trust Fund included in Specific Appropriations 17 and 17A of chapter 2012-118, Laws of Florida, authorized pursuant to section 1013.737, Florida Statutes.

Funds in Specific Appropriation 3 shall be transferred, using nonoperating budget authority, to the Lottery Capital Outlay and Debt Service Trust Fund. There is hereby appropriated from the Lottery Capital Outlay and Debt Service Trust Fund an amount sufficient to enable the payment of debt service resulting from these transfers.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY	
FROM TRUST FUNDS	313,702,666
TOTAL ALL FUNDS	313,702,666

OFFICE OF STUDENT FINANCIAL ASSISTANCE

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

4 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 217,300,000

From the funds in Specific Appropriation 4, the Bright Futures award per credit hour or credit hour equivalent for the 2016-2017 academic year shall be as follows:

Academic Scholars
4-Year Institutions.....\$103
2-Year Institutions.....\$ 63
Upper-Division Programs at Florida Colleges...\$ 71
Career/Technical Centers.....\$ 52
Medallion Scholars
4-Year Institutions.....\$ 77
2-Year Institutions.....\$ 63
Upper-Division Programs at Florida Colleges...\$ 53
Career/Technical Centers.....\$ 39
Gold Seal Vocational Scholars
Career Certificate Program.....\$ 39
Applied Technology Diploma Program.....\$ 39
Technical Degree Education Program.....\$ 48

The additional stipend for Top Scholars shall be \$44 per credit hour.

5 SPECIAL CATEGORIES
FIRST GENERATION IN COLLEGE MATCHING GRANT
PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 5,308,663

From the funds provided in Specific Appropriation 5, \$1,327,166 shall be allocated to First Generation in College Matching Grant Programs at Florida colleges for need-based financial assistance as provided in section 1009.701, Florida Statutes. If required matching funds are not raised by participating Florida colleges or state universities by December 1, 2016, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at Florida colleges or state universities that have remaining unmatched private contributions.

6 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 64,869,443

Funds in Specific Appropriation 6 are allocated in Specific Appropriation 76. These funds are provided for Florida Student Assistance Grant (FSAG) public full-time and part-time programs.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 287,478,106
TOTAL ALL FUNDS 287,478,106

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 94, and 95.

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
FROM EDUCATIONAL ENHANCEMENT TRUST

FUND 276,772,458

Funds provided in Specific Appropriation 7 are allocated in Specific Appropriation 94.

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 103,776,356

Funds in Specific Appropriations 8 and 95 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,321.49, for grades 4 to 8 shall be \$901.39, and for grades 9 to 12 shall be \$903.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2016 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 95, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

9 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND
SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 134,582,877

Funds in Specific Appropriation 9 are provided for the Florida School Recognition Program to be allocated as awards of up to \$100 per student to qualified schools pursuant to section 1008.36, Florida Statutes.

If there are funds remaining after payment to qualified schools, the balance shall be allocated as discretionary lottery funds to all school districts based on each district's K-12 base funding. From these funds, school districts shall allocate up to \$5 per unweighted student to be used at the discretion of the school advisory council pursuant to section 24.121(5), Florida Statutes. If funds are insufficient to provide \$5 per student, the available funds shall be prorated.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 515,131,691
TOTAL ALL FUNDS 515,131,691

PROGRAM: WORKFORCE EDUCATION

10 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 88,496,600

Funds in Specific Appropriation 10 are allocated in Specific Appropriation 122. These funds are provided for school district workforce education programs as defined in section 1004.02(25), Florida Statutes.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM
PROGRAM FUND
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 273,796,073

The funds in Specific Appropriation 12 shall be allocated as follows:

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION

Table with 2 columns: Institution Name and Amount. Includes Eastern Florida State College, Broward College, College of Central Florida, etc.

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 13 through 17 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

Table for item 13: AID TO LOCAL GOVERNMENTS, GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES. Amount: 276,084,320

Funds in Specific Appropriation 13 shall be allocated as follows:

Table listing university allocations for item 13, including University of Florida, Florida State University, Florida A&M University, etc.

Table for item 14: AID TO LOCAL GOVERNMENTS, GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE). Amount: 12,533,877

Table for item 15: AID TO LOCAL GOVERNMENTS, GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER. Amount: 9,349,672

Table for item 16: AID TO LOCAL GOVERNMENTS, GRANTS AND AIDS - UNIVERSITY OF FLORIDA

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION

Table with 2 columns: Description and Amount. Includes HEALTH CENTER, AID TO LOCAL GOVERNMENTS, GRANTS AND AIDS - FLORIDA STATE UNIVERSITY, etc.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 19 through 23, and 26 through 29 from the Public Education Capital Outlay and Debt Service Trust Fund constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, the Division of Blind Services, public broadcasting, public school districts, technical colleges and Florida colleges.

Table for item 18: FIXED CAPITAL OUTLAY, STATE UNIVERSITY SYSTEM CAPITAL IMPROVEMENT FEE PROJECTS. Amount: 35,000,000

Funds in Specific Appropriation 18 shall be allocated by the Board of Governors to the universities on a pro rata distribution basis in accordance with the Board of Governors Legislative Budget Request for

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funding from the Capital Improvements Fee Trust Fund, as approved November 5, 2015. Each board of trustees shall report to the Board of Governors the funding it allocates to each specific project.

19	FIXED CAPITAL OUTLAY	
	MAINTENANCE, REPAIR, RENOVATION, AND	
	REMODELING	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	247,960,038

Funds in Specific Appropriation 19 shall be allocated as follows:

Charter Schools.....	75,000,000
Public Schools.....	75,000,000
Florida College System.....	36,155,369
State University System.....	61,804,669

Funds in Specific Appropriation 19 for colleges and universities shall be distributed in accordance with section 1013.64(1), Florida Statutes.

20	FIXED CAPITAL OUTLAY	
	SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	5,293,588

Funds in Specific Appropriation 20 shall be distributed among the lab schools approved pursuant to section 1002.32, Florida Statutes, based upon full-time equivalent student membership.

21	FIXED CAPITAL OUTLAY	
	FLORIDA COLLEGE SYSTEM PROJECTS	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	176,023,443

Funds in Specific Appropriation 21 shall be allocated as follows:

BROWARD COLLEGE	
Rem/Ren Bldg 32 Instructional & Support-Downtown.....	5,000,000
CHIPOLA COLLEGE	
Ren/Chiller Underground Utilities-Marianna.....	4,498,184
COLLEGE OF CENTRAL FLORIDA	
Construct Levy Center.....	7,282,576
DAYTONA STATE COLLEGE	
Construct Bldg 220 - Stu Svc/Clstrm/Office - Daytona.....	3,575,803
EASTERN FLORIDA STATE COLLEGE	
Const Student Union - Melbourne.....	9,542,009
Center for Innovation Technology Education (CITE).....	14,992,044
FLORIDA GATEWAY COLLEGE	
Ren/Ren Bldgs 8 & 9 Math Sci & Aud-Lake City.....	1,000,000
FLORIDA KEYS COMMUNITY COLLEGE	
Ren/Ren Chillers, Towers, AHU, EMS-Main.....	4,500,000
FLORIDA SOUTHWESTERN STATE COLLEGE	
Rem/Ren Bldg 5 Science - Collier.....	536,949
Replacement of Collier Campus External Foam Insulation	
System EPIS.....	8,000,000
HILLSBOROUGH COMMUNITY COLLEGE	
Allied Health Center-Dale Mabry.....	3,000,000
South Shore Campus.....	3,000,000
INDIAN RIVER STATE COLLEGE	
Rem/Ren Fac No. 8 Industrial Tech - Main.....	1,500,000
LAKE SUMTER STATE COLLEGE	
Telecom/Utilities Infrastructure-Collegewide.....	1,000,000
Construct Science Labs - Clermont.....	1,500,000
MIAMI DADE COLLEGE	
Rem/Ren/New/Clstrms/Labs/Sup Svcs-West.....	7,000,000
PALM BEACH STATE COLLEGE	
Multipurp Clstrm/Admin Bldg, site-Loxahatchee.....	9,004,182
PASCO-HERNANDO STATE COLLEGE	
Construct Performing Arts Education Center.....	11,000,000
PENSACOLA STATE COLLEGE	
Baars Classroom Bldg (Replace Bldg 1)-Main.....	8,000,000
POLK STATE COLLEGE	
Rem/Ren Learning Resource Center-Main - Winter Haven.....	5,969,184

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SANTA FE COLLEGE	
Const Clstrm, Lab, & Library Bldg-Blount.....	2,563,712
SEMINOLE STATE COLLEGE	
Rem/Ren Bldgs L & F to Clstrms/Labs/Office-Main.....	12,747,868
Student Center-Sanford/Lake Mary.....	12,691,933
ST. JOHNS RIVER STATE COLLEGE	
Rem/Ren/Add Instruc & Support-Orange Park.....	6,000,000
ST. PETERSBURG COLLEGE	
Student Success Center - Gibbs Campus.....	10,000,000
STATE COLLEGE OF FLORIDA, MANATEE-SARASOTA	
Construct Library-Bradenton.....	8,982,024
TALLAHASSEE COMMUNITY COLLEGE	
Ren Central Utility Plant/Infra-Main.....	1,000,000
VALENCIA COLLEGE	
Building 1 - Poinciana	12,136,975

22	FIXED CAPITAL OUTLAY	
	STATE UNIVERSITY SYSTEM PROJECTS	
	FROM GENERAL REVENUE FUND	11,000,000
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	157,568,235

Funds in Specific Appropriation 22 shall be allocated as follows:

FLORIDA A&M UNIVERSITY	
Student Affairs Building.....	6,500,000
FLORIDA ATLANTIC UNIVERSITY	
Jupiter STEM/Life Sciences Building.....	3,031,247
FLORIDA GULF COAST UNIVERSITY	
Integrated Watershed and Coastal Studies	3,852,065
FLORIDA INTERNATIONAL UNIVERSITY	
Satellite Chiller Plant Expansion - MMC.....	7,062,041
Land Acquisition.....	8,000,000
FLORIDA POLYTECHNIC UNIVERSITY	
Applied Research Center.....	5,000,000
FLORIDA STATE UNIVERSITY	
Earth Ocean Atmospheric Sciences Building (Ph I).....	12,000,000
Black Student Union.....	1,500,000
NEW COLLEGE OF FLORIDA	
Heiser Natural Science Addition.....	4,222,601
UNIVERSITY OF CENTRAL FLORIDA	
Partnership IV.....	14,000,000
UCF Downtown Campus, Building I	20,000,000
Engineering Building I Renovation.....	3,600,000
Interdisciplinary Research and Incubator Facility.....	4,661,485
UNIVERSITY OF FLORIDA	
Nuclear Science Building Renovations/Additions.....	13,768,434
Norman Hall Remodeling.....	14,070,362
UNIVERSITY OF NORTH FLORIDA	
Skinner Jones Hall South (STEM).....	11,000,000
UNIVERSITY OF SOUTH FLORIDA	
Morsani College of Medicine.....	22,500,000
UNIVERSITY OF WEST FLORIDA	
Laboratory Sciences Annex, Phase I.....	10,800,000
SYSTEM	
FIO Replacement Vessel (R/V Bellows).....	3,000,000

Funds in Specific Appropriation 22 for the University of Central Florida Downtown Campus shall not be released until the university documents commitments or receipts from non state appropriated funds or private donations on a matching basis.

23	FIXED CAPITAL OUTLAY	
	SPECIAL FACILITY CONSTRUCTION ACCOUNT	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	75,370,357

Funds in Specific Appropriation 23 shall be allocated in accordance with section 1013.64(2), Florida Statutes, to the following projects:

Washington (3rd and final year).....	9,226,361
Levy (3rd and final year).....	11,471,707
Calhoun (3rd and final year).....	8,419,842
Holmes (3rd and final year).....	18,733,115

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Table with 2 columns: Description and Amount. Includes Dixie (3rd and final year), Hamilton (2nd of 3 years), Jefferson (1st of 3 years), Taylor (1st of 3 years), 24 FIXED CAPITAL OUTLAY DEBT SERVICE, FROM CAPITAL IMPROVEMENTS FEE TRUST FUND, FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND, FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND.

Funds in Specific Appropriation 24 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2016-2017 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the State Constitution, and any other continuing payments necessary or incidental to the repayment of the bonds.

Table with 2 columns: Description and Amount. Includes 25 FIXED CAPITAL OUTLAY GRANTS AND AIDS - SCHOOL DISTRICT AND COMMUNITY COLLEGE, FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND.

Table with 2 columns: Description and Amount. Includes 26 FIXED CAPITAL OUTLAY FLORIDA SCHOOL FOR THE DEAF AND BLIND - CAPITAL PROJECTS, FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND.

Funds in Specific Appropriation 26 are provided as follows:

Table with 2 columns: Description and Amount. Includes Gore Hall Renovation, Preventative Maintenance, Roadway Maintenance and Bulkhead.

Table with 2 columns: Description and Amount. Includes 27 FIXED CAPITAL OUTLAY DIVISION OF BLIND SERVICES - CAPITAL PROJECTS, FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND.

Funds in Specific Appropriation 27 are provided for repair and maintenance projects at the Division of Blind Services' Tampa and Daytona facilities.

Table with 2 columns: Description and Amount. Includes 28 FIXED CAPITAL OUTLAY PUBLIC BROADCASTING PROJECTS, FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND.

Funds in Specific Appropriation 28 are provided for the following projects to correct health and safety issues at public broadcasting stations:

Table with 2 columns: Description and Amount. Includes WGPU-TV/FM, Ft. Myers - Transmission Tower Replacement, WQCS-FM, Ft. Pierce - Replacement of HVAC System, WJCT-TV/FM, Jacksonville - Update Elevators to Include, Fire Department Controls.

Table with 2 columns: Description and Amount. Includes 28A FIXED CAPITAL OUTLAY PUBLIC SCHOOL PROJECTS.

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Table with 2 columns: Description and Amount. Includes FROM GENERAL REVENUE FUND 4,000,000

Funds provided in Specific Appropriation 28A are provided for education fixed capital outlay needs of the Osceola County school district.

Table with 2 columns: Description and Amount. Includes 29 FIXED CAPITAL OUTLAY VOCATIONAL-TECHNICAL FACILITIES, FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 3,800,000

Funds in Specific Appropriation 29 shall be allocated as follows:

Table with 2 columns: Description and Amount. Includes Lake Technical College - Center for Advanced Manufacturing, First Coast Technical College - Putnam County Campus.

Table with 2 columns: Description and Amount. Includes TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY, FROM GENERAL REVENUE FUND 15,000,000, FROM TRUST FUNDS 1,749,054,611, TOTAL ALL FUNDS 1,764,054,611

VOCATIONAL REHABILITATION

For funds in Specific Appropriations 30 through 44 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

Table with 2 columns: Description and Amount. Includes APPROVED SALARY RATE 34,898,207

Table with 2 columns: Description and Amount. Includes 30 SALARIES AND BENEFITS POSITIONS 884.00, FROM GENERAL REVENUE FUND 9,740,255, FROM ADMINISTRATIVE TRUST FUND 209,659, FROM FEDERAL REHABILITATION TRUST FUND 37,183,777

Table with 2 columns: Description and Amount. Includes 31 OTHER PERSONAL SERVICES, FROM FEDERAL REHABILITATION TRUST FUND 1,467,459

Table with 2 columns: Description and Amount. Includes 32 EXPENSES, FROM GENERAL REVENUE FUND 6,686, FROM FEDERAL REHABILITATION TRUST FUND 10,401,716

Table with 2 columns: Description and Amount. Includes 33 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS, FROM GENERAL REVENUE FUND 5,375,369

Funds in Specific Appropriation 33 shall be allocated as follows:

Table with 2 columns: Description and Amount. Includes Inclusive Transition and Employment Management Program (ITEM), Flagler Adults with Disabilities, Jackson Adults with Disabilities Program, Miami-Dade Adults with Disabilities Program, Sumter Adults with Disabilities Program, Palm Beach Habilitation Center, Community Based Supported Employment, Adults with Disabilities - Helping People Succeed, Broward County Public Schools Adults with Disabilities, Daytona State College Adults with Disabilities Program, Gadsden Adults with Disabilities Program, Gulf Adults with Disabilities Program, Jefferson Adults with Disabilities Program.

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Leon Adults with Disabilities Program.....	225,000
Taylor Adults with Disabilities Program.....	42,500
Wakulla Adults with Disabilities Program.....	42,500
Tallahassee Community College Adults with Disabilities Program.....	25,000
The WOW Center.....	83,793

Funds provided in Specific Appropriation 33 for the Inclusive Transition and Employment Management Program (ITEM) shall be used to provide young adults with disabilities who are between the ages of 16 and 28 with transitional skills, education, and on-the-job experience to allow them to acquire and retain permanent employment.

34 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - FLORIDA ENDOWMENT	
FOUNDATION FOR VOCATIONAL REHABILITATION	
FROM GENERAL REVENUE FUND	549,823
35 OPERATING CAPITAL OUTLAY	
FROM FEDERAL REHABILITATION TRUST	
FUND	480,986
36 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	618,015
FROM FEDERAL REHABILITATION TRUST	
FUND	17,258,886
37 SPECIAL CATEGORIES	
GRANTS AND AIDS - INDEPENDENT LIVING	
SERVICES	
FROM GENERAL REVENUE FUND	1,232,004
FROM FEDERAL REHABILITATION TRUST	
FUND	4,814,789

Funds provided in Specific Appropriation 37 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2005-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, \$3,472,193 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

The State Plan for Independent Living may include provisions related to financial needs testing and financial participation of consumers, as agreed upon by all signatories to the plan.

38 SPECIAL CATEGORIES	
PURCHASED CLIENT SERVICES	
FROM GENERAL REVENUE FUND	31,226,986
FROM FEDERAL REHABILITATION TRUST	
FUND	94,090,741
39 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM FEDERAL REHABILITATION TRUST	
FUND	401,073
40 SPECIAL CATEGORIES	
TENANT BROKER COMMISSIONS	
FROM FEDERAL REHABILITATION TRUST	
FUND	97,655
41 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	69,689
FROM ADMINISTRATIVE TRUST FUND	1,047
FROM FEDERAL REHABILITATION TRUST	
FUND	250,711
42 DATA PROCESSING SERVICES	
OTHER DATA PROCESSING SERVICES	
FROM GENERAL REVENUE FUND	154,316

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FROM FEDERAL REHABILITATION TRUST	
FUND	515,762
43 DATA PROCESSING SERVICES	
EDUCATION TECHNOLOGY AND INFORMATION	
SERVICES	
FROM FEDERAL REHABILITATION TRUST	
FUND	227,308
44 DATA PROCESSING SERVICES	
NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM FEDERAL REHABILITATION TRUST	
FUND	265,959

The funds provided in Specific Appropriation 44 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: VOCATIONAL REHABILITATION	
FROM GENERAL REVENUE FUND	48,973,143
FROM TRUST FUNDS	167,667,528
TOTAL POSITIONS	884.00
TOTAL ALL FUNDS	216,640,671

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 10,091,309

45 SALARIES AND BENEFITS POSITIONS	289.75
FROM GENERAL REVENUE FUND	4,224,359
FROM ADMINISTRATIVE TRUST FUND	336,093
FROM FEDERAL REHABILITATION TRUST	
FUND	9,374,651
46 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND	151,524
FROM FEDERAL REHABILITATION TRUST	
FUND	301,749
FROM GRANTS AND DONATIONS TRUST	
FUND	10,441

47 EXPENSES	
FROM GENERAL REVENUE FUND	415,191
FROM ADMINISTRATIVE TRUST FUND	40,774
FROM FEDERAL REHABILITATION TRUST	
FUND	2,473,307
FROM GRANTS AND DONATIONS TRUST	
FUND	44,395

48 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - COMMUNITY REHABILITATION	
FACILITIES	
FROM GENERAL REVENUE FUND	847,347
FROM FEDERAL REHABILITATION TRUST	
FUND	4,522,207

49 OPERATING CAPITAL OUTLAY	
FROM GENERAL REVENUE FUND	54,294
FROM FEDERAL REHABILITATION TRUST	
FUND	235,198

50 FOOD PRODUCTS	
FROM FEDERAL REHABILITATION TRUST	
FUND	200,000

51 SPECIAL CATEGORIES	
ACQUISITION OF MOTOR VEHICLES	
FROM FEDERAL REHABILITATION TRUST	
FUND	100,000

52 SPECIAL CATEGORIES	
GRANTS AND AIDS - CLIENT SERVICES	
FROM GENERAL REVENUE FUND	10,187,902

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FROM FEDERAL REHABILITATION TRUST	
FUND	13,481,496
FROM GRANTS AND DONATIONS TRUST	
FUND	252,746

From the funds in Specific Appropriation 52 from the General Revenue Fund, \$100,000 is provided for the Lighthouse for the Blind - Pasco/Hernando, \$150,000 is provided for the Lighthouse for the Blind - Miami, \$125,000 is provided for Lighthouse Works - Orange, and \$750,000 is provided for Florida Association of Agencies Serving the Blind.

53	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	56,140	
	FROM FEDERAL REHABILITATION TRUST		
	FUND		725,000
54	SPECIAL CATEGORIES		
	GRANTS AND AIDS - INDEPENDENT LIVING SERVICES		
	FROM FEDERAL REHABILITATION TRUST		
	FUND		35,000
55	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	44,875	
	FROM FEDERAL REHABILITATION TRUST		
	FUND		159,519
56	SPECIAL CATEGORIES		
	LIBRARY SERVICES		
	FROM GENERAL REVENUE FUND	89,735	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		100,000
57	SPECIAL CATEGORIES		
	VENDING STANDS - EQUIPMENT AND SUPPLIES		
	FROM FEDERAL REHABILITATION TRUST		
	FUND		4,675,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND		595,000
58	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		
	FROM FEDERAL REHABILITATION TRUST		
	FUND		18,158
59	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,968	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,014
	FROM FEDERAL REHABILITATION TRUST		
	FUND		96,576
60	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM FEDERAL REHABILITATION TRUST		
	FUND		369
61	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM FEDERAL REHABILITATION TRUST		
	FUND		686,842
62	DATA PROCESSING SERVICES		
	EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
	FROM FEDERAL REHABILITATION TRUST		
	FUND		224,762
63	DATA PROCESSING SERVICES		

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NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM FEDERAL REHABILITATION TRUST	
FUND	315,000

The funds provided in Specific Appropriation 63 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center

TOTAL: BLIND SERVICES, DIVISION OF

FROM GENERAL REVENUE FUND	16,075,335	
FROM TRUST FUNDS		39,007,297
TOTAL POSITIONS	289.75	
TOTAL ALL FUNDS		55,082,632

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Prior to the disbursement of funds from Specific Appropriations 64, 66, 67, 68, 69A and 69B, each institution shall submit a proposed expenditure plan to the Department of Education pursuant to the requirements of section 1011.521, Florida Statutes.

Institutions receiving funds from Specific Appropriations 65, 66, and 69 must submit an annual report to the Department of Education detailing the following metrics for Florida resident students: entrance requirements for the year; percentage of students receiving Pell Grants, Bright Futures, and other academic aid; graduation rates; job placement rates, and job placement rates in-field up to 120 days past graduation. The report shall also include information for each institution on the total federal loan amounts disbursed and the total number of students who received federal loans. The report must be submitted by September 1, 2016, and reflect prior academic year statistics.

64	SPECIAL CATEGORIES		
	GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY		
	FROM GENERAL REVENUE FUND		3,750,000
65	SPECIAL CATEGORIES		
	ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)		
	FROM GENERAL REVENUE FUND		5,056,500

Funds in Specific Appropriation 65 are provided to support 3,371 qualified Florida resident students at \$1,500 per student for tuition assistance pursuant to section 1009.891, Florida Statutes.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2016-2017 enrollment.

66	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HISTORICALLY BLACK PRIVATE COLLEGES		
	FROM GENERAL REVENUE FUND		13,716,543

Funds in Specific Appropriation 66 shall be allocated as follows:

Recurring Funds:		
Bethune-Cookman University.....	4,535,111	
Edward Waters College.....	3,929,526	
Florida Memorial University.....	3,732,048	
Library Resources.....	719,858	
Nonrecurring Funds:		
Bethune-Cookman University- Petrock College/Health Sciences	500,000	
Florida Memorial University.....	300,000	

Funds provided in Specific Appropriation 66 shall only be expended for student access and retention or direct instruction purposes.

Funds provided in Specific Appropriation 66 for library resources

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shall be used for the purchase of books, electronic library resources, online journals, other related library materials and other technology upgrades needed to support institutional academic programs pursuant to section 1006.59, Florida Statutes. Funds for library resources shall be allocated equally to Bethune-Cookman University, Edward-Waters College, and Florida Memorial University.

- 67 SPECIAL CATEGORIES
GRANTS AND AIDS - ACADEMIC PROGRAM
CONTRACTS
FROM GENERAL REVENUE FUND 250,000

Funds in Specific Appropriation 67 are provided to Beacon College for student financial assistance.

- 68 SPECIAL CATEGORIES
GRANTS AND AIDS - PRIVATE COLLEGES AND
UNIVERSITIES
FROM GENERAL REVENUE FUND 7,300,000

Funds in Specific Appropriation 68 shall be allocated as follows:

Table with 2 columns: Item description and Amount. Includes Embry-Riddle - Aerospace Academy (3,000,000), Embry-Riddle - Manufacturing Academy and Apprenticeship/ Internship Program (2,000,000), University of Miami - Institute for Cuban and Cuban-American Studies-Challenges for Florida of the U.S. Normalization of Relations with Cuba (200,000), University of Miami - Institute for Cuban and Cuban-American Studies-Impact of Cuban-Americans in Florida: Interactive Exhibit (100,000), Jacksonville University - EPIC (2,000,000).

- 69 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND 115,260,000

Funds in Specific Appropriation 69 are provided to support 38,420 qualified Florida resident students at \$3,000 per student for tuition assistance pursuant to section 1009.89, Florida Statutes.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2016-2017 enrollment.

- 69A SPECIAL CATEGORIES
GRANTS AND AIDS - NOVA SOUTHEASTERN
UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 1,500,000

Funds are provided in Specific Appropriation 69A to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, and Nursing programs. The university shall submit student enrollment information, by program, to the Department of Education prior to January 1, 2017.

- 69B SPECIAL CATEGORIES
GRANTS AND AIDS - LECOM / FLORIDA - HEALTH
PROGRAMS
FROM GENERAL REVENUE FUND 3,491,010

Funds in Specific Appropriation 69B shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or the Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the Department of Education prior to January 1, 2017.

- 69C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FACILITY REPAIRS MAINTENANCE AND
CONSTRUCTION

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FROM GENERAL REVENUE FUND 6,500,000

From the funds in Specific Appropriation 69C, \$5,000,000 is provided to Embry-Riddle Aeronautical University (ERAU) - Technology Park to complete construction of the ERAU Wind Tunnel.

From the funds in Specific Appropriation 69C, \$1,500,000 provided for the Space Exploration Laboratory shall be used to establish a research laboratory in support of a space exploration laboratory at a Florida research university. These funds shall be used for construction of laboratory space and acquisition of research equipment. These funds shall be awarded on a competitive basis to a Florida-based public or private research university. A university applying for these funds shall be required to provide a dollar-for-dollar match from private sources, and commit to the on-going maintenance and operation of the laboratory using private funds. A task force shall be appointed by the Speaker of the House and the President of the Senate for the purpose of soliciting proposals from Florida research universities and selecting the proposal which will be funded by the Florida Department of Education. The Speaker of the Florida House of Representatives shall appoint three members to the task force for a one year term. The President of the Florida Senate shall appoint three members to the task force for a one year term. The task force shall elect from its membership one member to serve as chair of the task force and one member to serve as vice chair. A majority of the members of the task force shall constitute a quorum. The task force may conduct its meetings through teleconferences or other similar means. The Florida Department of Education shall provide such staff, information, and other assistance as is reasonably necessary to assist the task force in carrying out its responsibilities.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 156,824,053

TOTAL ALL FUNDS 156,824,053

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

- 70 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA NATIONAL MERIT
SCHOLARS INCENTIVE PROGRAM
FROM GENERAL REVENUE FUND 12,926,139

- 71 SPECIAL CATEGORIES
PREPAID TUITION SCHOLARSHIPS
FROM GENERAL REVENUE FUND 7,000,000

- 72 SPECIAL CATEGORIES
FLORIDA ABLE, INCORPORATED
FROM GENERAL REVENUE FUND 3,166,000

- 73 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY TEACHER
SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 917,798

- 74 SPECIAL CATEGORIES
GRANTS AND AID - NURSING STUDENT LOAN
REIMBURSEMENT/ SCHOLARSHIPS
FROM NURSING STUDENT LOAN
FORGIVENESS TRUST FUND 1,134,006

- 75 FINANCIAL ASSISTANCE PAYMENTS
MARY MCLEOD BETHUNE SCHOLARSHIP
FROM GENERAL REVENUE FUND 160,500
FROM STATE STUDENT FINANCIAL
ASSISTANCE TRUST FUND 160,500

- 76 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM GENERAL REVENUE FUND 81,477,159
FROM STATE STUDENT FINANCIAL
ASSISTANCE TRUST FUND 97,099

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FROM STUDENT LOAN OPERATING TRUST
FUND 9,688,263

From the funds in Specific Appropriations 6 and 76, the sum of \$156,131,964 is provided pursuant to the following guidelines:

- Florida Student Assistance Grant - Public Full & Part Time.. 114,614,631
Florida Student Assistance Grant - Private..... 18,444,354
Florida Student Assistance Grant - Postsecondary..... 12,883,854
Florida Student Assistance Grant - Career Education..... 2,501,237
Children/Spouses of Deceased/Disabled Veterans..... 4,861,219
Florida Work Experience..... 1,569,922
Rosewood Family Scholarships..... 256,747
Honorably Discharged Graduate Assistance Program..... 1,000,000

Funds in Specific Appropriation 76 for the Honorably Discharged Graduate Assistance Program are provided for supplemental need-based veteran educational benefits. Funds shall be used to assist in the payment of living expenses during holiday and semester breaks for active duty and honorably discharged members of the Armed Forces who served on or after September 11, 2001. To ensure students in both public and private institutions have an opportunity to receive funding, allocations to institutions shall be prorated based on the number of total eligible students at eligible institutions.

From the funds provided in Specific Appropriations 6 and 76, the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be \$2,610.

Institutions that received state funds in Fiscal Year 2015-2016 for student scholarships or grants administered by the Office of Student Financial Assistance shall report federal loan information to the Department of Education (DOE) prior to September 1, 2016, in a format prescribed by DOE. This information shall include, by institution, the total federal loan amounts disbursed and total number of students who received federal loans. Additionally, in a format prescribed by DOE, each institution shall report all grants, scholarships, and awards to students who apply for and/or receive state-funded tuition assistance and aid.

Table with 2 columns: Description and Amount. Includes rows for FINANCIAL ASSISTANCE PAYMENTS, JOSE MARTI SCHOLARSHIP CHALLENGE GRANT, FINANCIAL ASSISTANCE PAYMENTS, TRANSFER TO THE FLORIDA EDUCATION FUND, FINANCIAL ASSISTANCE PAYMENTS, TRANSFER TO RANDY ROBERTS FOUNDATION, and TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE.

PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL

Table with 2 columns: Description and Amount. Includes rows for FINANCIAL ASSISTANCE PAYMENTS, STUDENT FINANCIAL AID, FINANCIAL ASSISTANCE PAYMENTS, TRANSFER DEFAULT FEES TO THE STUDENT LOAN GUARANTY RESERVE TRUST FUND, and TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL.

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TOTAL ALL FUNDS 105,000

EARLY LEARNING

PROGRAM: EARLY LEARNING SERVICES

From the funds in Specific Appropriations 81 through 93, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

Table with 4 columns: Description, APPROVED SALARY RATE, Amount, and Position. Includes rows for SALARIES AND BENEFITS POSITIONS, OTHER PERSONAL SERVICES, EXPENSES, OPERATING CAPITAL OUTLAY, SPECIAL CATEGORIES, and SPECIAL CATEGORIES.

From the funds in Specific Appropriation 86 in the Child Care and Development Block Grant Trust Fund, \$10,000,000 is provided for the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 86, \$3,900,000 is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY) of which \$1,400,000 is from the Welfare Transition Trust Fund and \$2,500,000 is from the Child Care and Development Block Grant Trust Fund. The \$2,500,000 is provided to the HIPPY program to deliver high quality school readiness curriculum directly to parents so they may strengthen the cognitive and early literacy skills of at risk children. Early learning coalitions will work with HIPPY program staff to identify

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participant families based on poverty, parents' limited education, and willingness to actively participate in all aspects of the HIPPY program.

From the funds in Specific Appropriation 86, \$15,000,000 is provided for the Child Care Executive Partnership, of which \$4,393,695 is from the General Revenue Fund and \$10,606,305 is from the Child Care and Development Block Grant Trust Fund.

From the funds in Specific Appropriation 86, \$12,100,000 is provided to the Redlands Christian Migrant Association (RCMA) of which \$3,508,331 is from the General Revenue Fund, \$8,580,955 is from the Child Care and Development Block Grant Trust Fund, and \$10,714 is from the Federal Grants Trust Fund.

From the funds in Specific Appropriation 86, \$3,000,000 from the Child Care and Development Block Grant Trust Fund is provided for the continued implementation of the University of Florida Lastinger Center Online Early Learning Professional Development System.

From the funds in Specific Appropriation 86, \$110,000 from the Child Care and Development Block Grant Trust Fund is provided for the Literacy Jump Start Program in St. Lucie County to provide at-risk, academically challenged pre-school children, residing within high risk federally subsidized housing, a chance at success.

From the funds in Specific Appropriation 86, \$15,500,000 from the Child Care and Development Block Grant Trust Fund is provided for Early Learning Performance Based Incentives to be allocated based on a methodology approved by the Office of Early Learning to award child care providers and instructors for improving school readiness program outcomes.

From the funds in Specific Appropriation 86, \$2,457,143 from the General Revenue Fund is provided to the Children's Forum to continue the Help Me Grow Florida Network.

From the funds in Specific Appropriation 86, \$100,000 from the General Revenue Fund is provided for the Little Havana Activities and Nutrition Centers' Child Care Program for the purpose of subsidizing the cost of child care services for working poor families.

From the funds in Specific Appropriation 86, \$200,000 from the General Revenue Fund is provided for the Miami Children's Museum's to establish the Professional Development School Readiness Institute for teaching early learning professionals effective engagement strategies for economically disadvantaged preschool children and their families.

From the funds in Specific Appropriation 86, \$350,000 from the General Revenue Fund is provided for the Business and Leadership Institute for Early Learning to: (1) expand and market an early learning childcare industry training program for early learning centers and home-based business owners, operators and administrators and (2) develop an on-line curriculum and education program, including a platform for business planning, which includes the essentials necessary to open and operate a quality childcare center or home-based childcare business in Florida.

From the funds in Specific Appropriation 86, \$297,250 from the General Revenue Fund is provided for the Paradise Christian School for Head Start Federal Match. These funds shall be used to continue Head Start services for children with a disability or from households in

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poverty.

From the funds in Specific Appropriation 86, \$500,000 from the General Revenue Fund is provided for Guiding Stars of Duval County.

From the funds in Specific Appropriation 86, \$509,000 from the General Revenue Fund is provided for ARC Gateway Pearl Nelson Child Development Center.

From the funds in Specific Appropriation 86, \$861,000 from the General Revenue Fund is provided for Hollywood Childcare Scholarships to provide childcare scholarships to families whose household income is at or below 80 percent of the Area Median Income (AMI) by family size.

87 SPECIAL CATEGORIES

GRANTS AND AIDS - SCHOOL READINESS

SERVICES

Table with 2 columns: Description and Amount. Rows include FROM GENERAL REVENUE FUND (137,092,679), FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND (336,632,836), FROM FEDERAL GRANTS TRUST FUND (489,286), and FROM WELFARE TRANSITION TRUST FUND (96,612,427).

Funds in Specific Appropriation 87 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match.

For the funds in Specific Appropriation 87, expenditures for Gold Seal Quality Expenditure payments shall be reported as Direct Services. The Office of Early Learning shall have the authority to reclassify Gold Seal Quality Expenditure payments by the Early Learning coalitions and statewide contractors to meet targeted federal requirements for improving the quality of infant and toddler child care to the extent allowable in the state's approved Child Care and Development Fund Plan.

Funds in Specific Appropriation 87 are provided for the School Readiness Program and are allocated to early learning coalitions as follows:

Table with 2 columns: County Name and Amount. Lists counties such as Alachua, Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson, Brevard, Broward, Charlotte, DeSoto, Highlands, Hardee, Columbia, Hamilton, Lafayette, Union, Suwannee, Dade, Monroe, Dixie, Gilchrist, Levy, Citrus, Sumter, Duval, Escambia, Hendry, Glades, Collier, Lee, Hillsborough, Lake, Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor, Manatee, Marion, Martin, Okeechobee, Indian River, Okaloosa, Walton, Orange, Osceola, Palm Beach, Pasco, Hernando, Pinellas, Polk, St. Johns, Putnam, Clay, Nassau, Baker, Bradford, St. Lucie, Santa Rosa, and Sarasota with their respective amounts.

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Table with 2 columns: Item Name, Amount. Rows include Seminole (8,431,104) and Volusia, Flagler (13,899,055).

From the funds in Specific Appropriation 87, \$10,000,000 from the Child Care Development Block Grant Trust Fund shall be used to provide contracted slots with priority given for children who are at the greatest risk of school failure and attend a participating provider located in an area that has been designated as a poverty tract according to the latest census data.

From the funds in Specific Appropriation 87, the Office of Early Learning shall have the ability to reallocate funds for school readiness services as funds are available or in the instance that a coalition does not have eligible children on its waiting list and has met its expenditure cap pursuant to section 1002.89(6), Florida Statutes.

Table for Section 88: SPECIAL CATEGORIES, GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY, FROM GENERAL REVENUE FUND (2,000,000).

Funds in Specific Appropriation 88 are provided for the Voluntary Prekindergarten research-based pre- and post-assessment.

In addition, funds in Specific Appropriation 88 are provided to the Office of Early Learning to implement Voluntary Prekindergarten accountability standards, as required by section 1002.67, Florida Statutes, including the maintenance of the website. These funds shall also be distributed to Voluntary Prekindergarten providers, early learning coalitions and school districts to support the continued implementation of the Voluntary Prekindergarten Progress Monitoring Assessment developed by the Department of Education in collaboration with the Florida Center for Reading Research and for professional development opportunities and online training for Voluntary Prekindergarten providers with a focus on emergent literacy and mathematical thinking.

Table for Section 89: SPECIAL CATEGORIES, RISK MANAGEMENT INSURANCE, FROM GENERAL REVENUE FUND (7,920) and BLOCK GRANT TRUST FUND (48,208).

Table for Section 90: SPECIAL CATEGORIES, GRANTS AND AIDS - VOLUNTARY PREKINDERGARTEN PROGRAM, FROM GENERAL REVENUE FUND (395,180,396).

Funds in Specific Appropriation 90 are provided for the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71(3)(a), Florida Statutes, for Fiscal Year 2016-2017, the base student allocation per full-time equivalent student for the school year program shall be \$2,437 and the base student allocation for the summer program shall be \$2,080. The allocation includes four percent in addition to the base student allocation to fund administrative and other program costs of the early learning coalitions related to the Voluntary Prekindergarten Education Program.

The funds in Specific Appropriation 90 shall be allocated as follows:

Table listing allocations for Section 90 to various counties: Alachua (4,421,610), Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson (4,750,654), Brevard (11,484,335), Broward (40,209,473), Charlotte, DeSoto, Highlands, Hardee (4,630,853), Columbia, Hamilton, Lafayette, Union, Suwannee (2,533,478), Dade, Monroe (58,762,769), Dixie, Gilchrist, Levy, Citrus, Sumter (4,217,104), Duval (23,618,217), Escambia (5,030,291), Hendry, Glades, Collier, Lee (19,705,874).

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Table with 2 columns: Item Name, Amount. Rows include Hillsborough (29,210,949), Lake (5,627,617), Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor (6,605,818), Manatee (6,657,090), Marion (5,334,948), Martin, Okeechobee, Indian River (5,684,342), Okaloosa, Walton (5,801,303), Orange (29,661,723), Osceola (7,544,669), Palm Beach (27,612,671), Pasco, Hernando (12,689,180), Pinellas (15,719,611), Polk (10,663,392), St. Johns, Putnam, Clay, Nassau, Baker, Bradford (13,212,836), St. Lucie (5,982,542), Santa Rosa (2,699,883), Sarasota (4,748,773), Seminole (10,163,262), Volusia, Flagler (10,195,129).

Table for Section 91: SPECIAL CATEGORIES, TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT, FROM GENERAL REVENUE FUND (26,058) and BLOCK GRANT TRUST FUND (8,497).

Table for Section 92: DATA PROCESSING SERVICES, EDUCATION TECHNOLOGY AND INFORMATION SERVICES, FROM GENERAL REVENUE FUND (1,330,680) and BLOCK GRANT TRUST FUND (2,120,150).

Table for Section 93: DATA PROCESSING SERVICES, NORTHWEST REGIONAL DATA CENTER (NWRDC), FROM GENERAL REVENUE FUND (281,949) and BLOCK GRANT TRUST FUND (281,949).

The funds provided in Specific Appropriation 93 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

Table for Section 93A: GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FACILITY REPAIRS MAINTENANCE AND CONSTRUCTION, FROM GENERAL REVENUE FUND (3,000,000).

The funds in Specific Appropriation 93A are provided to the Arc Gateway for construction of the Pearl Nelson Child Development Center to meet the educational and therapeutic needs of children who are identified as having developmental delays or a disability.

Summary table for Section 2: TOTAL: PROGRAM: EARLY LEARNING SERVICES, FROM GENERAL REVENUE FUND (558,352,643) and FROM TRUST FUNDS (494,388,921); TOTAL POSITIONS (100.00); TOTAL ALL FUNDS (1,052,741,564).

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEPP

The calculations of the Florida Education Finance Program (FEPP) for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 94, and 95.

94 AID TO LOCAL GOVERNMENTS

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Table with 2 columns: Description and Amount. Rows include GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM, FROM GENERAL REVENUE FUND (7,696,013,962), and FROM STATE SCHOOL TRUST FUND (129,135,875).

Funds provided in Specific Appropriations 7 and 94 shall be allocated using a base student allocation of \$4,160.71 for the FEFP.

Funds provided in Specific Appropriations 7 and 94 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be \$1,243.90.

From the funds provided in Specific Appropriations 7 and 94, juvenile justice education programs shall receive funds as provided in section 1003.52(13), Florida Statutes. Up to \$341 per student may be used for high school equivalency examination fees for juvenile justice students who pass the high school equivalency exam in full, or in part, while in a juvenile justice education program and may be used for students in juvenile justice education programs to support equipment, specially designed curricula, and industry credentialing testing fees, for students enrolled in career and technical education (CTE) courses that lead to industry recognized certifications.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriations 7 and 94, \$52,800,000 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 24,000 and fewer FTE in the 2016-2017 fiscal year.

Total Required Local Effort for Fiscal Year 2016-2017 shall be \$7,605,066,299. The total amount shall include adjustments made for the calculation required in section 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2016-2017 shall be 0.748 mills. This millage shall be used to calculate the discretionary millage compression supplement as provided in section 1011.62(5), Florida Statutes. To be eligible for the supplement, a district must levy the maximum.

Funds provided in Specific Appropriations 7 and 94 are based upon program cost factors for Fiscal Year 2016-2017 as follows:

- 1. Basic Programs
A. K-3 Basic.....1.103
B. 4-8 Basic.....1.000
C. 9-12 Basic.....1.001
2. Programs for Exceptional Students
A. Support Level 4.....3.607
B. Support Level 5.....5.376
3. English for Speakers of Other Languages1.194
4. Programs for Grades 9-12 Career Education.....1.001

From the funds in Specific Appropriations 7 and 94, \$1,055,304,496 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. Funds provided for gifted educational programs and services must primarily be focused on advanced mathematics and science curriculum and enrichment with instruction provided by an in-field teacher. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. School districts that provided educational services in 2015-2016 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as

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prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriations 7 and 94, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than three FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed three FTE.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students pursuant to section 1011.62(8), Florida Statutes.

From the funds in Specific Appropriations 7 and 94, \$64,456,019 is provided for Safe Schools activities and shall be allocated as follows: \$62,660 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) middle and high school programs for correction of specific discipline problems; (3) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (4) behavior driven intervention programs that include anger and aggression management strategies; (5) alternative school programs for adjudicated youth that may include a web-based virtual system that results in mastery and certification, competency or credentials in the following inter-related counseling disciplines necessary for success in education and the work environment, including adjustment, educational, employment and optimal mental health areas that will include, but are not limited to, anger and impulse control, depression and anxiety, self-esteem, respect for authority, personal behavior, goal setting, time and stress management, social and workplace adjustment, substance use and abuse, workplace soft skills, communication skills, work ethic, the importance of timeliness, attendance and the self-marketing skills for future educational and/or employment opportunities; (6) suicide prevention programs; (7) bullying prevention and intervention; (8) school resource officers; and (9) detection dogs. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity. The Department of Education shall monitor compliance with reporting procedures contained in section 1006.147, Florida Statutes. If a district does not comply with these procedures, the district's funds from the Safe Schools allocation shall be withheld and reallocated to the other school districts. Each school district shall report to the Department of Education the amount of funds expended for each of the nine activities.

From the funds in Specific Appropriations 7 and 94, \$709,992,174 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1) (f), Florida Statutes. From these funds, at least \$75,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading, or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 300 schools.

The Department of Education shall provide guidance to school districts for documentation of the expenditures for the additional hour of

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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instruction to ensure that all local, state, and federal funds are maximized for the total instructional program and that the funds used for the additional hour of instruction in these 300 schools do not supplant federal funds. School districts shall submit a report to the Department of Education in a format prepared by the department that includes summary information, including funding sources, expenditures and student outcomes for each of the participating schools that shall be submitted to the Speaker of the House of Representatives, President of the Senate, and Governor by September 30, 2016. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

The funds provided for the Supplemental Academic Instruction allocation shall consist of a base amount that shall have a workload adjustment based on changes in FTE. In addition, an additional amount is provided for districts with schools on the list of the 300 lowest-performing elementary schools. District allocations from these additional funds shall be based on the 2014-2015 reported total expenditures for the program, each district's level of per student funding in the reading instruction allocation and the supplemental academic instruction categorical fund, and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. If the recalculated total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level of the appropriation, based on each district's share of the total.

From the funds in Specific Appropriations 7 and 94, \$130,000,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of \$115,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the total K-12 base funding. From these funds, at least \$15,000,000 shall be used to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment pursuant to sections 1008.22(3) and 1011.62(9), Florida Statutes. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 300 schools. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds provided in Specific Appropriations 7 and 94, \$228,792,422 is provided for Instructional Materials including \$12,081,475 for Library Media Materials, \$3,302,270 for the purchase of science lab materials and supplies, \$10,242,163 for dual enrollment instructional materials, and \$3,088,652 for the purchase of digital instructional materials for students with disabilities. The growth allocation per FTE shall be \$301.12 for the 2016-2017 fiscal year. School districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided for Instructional Materials, \$165,000,000 shall be available to school districts to purchase instructional content as well as electronic devices and technology equipment and infrastructure. The purchases made in the 2016-2017 fiscal year must comply with the minimum or recommended requirements for instructional content, hardware, software, networking, security and bandwidth and the number of students per device as developed and published by the Department of Education. Prior to release of the funds by the department to the school districts, each school district shall certify to the Commissioner of Education an expenditure plan for the purchase of instructional content and technology. If the district intends to use any portion of the funds for technology, the district must certify that it has the instructional content necessary to provide instruction aligned to the adopted statewide benchmarks and standards. If the district intends to use the

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funds for technology the district must include an expenditure plan for the purchase of electronic devices and technology equipment and infrastructure that demonstrates the alignment of devices and equipment with the minimum or recommended requirements. The department shall provide a report to the Legislature on or before March 1, 2017, that summarizes the district expenditures for these funds.

From funds provided in Specific Appropriations 7 and 94, \$435,164,782 is provided for Student Transportation as provided in section 1011.68, Florida Statutes.

From funds provided in Specific Appropriations 7 and 94, \$45,286,750 is provided for the Teachers Classroom Supply Assistance Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

From the funds provided in Specific Appropriation 7 and 94, \$12,136,893 is provided for a Federally Connected Student Supplement to be calculated to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. The supplement shall be the sum of a student allocation and an exempt property allocation. To participate, districts must be eligible for federal Impact Aid funding under Section 8003, Title VIII of the Elementary and Secondary Education Act of 1965.

The student allocation shall be based on the total number of students, including students with disabilities, reported for federal impact aid who: 1) reside with a parent on active duty in the uniformed services or who is an accredited foreign government official and military officer, 2) reside on eligible Indian lands, or 3) reside with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. This third category shall be multiplied by a factor of 0.5. Students with disabilities shall also be counted separately for the first two categories. The total number of federally-connected students and the total number of students with disabilities shall be multiplied by 3 percent and 10.5 percent of the base student allocation, respectively. The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally-owned Indian lands located in the district, multiplied by the millage authorized and levied under section 1011.71(2), Florida Statutes.

For the 2016-2017 fiscal year, this allocation shall be derived from the data reported by school districts to the Department of Education for the federal Impact Aid Program, Section 8003, Title VIII of the Elementary and Secondary Education Act, for the 2016 federal fiscal year. The Department of Education shall establish a process to collect student enrollment for this allocation during the student surveys for application in subsequent fiscal years. Each district's Federally Connected Student Supplement for the 2016-2017 appropriation shall not be recalculated during the fiscal year.

Funds provided in Specific Appropriations 7 and 94 for the Virtual Education Contribution shall be allocated pursuant to the formula provided in section 1011.62(11), Florida Statutes. The contribution shall be based on \$5,230 per FTE.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

From the funds in Specific Appropriations 7 and 94, \$80,000,000 is provided for the Digital Classrooms allocation as provided in 1011.62(12), Florida Statutes.

95	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - CLASS SIZE REDUCTION		
	FROM GENERAL REVENUE FUND	2,884,695,555	
	FROM STATE SCHOOL TRUST FUND		86,161,098

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Funds in Specific Appropriations 8 and 95 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,321.49, for grades 4 to 8 shall be \$901.39, and for grades 9 to 12 shall be \$903.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2016 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 95, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEPP
FROM GENERAL REVENUE FUND 10,580,709,517
FROM TRUST FUNDS 215,296,973
TOTAL ALL FUNDS 10,796,006,490

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEPP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 102 and 108, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

Funds provided in Specific Appropriations 96 through 114B shall be used to serve Florida students.

96 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 1,141,704

Funds in Specific Appropriation 96 are provided for the Learning Through Listening program.

97 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 4,000,000

Funds in Specific Appropriation 97 may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes. The funds shall be expended for professional development for Advanced Placement classroom teachers.

97A SPECIAL CATEGORIES
GRANTS AND AIDS - TAKE STOCK IN CHILDREN
FROM GENERAL REVENUE FUND 6,125,000

98 SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND 15,247,988

Funds provided in Specific Appropriation 98 shall be allocated as follows:

Best Buddies..... 700,000
Big Brothers, Big Sisters..... 3,730,248
Florida Alliance of Boys and Girls Clubs..... 5,152,768
Prodigy..... 4,600,000
Teen Trendsetters..... 300,000
YMCA State Alliance/YMCA Reads..... 764,972

99 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 1,000,000

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100 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 2,700,000

Funds provided in Specific Appropriation 100 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida..... 450,000
University of Miami..... 450,000
Florida State University..... 450,000
University of South Florida..... 450,000
University of Florida Health Science Center at Jacksonville. 450,000
Keiser University..... 450,000

Each center shall provide a report to the Department of Education by September 1, 2017, for the 2016-2017 fiscal year that shall include the following: (1) the number of children served, (2) the number of parents served, (3) the number of persons participating in in-service education activities, (4) the number of districts served, and (5) specific services provided.

101 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 650,000

102 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND 4,500,000

Funds in Specific Appropriation 102 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, technical career education, literacy initiatives, Science, Technology, Engineering, Math (STEM) Education initiatives, increased teacher quality and/or increased graduation rates. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 102 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

103 SPECIAL CATEGORIES
GRANTS AND AIDS - THE FLORIDA BEST AND BRIGHTEST TEACHER SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 49,000,000

Funds in Specific Appropriation 103 are provided to implement Florida's Best and Brightest Teacher Scholarship Program as provided in House Bill 5003, or similar legislation. The amount disbursed shall include a scholarship in the amount of up to \$10,000 to be awarded to every eligible classroom teacher. If the number of eligible classroom teachers exceeds the total appropriation, the department shall prorate the per-teacher scholarship amount.

104 SPECIAL CATEGORIES
EDUCATOR PROFESSIONAL LIABILITY INSURANCE
FROM GENERAL REVENUE FUND 1,200,000

105 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND 18,000

106 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

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FROM GENERAL REVENUE FUND 473,837
FROM ADMINISTRATIVE TRUST FUND 49,058

107 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND 9,400,000

Funds provided in Specific Appropriation 107 shall be allocated as follows:

Florida Atlantic University..... 1,056,776
Florida State University (College of Medicine)..... 1,224,008
University of Central Florida..... 1,721,639
University of Florida (College of Medicine)..... 1,077,893
University of Florida (Jacksonville)..... 1,072,732
University of Miami (Department of Psychology)
including \$391,650 for activities in Broward County
through Nova Southeastern University..... 1,802,195
University of South Florida/Florida Mental Health Institute. 1,444,757

Autism Centers shall provide appropriate nutritional information to parents of children served through funds provided in Specific Appropriation 107. Summaries of outcomes for the prior fiscal year shall be submitted to the Department of Education by September 1, 2016.

108 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION
CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 2,545,390

From the funds in Specific Appropriation 108, \$1,100,000 is provided to continue the program from fiscal year 2015-2016 for school districts in the Panhandle Area Education Consortium (PAEC), Northeast Florida Education Consortium (NEFEC), and Heartland Consortium and school districts with 24,000 or fewer FTE students, providing digital learning tools, digital resources, the curriculum foundry, technical support and professional development originally created through the Florida Virtual Curriculum Marketplace.

109 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 9,304,338

Funds provided in Specific Appropriation 109 shall be allocated as follows:

Administrator Professional Development..... 7,500,000
Florida Association of District School
Superintendents Training..... 500,000
Principal of the Year..... 29,426
School Related Personnel of the Year..... 306,182
Teacher of the Year..... 718,730
Teacher of the Year Summit..... 50,000
Virtual Professional Development for School Board Members... 200,000

From the funds provided in Specific Appropriation 109 for the Teacher of the Year Program, \$718,730 is provided for financial awards, in conjunction with any private donations, resulting in district participants receiving a total award amount of up to \$10,000; the selected finalists receiving a total award of up to \$15,000; and the Teacher of the Year receiving a total award amount of up to \$20,000.

Funds in Specific Appropriation 109 for the School Related Personnel of the Year Program are provided for financial awards of up to \$5,000 for participants of the program.

Funds provided in Specific Appropriation 109 for Principal, Teacher, or School Related Personnel of the Year may be disbursed to districts, schools, or individuals.

From the funds in Specific Appropriation 109 for Administrator Professional Development, \$7,500,000 is provided for professional development for principals and other district administrators in instructional and human resource leadership, including the use of

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teacher evaluations to improve instruction, aligning instruction with the district's curriculum and state standards, best financial practices, and other leadership responsibilities that support student achievement through job-embedded delivery and through either regional, local, or digital formats. Funds shall be provided to each district after the district has submitted its training plan to the Commissioner of Education. From the funds in Specific Appropriation 109 for Administrator Professional Development, \$7,000,000 shall be allocated to districts based on each district's share of unweighted FTE and districts with 10,000 or fewer FTE shall be provided a minimum allocation of \$5,000. The department is authorized and directed to use funds to assist Teach for America, Inc. in its effort to infuse talent into public education teaching and leadership positions, and develop and retain that talent in Florida.

110 SPECIAL CATEGORIES
GRANTS AND AIDS - STRATEGIC STATEWIDE
INITIATIVES
FROM GENERAL REVENUE FUND 3,178,133

Funds in Specific Appropriation 110 shall be allocated as follows:

Florida Safe Schools Assessment Tool..... 307,000
Florida Grants and Standards Instruction Tools..... 309,700
Public School Technology..... 1,561,433
Advancement Via Individual Determination (AVID)..... 1,000,000

Funds in Specific Appropriation 110 for the Florida Safe Schools Assessment Tool shall be provided to the Department of Education for the continued availability of the risk assessment tool to all public K-12 schools.

Funds in Specific Appropriation 110 for the Florida Grants and Standards Instruction Tools shall be provided to Department of Education to provide subject matter experts and in-depth technical assistance to school districts and students for various technical systems.

Funds in Specific Appropriation 110 for Public School Technology are provided to the following school districts for the acquisition of devices based on the requirements of section 1001.20(4)(a)1.b., Florida Statutes, to enable each district to administer the Florida Standards Assessments to an entire grade at the same time.

Miami-Dade..... 54,322
Hillsborough..... 1,371,616
Volusia..... 132,895
Washington Special..... 2,600

Funds in Specific Appropriation 110 are provided for Advancement Via Individual Determination (AVID) and shall be used to implement a program to reward success of students in need of assistance to become college ready and enrolled in the AVID elective class who performed in rigorous coursework during the 2015-2016 school year. School districts shall report student enrollments from the 2015-2016 school year in the AVID elective during the October student membership survey. Each school district shall be rewarded \$325 per full-time equivalent student enrolled in the AVID elective who also receives a score of 4 or higher on an International Baccalaureate subject examination; score of E or higher on an Advanced International Certificate of Education subject examination; score of 3 or higher on the College Board Advanced Placement Examination; or, for students in grades 6-8, receives a passing score on the algebra end of course examination. Each school district shall allocate the funds received from this bonus award funding to the school whose students generate the funds. Funds shall be expended solely for the payment of costs associated with the school's AVID system which include annual membership fees; professional development and training for program coordinators, teachers, and tutors; and compensation for tutors. Funds shall be awarded to the school districts no later than January 1, 2017. If the total bonus amount is greater than the funds provided in this appropriation, then each district's amount shall be prorated based on the number of students who earned qualifying scores in each district.

111 SPECIAL CATEGORIES

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GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL

ENHANCEMENTS

FROM GENERAL REVENUE FUND 26,384,029

To extend the unique means for better educating students, funds in Specific Appropriation 111 shall be allocated as follows:

Academic Tourney.....	132,738
African American Task Force.....	100,000
All Pro Dad's Fatherhood Involvement in Literacy Campaign...	500,000
AMI Kids.....	1,850,000
Arts for a Complete Education/Florida Alliance for Arts Education.....	110,952
Benchmark and Intervention/Student and Teacher Support.....	1,500,000
Black Male Explorers.....	164,701
Boys Choir of Tallahassee.....	71,000
Breakthrough Miami.....	650,000
Brevard Public Schools Aviation and Manufacturing Technology High School Programs.....	500,000
City Year.....	500,000
College Prep & STEM Programs for Girls.....	25,000
Coral Gables Museum Green City Program.....	200,000
Earn to Learn Program.....	201,680
Eight in Eighth.....	250,000
Florida Afterschool Network/Ounce of Prevention Fund of Florida.....	200,000
Florida Children's Initiative.....	600,000
Florida Holocaust Museum.....	300,000
Florida Venture Foundation.....	125,000
Girl Scouts of Florida.....	267,635
Holocaust Memorial Miami Beach.....	230,000
Holocaust Task Force.....	100,000
I Am A Leader Foundation.....	250,000
Jobs for Florida's Graduates.....	1,500,000
Junior Achievement of Florida Foundation, Inc.....	500,000
Knowledge is Power Program (KIPP) Jacksonville.....	1,224,000
Lauren's Kids.....	1,000,000
Learning for Life.....	2,569,813
Minority Male Initiative.....	400,000
Moore-Mickens Education Vocation Center.....	250,000
Mourning Family Foundation.....	1,000,000
National Flight Academy.....	421,495
Palm Beach County Library System Online Tutor Assistance....	74,000
Pasco Regional STEM School/Tampa Bay Region Aeronautics....	750,000
Pinellas Education Foundation-Career Path Planning.....	250,000
Project to Advance School Success (PASS).....	508,983
SEED School of Miami.....	4,600,000
Specialty Children's Hospital Patient Academics Program....	100,000
State Science Fair.....	72,032
Summer Job Skills and Coding Internship Program.....	50,000
Take Charge Foundation College Ready.....	300,000
Volusia County Schools Manufacturing.....	185,000
YMCA of Central Florida After School Program.....	1,500,000
YMCA Youth in Government.....	300,000

Funds provided in Specific Appropriation 111 for the Learning for Life program are eligible to be used in any public school.

Funds provided in Specific Appropriation 111 for the Benchmark and Intervention/Student and Teacher Support are provided to help prepare students for college and career success. In an effort to improve teaching and learning, students and teachers will have access, when they so choose, to courseware to benchmark competency levels and prepare students to master the Florida Standards on subjects measured by state required end-of-course exams. The department shall contract with a provider to deliver an innovative online program that is highly engaging, fun and relevant to the current generation of students, utilizes technology enhanced items, and measures student mastery on a standard specific basis. The program shall also include content to support positive behavioral intervention strategies and be available to public, private, charter and home school students and must be assessable by teachers and students by November 1, 2016. An independent evaluation shall be conducted to determine program effectiveness.

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112 SPECIAL CATEGORIES

GRANTS AND AIDS - EXCEPTIONAL EDUCATION

FROM GENERAL REVENUE FUND 4,317,018

FROM FEDERAL GRANTS TRUST FUND 2,333,354

Funds in Specific Appropriation 112 from General Revenue shall be allocated as follows:

Auditory-Oral Education Grant Funding.....	750,000
Challenge Grants.....	60,000
Communication/Autism Navigator.....	1,353,292
Family Cafe.....	450,000
Florida Diagnostic and Learning Resources System Associate Centers.....	577,758
Florida Instructional Materials Center for the Visually Impaired.....	108,119
Hernando County School District Project StarFISH.....	500,000
Multi-Agency Service Network for Students with Severe Emotional/Behavioral Disturbance.....	247,849
Portal to Exceptional Education Resources.....	20,000
Special Olympics.....	250,000

Funds in Specific Appropriation 112 from the Federal Grants Trust Fund shall be allocated as follows:

Florida Instructional Materials Center for the Visually Impaired.....	270,987
Multi-Agency Service Network for Students with Severe Emotional/Behavioral Disturbance.....	750,322
Portal to Exceptional Education Resources.....	786,217
Resource Materials Technology Center for Deaf/Hard-of-Hearing.....	191,828
Very Special Arts.....	334,000

Funds in Specific Appropriation 112 for Family Cafe are supplemental and shall not be used to replace or supplant current funds awarded for the Family Cafe Project.

Funds provided in Specific Appropriation 112 for Communication/Autism Navigator shall be awarded to the Florida State University College of Medicine for statewide implementation of an exceptional student education communication/autism navigator that includes core strategies and interventions through the Early Steps Program to increase the number of full integration placements of exceptional students into the standard classroom.

Funds provided in Specific Appropriation 112 for Auditory-Oral Education Grants shall only be awarded to Florida public or private nonprofit school programs serving deaf children in multiple counties, from birth to age seven, including rural and underserved areas. These schools must solely offer auditory-oral education programs, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

The amount of the grants shall be based on the specific needs of each eligible student. Each eligible school that has insufficient public funds to provide the educational and related services specified in the Individual Education Plan (IEP) or Individual Family Service Plan (IFSP) of eligible students aged birth to seven years may submit grant applications to the Department of Education. Applications must include an itemized list of total costs, the amount of public funds available for those students without the grant, and the additional amount needed for the services identified in each students' respective IEP or IFSP. The department shall develop an appropriate application, provide instructions and administer this grant program to ensure minimum delay in providing the IEP or IFSP services for all eligible students. Each school shall be accountable for assuring that the public funds received are expended only for services for the eligible student as described in the application and shall provide a report documenting expenditures for the 2016-2017 fiscal year to the Department of Education by September 30, 2017.

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Table with 2 columns: Description and Amount. Rows include Florida School for the Deaf and the Blind, From General Revenue Fund, From Administrative Trust Fund, From Federal Grants Trust Fund, From Grants and Donations Trust Fund.

From the funds in Specific Appropriation 113, the school shall contract for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage.

Table with 2 columns: Description and Amount. Rows include 114 SPECIAL CATEGORIES, TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES, 114A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY PUBLIC SCHOOLS SPECIAL PROJECTS.

Funds in Specific Appropriation 114A shall be allocated as follows:

Table with 2 columns: Description and Amount. Rows include Academies of Clay County Schools, Seminole County High Tech Manufacturing Program.

Table with 2 columns: Description and Amount. Row includes 114B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FACILITY REPAIRS MAINTENANCE AND CONSTRUCTION.

Funds in Specific Appropriation 114B shall be allocated as follows:

Table with 2 columns: Description and Amount. Rows include Holocaust Memorial, Margate Blount Archaeological Site, National Flight Academy, North Florida School of Special Education Expansion Project, Pinellas Education Foundation-Career Path Planning.

Funds provided in Specific Appropriation 114B for the Holocaust Memorial are contingent upon Senate Bill 716, or similar legislation, becoming law.

Table with 2 columns: Description and Amount. Rows include TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP, FROM GENERAL REVENUE FUND, FROM TRUST FUNDS, TOTAL ALL FUNDS.

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

Table with 2 columns: Description and Amount. Rows include 115 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS, 116 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FEDERAL GRANTS AND AIDS, 117 SPECIAL CATEGORIES DOMESTIC SECURITY.

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Table with 2 columns: Description and Amount. Rows include FROM FEDERAL GRANTS TRUST FUND, TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM FROM TRUST FUNDS, TOTAL ALL FUNDS.

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

Table with 2 columns: Description and Amount. Rows include 118 SPECIAL CATEGORIES CAPITOL TECHNICAL CENTER, 119 SPECIAL CATEGORIES GRANTS AND AIDS - PUBLIC BROADCASTING.

The funds provided in Specific Appropriation 119 shall be allocated as follows:

Table with 2 columns: Description and Amount. Rows include Florida Channel Closed Captioning, Florida Channel Satellite Transponder Operations, Florida Channel Statewide Governmental and Cultural Affairs Programming, Florida Channel Year Round Coverage, Florida Public Radio Emergency Network Storm Center, Florida PBS Learning Media Content Library, Public Radio Stations, Public Television Stations.

From the funds provided in Specific Appropriation 119, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

From the funds provided in Specific Appropriation 119 for Public Television Stations, \$307,447 shall be allocated to each public television station recommended by the Commissioner of Education. Public Radio Stations shall be allocated \$100,000 per station.

From the funds provided in Specific Appropriation 119 for the Florida Channel Satellite Transponder Operations, the Florida Channel shall contract for the leasing, management and operation of the state transponder with the same public broadcasting station that produces the Florida Channel.

Table with 2 columns: Description and Amount. Rows include TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES, FROM GENERAL REVENUE FUND, TOTAL ALL FUNDS.

PROGRAM: WORKFORCE EDUCATION

Table with 2 columns: Description and Amount. Rows include 120 AID TO LOCAL GOVERNMENTS PERFORMANCE BASED INCENTIVES, FROM GENERAL REVENUE FUND.

From the funds in Specific Appropriation 120, \$4,500,000 shall be provided by the Department of Education to district workforce education programs for students who earn industry certifications during the 2016-2017 fiscal year. Funding shall be based on students who earn industry certifications in the following occupational areas: health science to include surgical technology, orthopedic technology, dental assisting technology, practical nursing, medical coder/biller, medical assisting, certified nursing assistant, emergency medical technician and paramedic, clinical lab technician, EKG technician, pharmacy technician, and clinical hemodialysis technician; automotive service technology; auto collision repair and refinishing; medium/heavy duty truck technician; cyber security; cloud virtualization; network support services; computer programming; computer-aided drafting; advanced manufacturing; electrician; plumbing; public safety; welding; Federal Aviation Administration airframe mechanics and power plant mechanics; and heating, ventilation and air conditioning technician. On June 1, 2017, if any funds remain, the balance shall be allocated for performance in adult general education programs based on student

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performance as measured by learning gains, placements, and special populations served indexed to the proportional share of the funds available. These performance funds shall not be awarded for certifications earned through continuing workforce education programs.

Industry certifications earned by students enrolled in the 2015-2016 academic year which were eligible to be included in the funding allocation for the 2015-2016 fiscal year and were not included in the final disbursement due to the early data reporting deadline may be reported by districts and included in the Department of Education's allocation of funds for the 2016-2017 fiscal year.

School districts shall maintain documentation for student attainment of industry certifications that are eligible for performance funding. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts. If a district is unable to comply, the district shall refund the performance funding to the state.

- 121 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM FEDERAL GRANTS TRUST FUND . . . 41,552,472
122 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 276,547,888

From the funds in Specific Appropriation 10 from the Educational Enhancement Trust Fund and Specific Appropriation 122 from the General Revenue Fund, \$365,044,488 is provided for school district workforce education programs as defined in section 1004.02(25), Florida Statutes, and is allocated as follows:

Table with 2 columns: County Name and Amount. Includes Alachua (307,847), Baker (147,342), Bay (2,872,440), Bradford (946,599), Brevard (3,809,489), Broward (70,846,690), Calhoun (83,728), Charlotte (2,259,665), Citrus (2,614,391), Clay (751,338), Collier (8,512,501), Columbia (366,361), Miami-Dade (79,611,194), DeSoto (640,639), Dixie (66,819), Escambia (4,382,422), Flagler (1,640,550), Franklin (73,197), Gadsden (383,169), Glades (76,392), Gulf (153,700), Hamilton (71,046), Hardee (233,727), Hendry (204,363), Hernando (570,684), Hillsborough (26,805,682), Indian River (1,073,315), Jackson (295,317), Jefferson (86,353), Lafayette (70,659), Lake (4,406,406), Lee (9,697,421), Leon (6,291,247), Liberty (114,403), Madison (70,192), Manatee (9,341,158), Marion (3,901,140), Martin (1,255,757), Monroe (799,422), Nassau (603,668).

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Table with 2 columns: County Name and Amount. Includes Okaloosa (2,194,475), Orange (32,578,885), Osceola (6,181,717), Palm Beach (17,103,329), Pasco (2,877,665), Pinellas (27,220,680), Polk (8,507,792), Saint Johns (4,319,889), Santa Rosa (2,119,664), Sarasota (7,147,469), Sumter (120,425), Suwannee (888,004), Taylor (959,615), Union (90,582), Wakulla (135,693), Walton (752,743), Washington (2,924,685), Washington Sp. (64,498), DOE Workforce Student Information System (2,418,245).

The funds allocated in Specific Appropriation 122 for the Department of Education Workforce Education Student Information System are provided for continued implementation of the system during the 2016-2017 fiscal year. The department shall determine districts to participate in the system based on the highest priority of need. The department is authorized to select a school district to serve as the coordinator of the system for assistance in development and deployment of the student information system in districts chosen by the department to participate. The system shall include student registration and reporting and tracking of instructional hours, student achievement levels, and industry credentials. Additional features of the system shall provide an on-line student registration with debit/credit card payment capability; case-management of all students enrolling, including time on task and achievement benchmarks; case management for awarding and tracking student financial assistance; integrated electronic gradebook and student attendance components, including a student progression system to track student progress by course / program; an email system; capability to custom design multi-functional dashboards for use by administrators, teachers, and counselors; and standardized data reports that can be used to improve and enhance student achievement and school performance.

For programs leading to a career certificate or an applied technology diploma, and for adult general education programs, tuition and fees shall be assessed in accordance with section 1009.22, Florida Statutes.

Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in section 1004.02(25), Florida Statutes, and shall not be used to support K-12 programs or district K-12 administrative indirect costs.

The funds provided in Specific Appropriations 10, 120, and 122 shall not be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to eight percent of the fee revenues that would otherwise be collected.

From the funds provided in Specific Appropriations 10 and 122, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

District superintendents shall certify that workforce education enrollment and performance data used for funding allocations to districts is accurate and complete in accordance with reporting timelines established by the Department of Education. Upon certification, the district data shall be considered final for purposes of use in state funding formulas. After the final certification, the Department of Education may request a supplemental file in the event

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that a district has reported a higher level of enrollment or performance than was actually achieved by the district.

Table with 2 columns: Item Number and Amount. Includes items 123 (AID TO LOCAL GOVERNMENTS) and 124 (SPECIAL CATEGORIES).

The funds in Specific Appropriation 124 shall be allocated as follows:

Table with 2 columns: Item Name and Amount. Lists items like Lotus House Women's Shelter, Hispanic Federation Adult Education Program, etc.

Table with 2 columns: Item Number and Amount. Includes item 124A (GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES).

Funds in Specific Appropriation 124A shall be provided for the following:

Table with 2 columns: Item Name and Amount. Lists items like Haney Technical Center - LPN Building Renovation, etc.

TOTAL: PROGRAM: WORKFORCE EDUCATION. Summary table with 2 columns: Item Name and Amount.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

Table with 2 columns: Item Number and Amount. Includes item 125 (AID TO LOCAL GOVERNMENTS).

Funds in the amount of \$10,000,000 are provided in Specific Appropriation 125 to colleges for students who earn industry certifications during the 2016-2017 academic year.

Industry certifications earned by students enrolled in the 2015-2016 academic year which were eligible to be included in the funding allocation for the 2015-2016 fiscal year and were not included in the final disbursement due to the early data reporting deadline may be

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reported by colleges and included in the allocation of funds for the 2016-2017 fiscal year. Colleges shall maintain documentation for student attainment of industry certifications that are eligible for performance funding.

Table with 2 columns: Item Number and Amount. Includes item 126 (AID TO LOCAL GOVERNMENTS).

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Table with 2 columns: College Name and Amount. Lists various Florida colleges and their respective amounts.

Prior to the disbursement of funds in Specific Appropriations 12 and 126, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes.

For advanced and professional, postsecondary vocational, developmental education, educator preparation institute programs, and baccalaureate degree programs, tuition and fees shall be assessed in accordance with section 1009.23, Florida Statutes.

For programs leading to a career certificate or an applied technology diploma, and for adult general education programs, tuition and fees shall be assessed in accordance with section 1009.22, Florida Statutes.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, Florida colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to eight percent of the fee revenues that would otherwise be collected.

From the funds in Specific Appropriations 12 and 126, each Florida college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Each Florida college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the Florida college by more than 10 percent during the 2016-2017 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

From the funds provided in Specific Appropriation 126 for Performance Based Incentives, \$30,000,000 is included as the state investment in performance funding and \$30,000,000 is redistributed from the base budget of the institutions in the Florida College System as the institutional investment in performance funding.

Table with 3 columns: Item Number, Description, Amount. Includes 127 SPECIAL CATEGORIES, COMMISSION ON COMMUNITY SERVICE, and TOTAL: PROGRAM: FLORIDA COLLEGES.

STATE BOARD OF EDUCATION

From the funds provided in Specific Appropriations 128 through 140, the Commissioner of Education shall prepare and provide to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor on or before October 1, 2016, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2016-2017 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2016, balance of all unexpended federal indirect cost funds.

From the funds provided in Specific Appropriations 128 through 140, the Department of Education shall publish on the Florida Department of Education website by December 31, 2016, from each school district's Annual Financial Report, expenditures on a per FTE basis for the following fund types: General Fund, Special Revenue Fund, Debt Service Fund, Capital Project Fund and a Total. Fiduciary funds, enterprise funds, and internal service funds shall not be included. This funding information shall also be published in the same format on each school district's website by December 31, 2016.

Funds provided in Specific Appropriations 128 through 140 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services provided in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 138, 139, and 140, the Department of Education shall pay for data center services based on the actual direct and indirect costs to the Department of Education. These funds shall not be used to subsidize another entity's costs.

From the funds provided in Specific Appropriations 139 and 140, \$885,000 in recurring funds from the General Revenue Fund and \$885,000 in recurring funds from the Working Capital Trust Fund are provided to the Department of Education to acquire a managed disaster recovery service that provides the type of service that is aligned with the level of criticality identified in the disaster recovery study provided for in Specific Appropriation 134. These funds shall be placed in reserve. Contingent upon the completion of the disaster recovery assessment provided for in Specific Appropriation 134, the department is authorized to submit budget amendments requesting release of funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed implementation plan and spend plan.

Table with 3 columns: Item Number, Description, Amount. Includes APPROVED SALARY RATE and 128 SALARIES AND BENEFITS.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Table with 3 columns: Description, Amount, Amount. Lists various fund sources like FROM GENERAL REVENUE FUND, FROM ADMINISTRATIVE TRUST FUND, etc.

Table with 3 columns: Item Number, Description, Amount. Includes 129 OTHER PERSONAL SERVICES and various fund sources.

Table with 3 columns: Item Number, Description, Amount. Includes 130 EXPENSES and various fund sources.

From the funds provided in Specific Appropriation 130, \$42,813 from the General Revenue Fund is provided to the Department of Education to pay the state's dues to the Interstate Commission on Educational Opportunity for Military Children for the 2016-2017 fiscal year.

Table with 3 columns: Item Number, Description, Amount. Includes 131 OPERATING CAPITAL OUTLAY and various fund sources.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)	
SPECIFIC	
APPROPRIATION	
TRUST FUND	16,375
FROM STUDENT LOAN OPERATING TRUST FUND	518,200
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND	6,000
FROM OPERATING TRUST FUND	5,000
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	3,150
FROM WORKING CAPITAL TRUST FUND	47,921
132 SPECIAL CATEGORIES	
ASSESSMENT AND EVALUATION	
FROM GENERAL REVENUE FUND	52,948,875
FROM ADMINISTRATIVE TRUST FUND	2,315,367
FROM FEDERAL GRANTS TRUST FUND	40,153,877
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	13,783,900
133 SPECIAL CATEGORIES	
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS	
FROM GENERAL REVENUE FUND	370,159
134 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	4,013,118
FROM ADMINISTRATIVE TRUST FUND	739,054
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	3,072,567
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	238,200
FROM FEDERAL GRANTS TRUST FUND	1,876,770
FROM GRANTS AND DONATIONS TRUST FUND	50,000
FROM INSTITUTIONAL ASSESSMENT TRUST FUND	310,280
FROM STUDENT LOAN OPERATING TRUST FUND	10,105,478
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND	19,893
FROM OPERATING TRUST FUND	298,193
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	4,242,250
FROM WORKING CAPITAL TRUST FUND	943,604

SECTION 2 - EDUCATION (ALL OTHER FUNDS)	
SPECIFIC	
APPROPRIATION	
135 SPECIAL CATEGORIES	
EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	200,000
136 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	99,464
FROM ADMINISTRATIVE TRUST FUND	46,403
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	30,582
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	12,658
FROM FEDERAL GRANTS TRUST FUND	85,091
FROM INSTITUTIONAL ASSESSMENT TRUST FUND	6,226
FROM STUDENT LOAN OPERATING TRUST FUND	74,494
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND	375
FROM OPERATING TRUST FUND	3,216
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	1,567
FROM WORKING CAPITAL TRUST FUND	27,626
137 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	133,756
FROM ADMINISTRATIVE TRUST FUND	24,111
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	20,047
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	13,100
FROM FEDERAL GRANTS TRUST FUND	82,608
FROM INSTITUTIONAL ASSESSMENT TRUST FUND	9,554
FROM STUDENT LOAN OPERATING TRUST FUND	49,588
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND	342
FROM OPERATING TRUST FUND	3,220
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	2,006
FROM WORKING CAPITAL TRUST FUND	29,704

From the funds provided in Specific Appropriation 134, \$157,400 from the General Revenue Fund is provided for the Department of Education, in consultation with the Northwest Regional Data Center (NWRDC), to contract with an independent third party consulting firm with experience in assessing public sector disaster recovery plans, business continuity plans, and continuity of operations plans to complete a study of the department's current disaster recovery plan for their applications and systems supported by the NWRDC. At a minimum, the study must include (1) an analysis and prioritization of the department applications and systems supported by the NWRDC based on their criticality; for purposes of this analysis and prioritization, criticality is defined as those applications and systems that support business activities or processes that cannot be interrupted or unavailable without significantly jeopardizing the department's constitutional or statutory responsibilities; (2) assessment of the department's current disaster recovery plan for promoting the continuity of the applications and systems supported by the NWRDC; (3) an analysis of any significant gaps between the department's disaster recovery plan and the criticality of the applications and systems; (4) recommendation of action to remediate any significant variances and gaps between the department's current disaster recovery plan and the identified criticality of the applications and systems; and (5) cost benefit analysis of potential alternative solutions to achieve the recommended remediation. The scope of the study shall not include acquisition, design, or implementation of the recommended remediation actions. The Department of Education shall submit the study to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016.

138 DATA PROCESSING SERVICES	
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)	
FROM GENERAL REVENUE FUND	110,046
FROM ADMINISTRATIVE TRUST FUND	4,106
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	11,617
FROM FEDERAL GRANTS TRUST FUND	23,332
FROM STUDENT LOAN OPERATING TRUST FUND	101,704
FROM WORKING CAPITAL TRUST FUND	915
139 DATA PROCESSING SERVICES	
EDUCATION TECHNOLOGY AND INFORMATION SERVICES	
FROM GENERAL REVENUE FUND	5,385,258
FROM ADMINISTRATIVE TRUST FUND	1,665,528
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	1,138,101
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	280,324

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Table with 2 columns: Description and Amount. Rows include FROM FEDERAL GRANTS TRUST FUND (2,732,567), FROM INSTITUTIONAL ASSESSMENT TRUST FUND (282,574), FROM STUDENT LOAN OPERATING TRUST FUND (2,220,205), FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND (16,155), FROM OPERATING TRUST FUND (91,083), FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND (67,344), FROM WORKING CAPITAL TRUST FUND (1,195,645).

140 DATA PROCESSING SERVICES

Table with 2 columns: Description and Amount. Rows include NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND (3,009,895), FROM ADMINISTRATIVE TRUST FUND (10,286), FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND (72,085), FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND (2,083), FROM FEDERAL GRANTS TRUST FUND (28,223), FROM STUDENT LOAN OPERATING TRUST FUND (705,650), FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND (42,045), FROM WORKING CAPITAL TRUST FUND (4,572,253).

The funds provided in Specific Appropriation 140 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

From the funds provided in Specific Appropriation 140, \$1,071,552 in recurring funds from the General Revenue Fund is provided to the Department of Education to support the department's acquisition of data center services. These funds shall be placed in reserve. Contingent upon the department submitting a detailed implementation plan and spend plan, the department is authorized to submit budget amendments requesting release of the funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes.

Summary table for Section 2. Rows include TOTAL: STATE BOARD OF EDUCATION FROM GENERAL REVENUE FUND (88,313,347), FROM TRUST FUNDS (152,319,803), TOTAL POSITIONS (989.00), TOTAL ALL FUNDS (240,633,150).

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 13 through 17 and 141 through 153 are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

141 AID TO LOCAL GOVERNMENTS

Table with 2 columns: Description and Amount. Rows include GRANTS AND AIDS - MOFFITT CANCER CENTER AND RESEARCH INSTITUTE FROM GENERAL REVENUE FUND (10,576,930).

The funds in Specific Appropriation 141 shall be transferred to the Moffitt Cancer Center to support the operations of this state university system entity. Funds in Specific Appropriation 141 may be transferred to the Agency for Health Care Administration and used as state matching funds for Moffitt to adjust the Medicaid inpatient reimbursement and outpatient trend adjustments applied to the H. Lee Moffitt Cancer Center and Research Institute and other Medicaid reductions to its reimbursements up to the actual Medicaid inpatient and outpatient costs. In the event that enhanced Medicaid funding is not implemented by the

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Table with 2 columns: Description and Amount. Rows include Agency for Health Care Administration (related to cancer), 142 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES FROM GENERAL REVENUE FUND (1,978,906,215), FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND (1,803,681,051), FROM PHOSPHATE RESEARCH TRUST FUND (5,071,736).

The funds provided in Specific Appropriations 142 through 150 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2016-2017 fiscal year to the named universities to expend tuition and fees that are collected during the 2016-2017 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes.

General revenue funds provided in Specific Appropriations 142 through 150 to each of the named universities are contingent upon each university complying with the tuition and fee policies established in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university shall not be affected by the failure of another university to comply with this provision.

Funds in Specific Appropriations 13 through 17 and 142 through 153 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Funds in Specific Appropriation 142 from the General Revenue Fund shall be allocated as follows:

Table with 2 columns: University Name and Amount. Lists 20 universities including University of Florida (257,201,408), Florida State University (237,453,654), Florida A&M University (64,711,537), University of South Florida (157,514,504), University of South Florida, St. Petersburg (20,108,413), University of South Florida, Sarasota/Manatee (11,487,199), Florida Atlantic University (103,332,960), University of West Florida (88,646,512), University of Central Florida (198,938,183), Florida International University (148,249,783), University of North Florida (61,099,844), Florida Gulf Coast University (49,209,201), New College of Florida (15,148,958), Florida Polytechnic University (34,566,559), State University Performance Based Incentives (500,000,000), Johnson Matching Grant (1,237,500), Preeminent State Research Universities (20,000,000), Emerging Preeminent State Research Universities (10,000,000).

Funds in Specific Appropriation 142 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

Table with 2 columns: University Name and Amount. Lists 11 universities including University of Florida (340,500,302), Florida State University (238,310,768), Florida A&M University (67,801,614), University of South Florida (206,348,108), University of South Florida, St. Petersburg (25,616,811), University of South Florida, Sarasota/Manatee (9,599,637), Florida Atlantic University (136,074,256), University of West Florida (61,126,485), University of Central Florida (302,637,031), Florida International University (263,389,167), University of North Florida (69,884,501), Florida Gulf Coast University (69,063,276), New College of Florida (6,783,402), Florida Polytechnic University (6,545,693).

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Undergraduate tuition shall be assessed in accordance with section 1009.24, Florida Statutes. Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes. No state university may receive general revenue funding associated with the enrollment of out-of-state students.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2016-2017 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

Pursuant to section 1011.90, Florida Statutes, the development of these appropriations was based on the planned enrollment for each university as submitted by the Board of Governors on January 25, 2016.

Funds in Specific Appropriation 142 from the Phosphate Research Trust Fund are provided for the Florida Polytechnic University.

From the funds in Specific Appropriation 142, \$500,000,000 is provided for State University System Performance Based Incentives. The funds available for allocation to the universities based on the performance funding model shall consist of the state's investment of \$225,000,000 in performance funding, plus an institutional investment of \$275,000,000 consisting of funds to be redistributed from the base funding of the State University System. The Board of Governors shall allocate all appropriated funds for State University System Performance Based Incentives based on the requirements in HB 5003, or similar legislation.

From the funds in Specific Appropriation 142 provided to the University of West Florida, \$2,535,616 shall be released to the Florida Academic Library Services Cooperative at the University of West Florida at the beginning of the first quarter and \$4,317,400 shall be released at the beginning of the second quarter in addition to the normal releases. The additional releases are provided to maximize cost savings through centralized purchases of subscription-based electronic resources.

From the funds in Specific Appropriation 142 for the Florida Academic Library Services Cooperative and the Complete Florida Plus Program at the University of West Florida, administrative costs shall not exceed five percent.

From the funds in Specific Appropriation 142, the Board of Governors Foundation shall distribute \$1,237,500 to state universities for Johnson Scholarships in accordance with section 1009.75, Florida Statutes. Sixty percent of such funds shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

From the funds provided in Specific Appropriation 142, \$100,000 in general revenue funds is provided for Florida Atlantic University to reimburse secondary school robotics teams that participate in the Florida Atlantic University-sponsored robotics competition for no more than \$1,000 per robotics team.

From the funds provided in Specific Appropriation 142, \$400,000 in general revenue funds is provided for the University of Florida Lastinger Center Winning Reading Boost Pilot Program to fund 1,000 students in Florida's lowest performing elementary schools that have been in the lowest 300 performing elementary schools for at least two consecutive years.

143 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY AND FLORIDA STATE UNIVERSITY COLLEGE OF ENGINEERING
FROM GENERAL REVENUE FUND 13,241,710

144 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 153,757,460
145 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM GENERAL REVENUE FUND 64,017,672
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 58,297,620
146 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM GENERAL REVENUE FUND 105,810,483
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 38,463,434

From the funds in Specific Appropriation 146, \$750,000 in general revenue funds is provided to the Foundation for Healthy Floridians to provide physicians information for their patients for case management/medication compliance education for type II or other chronic illness in low income or underserved areas to encourage healthy living as a key component to reduce health care costs.

147 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 35,379,583
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 13,019,086

148 AID TO LOCAL GOVERNMENTS
UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 26,017,366
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 15,720,082

149 AID TO LOCAL GOVERNMENTS
FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 31,618,328
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 18,657,406

150 AID TO LOCAL GOVERNMENTS
FLORIDA ATLANTIC UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 14,693,918
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 9,648,247

151 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE
FROM GENERAL REVENUE FUND 7,140,378

A minimum of 75 percent of the funds provided in Specific Appropriation 151 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 151 shall be allocated as follows:

University of Florida..... 1,737,381
Florida State University..... 1,467,667
Florida A&M University..... 624,417
University of South Florida 801,368
Florida Atlantic University..... 399,658
University of West Florida..... 157,766
University of Central Florida..... 858,405
Florida International University..... 540,666
University of North Florida..... 200,570
Florida Gulf Coast University..... 98,073
New College of Florida..... 204,407
Florida Polytechnic University..... 50,000

152 AID TO LOCAL GOVERNMENTS

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
 SPECIFIC APPROPRIATION
 GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION
 FROM GENERAL REVENUE FUND 4,739,184

The funds in Specific Appropriation 152 shall be transferred to the Institute for Human and Machine Cognition to support the operations of this state university system entity.

153 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 20,460,280
 FROM PHOSPHATE RESEARCH TRUST FUND 2,878

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
 FROM GENERAL REVENUE FUND 2,466,359,507
 FROM TRUST FUNDS 1,962,561,540
 TOTAL ALL FUNDS 4,428,921,047

BOARD OF GOVERNORS
 APPROVED SALARY RATE 4,734,791

154 SALARIES AND BENEFITS POSITIONS 63.00
 FROM GENERAL REVENUE FUND 5,631,851
 FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND 764,518

From the funds provided in Specific Appropriation 154, the state funded portion of salaries for each employee of the Board of Governors shall not exceed \$200,000.

155 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 51,310
 FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND 15,589
 FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,196

156 EXPENSES
 FROM GENERAL REVENUE FUND 715,329
 FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND 194,799
 FROM OPERATIONS AND MAINTENANCE TRUST FUND 12,000

157 OPERATING CAPITAL OUTLAY
 FROM GENERAL REVENUE FUND 11,782
 FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND 5,950

158 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND 715,127
 FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND 20,000
 FROM OPERATIONS AND MAINTENANCE TRUST FUND 3,000

159 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 11,937

160 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 17,351
 FROM DIVISION OF UNIVERSITIES

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
 SPECIFIC APPROPRIATION
 FACILITY CONSTRUCTION
 ADMINISTRATIVE TRUST FUND 4,385

161 DATA PROCESSING SERVICES
 NORTHWEST REGIONAL DATA CENTER (NWRDC)
 FROM GENERAL REVENUE FUND 123,516

The funds provided in Specific Appropriation 161 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: BOARD OF GOVERNORS
 FROM GENERAL REVENUE FUND 7,278,203
 FROM TRUST FUNDS 1,025,437
 TOTAL POSITIONS 63.00
 TOTAL ALL FUNDS 8,303,640

TOTAL OF SECTION 2
 FROM GENERAL REVENUE FUND 15,503,875,666
 FROM TRUST FUNDS 6,569,889,019
 TOTAL POSITIONS 2,325.75
 TOTAL ALL FUNDS 22,073,764,685

TOTAL: EDUCATION, DEPARTMENT OF (SECTIONS 1 AND 2)
 EDUCATION/EARLY LEARNING
 FROM GENERAL REVENUE FUND 558,352,643
 FROM TRUST FUNDS 494,388,921
 EDUCATION/PUBLIC SCHOOLS
 FROM GENERAL REVENUE FUND 11,071,140,702
 FROM TRUST FUNDS 2,596,235,764
 EDUCATION/FL COLLEGES
 FROM GENERAL REVENUE FUND 966,161,137
 FROM TRUST FUNDS 273,796,073
 EDUCATION/UNIVERSITIES
 FROM GENERAL REVENUE FUND 2,466,359,507
 FROM TRUST FUNDS 2,266,930,940
 EDUCATION/OTHER
 FROM GENERAL REVENUE FUND 441,861,677
 FROM TRUST FUNDS 2,721,511,857
 EDUCATION RECAP
 FROM GENERAL REVENUE FUND 15,503,875,666
 FROM TRUST FUNDS 8,352,863,555
 TOTAL POSITIONS 2,325.75
 TOTAL ALL FUNDS 23,856,739,221
 TOTAL APPROVED SALARY RATE 105,271,772

SECTION 3 - HUMAN SERVICES
 The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION
 PROGRAM: ADMINISTRATION AND SUPPORT
 APPROVED SALARY RATE 12,801,718

162 SALARIES AND BENEFITS POSITIONS 257.00
 FROM GENERAL REVENUE FUND 2,895,876
 FROM ADMINISTRATIVE TRUST FUND 14,139,944

163 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 81,049

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

	FROM ADMINISTRATIVE TRUST FUND . . .		748,659
164	EXPENSES		
	FROM GENERAL REVENUE FUND	150,680	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,180,436
165	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	180,923	
	FROM ADMINISTRATIVE TRUST FUND . . .		514,701
166	LUMP SUM		
	LITIGATION EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .		3,228,318

From the funds in Specific Appropriation 166, \$3,228,318 in nonrecurring funds from the Administrative Trust Fund is provided to the Agency for Health Care Administration to contract with outside legal counsel for agency litigation. Twenty-five percent of these funds shall be released and transferred to the Contracted Services appropriation category. The agency is authorized to submit budget amendments requesting the remaining release of funds pursuant to the provisions of chapter 216, Florida Statutes.

167	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	230,010	
	FROM ADMINISTRATIVE TRUST FUND . . .		18,706,964
168	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	34,202	
	FROM ADMINISTRATIVE TRUST FUND . . .		256,118
169	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	18,346	
	FROM ADMINISTRATIVE TRUST FUND . . .		194,832
170	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	22,408	
	FROM ADMINISTRATIVE TRUST FUND . . .		70,708
171	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,727,319
TOTAL:	PROGRAM: ADMINISTRATION AND SUPPORT		
	FROM GENERAL REVENUE FUND	3,613,494	
	FROM TRUST FUNDS		42,767,999
	TOTAL POSITIONS	257.00	
	TOTAL ALL FUNDS		46,381,493

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

172	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION		
	FROM GENERAL REVENUE FUND	8,908,757	
	FROM MEDICAL CARE TRUST FUND		198,328,346

Funds in Specific Appropriations 172 and 175 are provided to the Agency for Health Care Administration to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return

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	unspent local funds collected in Fiscal Year 2015-2016 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.		
173	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	153,443	
	FROM GRANTS AND DONATIONS TRUST FUND		671,278
	FROM MEDICAL CARE TRUST FUND		3,414,978

174	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION		
	FROM GENERAL REVENUE FUND	675,091	
	FROM MEDICAL CARE TRUST FUND		15,007,987

175	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES		
	FROM GENERAL REVENUE FUND	1,120,743	
	FROM MEDICAL CARE TRUST FUND		24,915,717

Funds in Specific Appropriation 175 are provided to the Agency for Health Care Administration for Florida Healthy Kids dental services to be paid a monthly premium of no more than \$15.17 per member per month.

From the funds in Specific Appropriation 175, \$9,016 in nonrecurring funds from the General Revenue Fund and \$200,648 in nonrecurring funds from the Medical Care Trust Fund are provided to DentaQuest to cover costs associated with the Health Insurance Tax on Managed Care rates as mandated by the Affordable Care Act.

From the funds in Specific Appropriation 175, \$8,157 in nonrecurring funds from the General Revenue Fund and \$181,538 in nonrecurring funds from the Medical Care Trust Fund are provided to MCNA Dental to cover costs associated with the Health Insurance Tax on Managed Care rates as mandated by the Affordable Care Act.

176	SPECIAL CATEGORIES MEDIKIDS		
	FROM GENERAL REVENUE FUND	1,582,723	
	FROM GRANTS AND DONATIONS TRUST FUND		13,919,353
	FROM MEDICAL CARE TRUST FUND		35,197,761

177	SPECIAL CATEGORIES CHILDREN'S MEDICAL SERVICES NETWORK		
	FROM GENERAL REVENUE FUND	3,863,069	
	FROM GRANTS AND DONATIONS TRUST FUND		1,564,364
	FROM MEDICAL CARE TRUST FUND		85,840,980

TOTAL:	CHILDREN'S SPECIAL HEALTH CARE		
	FROM GENERAL REVENUE FUND	16,303,826	
	FROM TRUST FUNDS		378,860,764

	TOTAL ALL FUNDS		395,164,590
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EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 29,490,960

178	SALARIES AND BENEFITS	POSITIONS	647.00
	FROM GENERAL REVENUE FUND		2,579,709
	FROM MEDICAL CARE TRUST FUND		38,223,426

179	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	914,855	
	FROM MEDICAL CARE TRUST FUND		6,731,687

180	EXPENSES		
	FROM GENERAL REVENUE FUND	899,820	
	FROM MEDICAL CARE TRUST FUND		6,819,791

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181	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	45,391	
	FROM MEDICAL CARE TRUST FUND		221,266
183	SPECIAL CATEGORIES		
	PHARMACEUTICAL EXPENSE ASSISTANCE		
	FROM GENERAL REVENUE FUND	50,000	
184	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM GENERAL REVENUE FUND	39,638	
	FROM MEDICAL CARE TRUST FUND		39,638
185	SPECIAL CATEGORIES		
	CONTRACT NURSING HOME AUDIT PROGRAM		
	FROM GENERAL REVENUE FUND	827,653	
	FROM MEDICAL CARE TRUST FUND		1,129,095
186	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	15,426,956	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		3,070,535
	FROM MEDICAL CARE TRUST FUND		70,239,887

From the funds in Specific Appropriation 186, \$2,935,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to continue the Public Benefits Integrity Data Analytics and Information Sharing Initiative which will detect and deter fraud, waste, and abuse in Medicaid and other public benefit programs within the state.

From the funds in Specific Appropriation 186, \$500,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to contract with an independent consultant to develop a plan to convert Medicaid payments for nursing home services from a cost based reimbursement methodology to a prospective payment system. The study shall identify steps necessary for the transition to be completed in a budget neutral manner. Additionally, the report shall address the impact of a prospective payment system on Medicaid reimbursement rates for hospice providers. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2017.

From the funds provided in Specific Appropriation 186, \$8,590,556 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration for the Medicaid Management Information System/Decision Support System/Fiscal Agent procurement project. Of these funds, \$7,168,828 shall be placed in reserve. The Agency for Health Care Administration is authorized to submit budget amendments for the release of these funds pursuant to the provisions of chapter 216, Florida Statutes. Release is contingent upon the submission of a comprehensive operational work plan that includes all project tasks and a detailed project spend plan that identifies all projected and actual costs and that complies with all the project and procurement requirements identified by the Centers for Medicare and Medicaid Services.

From the funds in Specific Appropriation 186, \$480,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to contract for the development of a single, consolidated repository for tracking Statewide Medicaid Managed Care plan contract oversight activities across the Agency for Health Care Administration.

From the funds in Specific Appropriation 186, \$751,000 from the Medical Care Trust Fund is provided to allow the Agency for Health Care Administration to meet the federal Centers for Medicare and Medicaid Services' requirement of an independent evaluation of Medicaid waiver programs.

187	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		

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	FROM GRANTS AND DONATIONS TRUST		
	FUND		3,000,000
	FROM MEDICAL CARE TRUST FUND		3,250,000

From the funds in Specific Appropriation 187, \$3,000,000 from the Grants and Donations Trust Fund and \$3,000,000 from the Medical Care Trust Fund may be used by the Agency for Health Care Administration to contract with the Florida Medical Schools Quality Network created under section 409.975(2), Florida Statutes.

From the funds in Specific Appropriation 187, \$250,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to competitively procure a contract for enhanced health care fraud prevention services in Miami-Dade County at the point of service. The vendor selected for this project must be capable of applying unique technical procedures including analytics, biometrics and use of photographic images to ensure that health care services are provided to eligible recipients. In support of the vendor contract, an interagency agreement between the agency and the Department of Highway Safety and Motor Vehicles shall allow the contractor electronic access to the driver's license and photographic database, provided that such access does not include retention of such images and that all requirements of section 322.142(4)(m), Florida Statutes, are met.

188	SPECIAL CATEGORIES		
	MEDICAID FISCAL CONTRACT		
	FROM GENERAL REVENUE FUND	17,521,518	
	FROM MEDICAL CARE TRUST FUND		54,984,239
	FROM REFUGEE ASSISTANCE TRUST FUND		135,144

189	SPECIAL CATEGORIES		
	MEDICAID PEER REVIEW		
	FROM GENERAL REVENUE FUND	1,093,903	
	FROM MEDICAL CARE TRUST FUND		4,403,348

190	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	325,867	
	FROM MEDICAL CARE TRUST FUND		541,561

191	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	26,165	
	FROM MEDICAL CARE TRUST FUND		179,063

192	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	86,407	
	FROM MEDICAL CARE TRUST FUND		164,394

TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	39,837,882	
	FROM TRUST FUNDS		193,133,074
	TOTAL POSITIONS	647.00	
	TOTAL ALL FUNDS		232,970,956

MEDICAID SERVICES TO INDIVIDUALS

From the funds in Specific Appropriations 193 through 237, the Agency for Health Care Administration shall provide a quarterly reconciliation report of all Medicaid service appropriation expenditures and fund sources. The reconciliation shall compare actual expenditures paid through each specific appropriation category by fund either through the Florida Medicaid Management Information System (FMMIS) or the Agency for Health Care Administration to expenditure estimates forecasted through the Social Services Estimating Conference Medicaid services forecasting model, as directed in section 216.136(6), Florida Statutes. The comparison shall include fund source detail for each comparison. For any category where a variance is identified, the Agency for Health Care Administration shall submit a written corrective action plan to address

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each variance by category and fund source. The reconciliation shall be submitted to the Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than 30 days after the close of each quarter. The Agency for Health Care Administration may submit budget amendments to the Legislative Budget Commission to realign appropriation categories based on the reconciliation pursuant to the provisions of chapter 216, Florida Statutes.

193	SPECIAL CATEGORIES		
	ADULT DENTAL, VISUAL AND HEARING SERVICES		
	FROM GENERAL REVENUE FUND	3,035,203	
	FROM MEDICAL CARE TRUST FUND		4,749,365
	FROM REFUGEE ASSISTANCE TRUST FUND		307,319
194	SPECIAL CATEGORIES		
	CASE MANAGEMENT		
	FROM GENERAL REVENUE FUND	2,716,654	
	FROM MEDICAL CARE TRUST FUND		4,255,134
195	SPECIAL CATEGORIES		
	COMMUNITY MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	39,401,655	
	FROM MEDICAL CARE TRUST FUND		62,019,599

From the funds in Specific Appropriations 195 and 196, the Agency for Health Care Administration in consultation with the Department of Children and Families may seek approval from the federal Centers for Medicare and Medicaid Services to implement a certified public expenditure or similar mechanism to increase reimbursement rates for services reimbursed to community behavioral health care providers.

196	SPECIAL CATEGORIES		
	COMMUNITY MENTAL HEALTH SERVICES-MANAGED		
	MEDICAL ASSISTANCE		
	FROM GENERAL REVENUE FUND	9,987,175	
	FROM MEDICAL CARE TRUST FUND		16,846,692
	FROM REFUGEE ASSISTANCE TRUST FUND		48,857

From the funds in Specific Appropriation 196, \$1,154,142 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs under the Department of Health. This funding is contingent upon the availability of state matching funds in the Department of Health in Specific Appropriation 541.

197	SPECIAL CATEGORIES		
	DEVELOPMENTAL EVALUATION AND INTERVENTION/ PART C		
	FROM MEDICAL CARE TRUST FUND		14,017,120

Funds in Specific Appropriation 197 are contingent on the availability of state match being provided in Specific Appropriation 547.

198	SPECIAL CATEGORIES		
	CHILDREN'S HEALTH SCREENING SERVICES		
	FROM GENERAL REVENUE FUND	2,909,607	
	FROM MEDICAL CARE TRUST FUND		4,715,332
	FROM REFUGEE ASSISTANCE TRUST FUND		1,800

199	SPECIAL CATEGORIES		
	GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL ASSISTANCE PROGRAM		
	FROM GENERAL REVENUE FUND	1,220,185	
	FROM GRANTS AND DONATIONS TRUST FUND		3,534,825
	FROM MEDICAL CARE TRUST FUND		5,505,183

Funds in Specific Appropriation 199 are provided for a federally matched Rural Hospital Disproportionate Share program and a state funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

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From the funds in Specific Appropriation 199, the calculations of the Medicaid Hospital Funding Programs for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

200	SPECIAL CATEGORIES		
	FAMILY PLANNING		
	FROM GENERAL REVENUE FUND	310,135	
	FROM MEDICAL CARE TRUST FUND		2,791,218
	FROM REFUGEE ASSISTANCE TRUST FUND		6,748

201	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SHANDS TEACHING HOSPITAL		
	FROM GENERAL REVENUE FUND	8,673,569	
	FROM GRANTS AND DONATIONS TRUST FUND		1,000,000

The funds in Specific Appropriation 201 shall be primarily designated for transfer to the Agency for Health Care Administration's Grants and Donations Trust Fund for use in the Medicaid program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds as Medicaid match, the remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

From the funds in Specific Appropriation 201, \$1,000,000 from the Grants and Donations Trust Fund is provided to Shands Teaching Hospital.

201A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - UNIVERSITY OF MIAMI HOSPITAL AND CLINICS		
	FROM GENERAL REVENUE FUND	1,500,000	

From the funds in Specific Appropriation 201A, \$1,500,000 in nonrecurring funds from the General Revenue Fund is provided to the University of Miami Hospital and Clinics to advance the precision medicine initiative at Sylvester Comprehensive Cancer Center for the purpose of providing care for cancer patients.

202	SPECIAL CATEGORIES		
	HEALTHY START SERVICES		
	FROM GENERAL REVENUE FUND	16,053,258	
	FROM MEDICAL CARE TRUST FUND		25,119,499

203	SPECIAL CATEGORIES		
	HOME HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	6,181,428	
	FROM MEDICAL CARE TRUST FUND		9,700,898
	FROM REFUGEE ASSISTANCE TRUST FUND		29,592

204	SPECIAL CATEGORIES		
	HOSPICE SERVICES		
	FROM GENERAL REVENUE FUND	2,287,967	
	FROM HEALTH CARE TRUST FUND		4,840,597
	FROM GRANTS AND DONATIONS TRUST FUND		1,650,384
	FROM MEDICAL CARE TRUST FUND		13,754,970

From the funds in Specific Appropriations 204 and 232, \$15,726,441 from the Grants and Donations Trust Fund and \$24,608,109 from the Medical Care Trust Fund are provided to buy back hospice rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but no higher than, the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

205	SPECIAL CATEGORIES		
	GRADUATE MEDICAL EDUCATION		
	FROM GENERAL REVENUE FUND	31,192,000	
	FROM GRANTS AND DONATIONS TRUST		

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FUND	38,990,000
FROM MEDICAL CARE TRUST FUND	109,818,000

From the funds in Specific Appropriation 205, \$31,192,000 from the General Revenue Fund and \$38,990,000 from the Grants and Donations Trust Fund and \$109,818,000 from the Medical Care Trust Fund are provided to fund the Statewide Medicaid Residency Program and the Graduate Medical Education Startup Bonus Program. Of these funds \$80,000,000 shall be used to fund the Statewide Medicaid Residency Program in accordance with section 409.909(3), Florida Statutes. Of these funds, \$42,262,976 shall be distributed to the two hospitals with the largest number of graduate medical residents in statewide supply/demand deficit. The remaining funds shall be used to fund the Graduate Medical Education Startup Bonus Program in accordance with section 409.909(5), Florida Statutes, and are provided for the following physician specialties and subspecialties: both adult and pediatric, that are in statewide supply/demand deficit: allergy or immunology; anesthesiology; cardiology; endocrinology; family medicine; general surgery; hematology; oncology; infectious diseases; nephrology; neurology; obstetrics/gynecology; ophthalmology; orthopedic surgery; otolaryngology; psychiatry; pulmonary; radiology; rheumatology; thoracic surgery; and urology. Of these funds, \$800,000 is provided for eight positions in place during state fiscal year 2016-2017 at Federally Qualified Health Centers that hold institutional accreditation from the Accreditation Council for Graduate Medical Education, which have had those positions for a period of one year. One-time startup bonuses are provided to hospitals in Medicaid regions with an estimated Physician Gap divided by Supply in General / Family Practice between -50% to -100% in 2025, as projected by the Florida Statewide and Regional Physician Workforce Analysis published in 2015, and with 30 percent or greater Medicaid and charity care as reported by 2014 Florida Hospital Uniform Reporting System (FHURS), for General / Family Practice positions newly accredited in 2013 and filled by state fiscal year 2015-2016 however, these positions shall not be eligible for funding under section 409.909(5)(b), Florida Statutes. Funding for the Graduate Medical Education Startup Bonus Program is contingent on the nonfederal share being provided through intergovernmental transfers in the Grants and Donations Trust Fund.

206 SPECIAL CATEGORIES	
HOSPITAL INPATIENT SERVICES	
FROM GENERAL REVENUE FUND	133,768,252
FROM HEALTH CARE TRUST FUND	42,300,000
FROM GRANTS AND DONATIONS TRUST FUND	15,956,327
FROM MEDICAL CARE TRUST FUND	375,689,358
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	47,450,732
FROM REFUGEE ASSISTANCE TRUST FUND	1,196,819

Funds in Specific Appropriation 206 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations in the Grants and Donations Trust Fund is not available, the Agency for Health Care Administration may submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 206, the calculations of the Medicaid Hospital Funding Programs for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 206, the Agency for Health Care Administration may establish a global fee for bone marrow transplants and the global fee payment shall be paid to approved bone marrow transplant providers that provide bone marrow transplants to Medicaid beneficiaries.

Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meets the 11 percent threshold, because of updated audited Disproportionate Share Hospital (DSH) data, shall remain exempt from the inpatient reimbursement ceilings for a period of two

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years.

From the funds in Specific Appropriations 206 and 216, \$2,867,658 from the Grants and Donations Trust Fund and \$4,487,197 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplants and intestine transplants in Florida. The Agency for Health Care Administration shall establish a global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing these transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 206, the Agency for Health Care Administration shall continue a Diagnosis Related Grouping reimbursement methodology for hospital inpatient services as directed in section 409.905 (5)(c), Florida Statutes.

Base Rate - \$3,444.71	
Neonates Service Adjustor Severity Level 1 - 1.00	
Neonates Service Adjustor Severity Level 2 - 1.52	
Neonates Service Adjustor Severity Level 3 - 1.80	
Neonates Service Adjustor Severity Level 4 - 2.00	
Neonatal, Pediatric, Transplant Pediatric, Mental Health, and Rehab DRGs:	
Severity Level 1 - 1.00	
Severity Level 2 - 1.52	
Severity Level 3 - 1.80	
Severity Level 4 - 2.00	
Free Standing Rehabilitation Provider Adjustor - 2.753	
Rural Provider Adjustor - 2.107	
Long Term Acute Care (LTAC) Provider Adjustor - 2.130	
High Medicaid and High Outlier Provider Adjustor - 2.128	
Outlier Threshold - \$60,000	
Marginal Cost Percentage - 60%	
Marginal Cost Percentage for Pediatric Claims Severity Levels 3 or 4 - 80%	
Marginal Cost Percentage for Neonates Claims Severity Levels 3 or 4 - 80%	
Marginal Cost Percentage for Transplant Pediatric Claims Severity Levels 3 or 4 - 80%	
Documentation and Coding Adjustment - 1%	
Level I Trauma Add On - 17%	
Level II or Level II and Pediatric Add On - 11%	
Pediatric Trauma Add On - 4%	

Funds in Specific Appropriation 206 reflect an increase of \$935,762 in nonrecurring funds from the General Revenue Fund and \$1,464,243 in nonrecurring funds from the Medical Care Trust Fund for sole community hospitals that meet the definition of "rural hospital" under section 395.602(2)(e), Florida Statutes, to be recognized as rural hospitals in the Agency for Health Care Administration's Diagnosis Related Group (DRG) reimbursement methodology services for hospital inpatient.

207 SPECIAL CATEGORIES	
REGULAR DISPROPORTIONATE SHARE	
FROM GENERAL REVENUE FUND	7,295,351
FROM GRANTS AND DONATIONS TRUST FUND	81,017,336
FROM MEDICAL CARE TRUST FUND	138,712,215

Funds in Specific Appropriation 207 shall be used for a Disproportionate Share Hospital Program and are contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 207, the calculations of the Medicaid Hospital Funding Programs for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

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208	SPECIAL CATEGORIES		
	LOW INCOME POOL		
	FROM GENERAL REVENUE FUND	450,000	
	FROM GRANTS AND DONATIONS TRUST FUND		236,541,144
	FROM MEDICAL CARE TRUST FUND		370,834,308

From the funds in Specific Appropriation 208, the calculations of the Medicaid Hospital Funding Programs for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 208, in the event the amount of approved nonfederal share of matching funds is not provided by local governmental entities, the Agency for Health Care Administration may adjust low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient nonfederal matching funds. Any modification, under this provision, shall be consistent with the model, methodology and framework utilized by the Legislature.

From the funds in Specific Appropriation 208, the Agency for Health Care Administration may make low-income pool Medicaid payments in an accelerated manner that is more frequent than on a quarterly basis subject to the availability of state, local and federal funds.

Funds provided in Specific Appropriation 208, are contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds.

209	SPECIAL CATEGORIES		
	MEDICAID CROSSOVER SERVICES		
	FROM GENERAL REVENUE FUND	4,547,398	
	FROM MEDICAL CARE TRUST FUND		7,115,587

209A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN'S SPECIALTY HOSPITALS		
	FROM GENERAL REVENUE FUND	1,200,000	

From the funds in Specific Appropriation 209A, the following children's specialty hospitals are funded from recurring general revenue funds:

Shriners Hospital for Children.....	400,000
Nemours Children's Hospital Orlando.....	400,000

From the funds in Specific Appropriation 209A, the following children's specialty hospital is funded from nonrecurring general revenue funds:

Nemours Children's Hospital Orlando.....	400,000
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210	SPECIAL CATEGORIES		
	HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND	29,538,138	
	FROM MEDICAL CARE TRUST FUND		46,220,103

211	SPECIAL CATEGORIES		
	HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	57,114,938	
	FROM GRANTS AND DONATIONS TRUST FUND		10,617,692
	FROM MEDICAL CARE TRUST FUND		138,522,201
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		20,768,022
	FROM REFUGEE ASSISTANCE TRUST FUND		615,859

From the funds in Specific Appropriation 211, the calculations of the Medicaid Hospital Funding Programs for the 2016-2017 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriations 211 and 218, \$25,123,536

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from the Grants and Donations Trust Fund and \$39,312,309 from the Medical Care Trust Fund are provided so that the Agency for Health Care Administration may amend its current facility fees and physician services to allow for payments to hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004, provided such hospital implements an emergency room diversion program so that non-emergent patients are triaged to lesser acute settings; or a public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to qualifying hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts, and federal matching funds. This provision shall be contingent upon federal approval of a state plan amendment.

212	SPECIAL CATEGORIES		
	OTHER LAB AND X-RAY SERVICES		
	FROM GENERAL REVENUE FUND	8,340,880	
	FROM MEDICAL CARE TRUST FUND		13,063,664
	FROM REFUGEE ASSISTANCE TRUST FUND		271,423

213	SPECIAL CATEGORIES		
	OTHER FEE FOR SERVICE		
	FROM GENERAL REVENUE FUND	761,806	
	FROM MEDICAL CARE TRUST FUND		1,192,044

Funds in Specific Appropriation 213 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The Agency for Health Care Administration shall limit payment to \$125.00 per visit for each dialysis treatment. Freestanding dialysis facilities may obtain, administer and submit claims directly to the Medicaid program for End-Stage Renal Disease pharmaceuticals subject to coverage and limitations policy. All pharmaceutical claims for this purpose must include National Drug Codes (NDC) to permit the invoicing for federal and/or state supplemental rebates from manufacturers. Claims for drug products that do not include NDC information are not payable by Florida Medicaid unless the drug product is exempt from federal rebate requirements.

From the funds in Specific Appropriation 213, the Agency for Health Care Administration shall work with dialysis providers, managed care organizations, and physicians to ensure that all Medicaid patients with End Stage Renal Disease (ESRD) are educated and assessed by their physician and dialysis provider to determine their suitability for peritoneal dialysis (PD) as a modality choice. Further, the agency shall consult with the dialysis community concerning suitable voluntary reporting to the state Medicaid program on members' PD suitability.

214	SPECIAL CATEGORIES		
	PATIENT TRANSPORTATION		
	FROM GENERAL REVENUE FUND	4,924,579	
	FROM MEDICAL CARE TRUST FUND		22,760,922
	FROM REFUGEE ASSISTANCE TRUST FUND		109,910

From the funds in Specific Appropriation 214, \$15,000,000 from the Medical Care Trust Fund is provided for a certified public expenditure program for Emergency Medical Services. The Agency for Health Care Administration shall seek a state plan amendment/waiver to implement this program pursuant to 42 CFR 433.51.

215	SPECIAL CATEGORIES		
	PERSONAL CARE SERVICES		
	FROM GENERAL REVENUE FUND	28,720,566	
	FROM MEDICAL CARE TRUST FUND		45,021,511

216	SPECIAL CATEGORIES		
	PHYSICIAN AND HEALTH CARE PRACTITIONER SERVICES		
	FROM GENERAL REVENUE FUND	47,358,084	
	FROM HEALTH CARE TRUST FUND		3,543,106
	FROM TOBACCO SETTLEMENT TRUST FUND		15,898,906
	FROM GRANTS AND DONATIONS TRUST		

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FUND	19,421,162
FROM MEDICAL CARE TRUST FUND	146,234,789
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	7,114,334
FROM REFUGEE ASSISTANCE TRUST FUND .	990,920

From the funds in Specific Appropriation 216, the Agency for Health Care Administration is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

From the funds in Specific Appropriations 216 \$19,149,338 from the Grants and Donations Trust Fund and \$29,964,121 from the Medical Care Trust Fund is provided for a direct payment for the costs associated with graduate medical education, supplemental payment or differential fee schedule for payments for services provided by doctors of medicine and osteopathy as well as other licensed health care practitioners acting under the supervision of those doctors pursuant to existing statutes and written protocols employed by or under contract with a medical school in Florida. This provision shall be contingent upon the nonfederal share being provided through grants and donations from state, local or other governmental funds and federal approval of a state plan amendment.

217 SPECIAL CATEGORIES
THERAPY SERVICES

FROM GENERAL REVENUE FUND	4,977,765
FROM MEDICAL CARE TRUST FUND	7,844,755

218 SPECIAL CATEGORIES
PREPAID HEALTH PLANS

FROM GENERAL REVENUE FUND	3,539,322,801
FROM HEALTH CARE TRUST FUND	509,317,599
FROM TOBACCO SETTLEMENT TRUST FUND .	250,109,096
FROM GRANTS AND DONATIONS TRUST FUND	1,308,714,690
FROM MEDICAL CARE TRUST FUND	7,563,183,883
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	557,031,435
FROM REFUGEE ASSISTANCE TRUST FUND .	77,081,240

From the funds in Specific Appropriations 218 and 224, \$6,201,347 from the Grants and Donations Trust Fund and \$9,703,621 from the Medical Care Trust Fund are provided to buy back clinic services rate adjustments, effective on or after July 1, 2008, and are contingent on the nonfederal share being provided through grants and donations from state, county or other governmental funds. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the authority appropriated in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 218, \$3,021,175 from the General Revenue Fund and \$4,727,414 from the Medical Care Trust Fund are provided for a rate increase for Critical Pediatric Neonatal Intensive Care Unit (NICU)/Pediatric Intensive Care Unit (PICU) services.

From the funds in Specific Appropriation 218, \$60,409,101 from the Grants and Donations Trust Fund and \$94,525,756 from the Medical Care Trust Fund shall be used to pay prepaid health plans to support access to high quality care from faculty plans of Florida medical schools, which are statewide essential providers through a differential fee schedule or supplementary sub-capitation amount per member per month, or an equivalent payment, based on historic utilization of services. This provision shall be contingent upon the nonfederal share being provided through grants and donations from state, local or other governmental funds

From the funds in Specific Appropriations 218 and 221, \$3,000,000 from the General Revenue Fund and \$4,694,281 from the Medical Care Trust Fund are provided for a rate increase for Private Duty Nursing services provided by Licensed Practical Nurses.

219 SPECIAL CATEGORIES

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PRESCRIBED MEDICINE/DRUGS		
FROM GENERAL REVENUE FUND	36,161,487	
FROM HEALTH CARE TRUST FUND		23,416,376
FROM GRANTS AND DONATIONS TRUST FUND		294,444,275
FROM MEDICAL CARE TRUST FUND		19,712,598
FROM REFUGEE ASSISTANCE TRUST FUND .		737,640

220 SPECIAL CATEGORIES
MEDICARE PART D PAYMENT

FROM GENERAL REVENUE FUND	500,468,343
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221 SPECIAL CATEGORIES
PRIVATE DUTY NURSING SERVICES

FROM GENERAL REVENUE FUND	8,530,045	
FROM MEDICAL CARE TRUST FUND		13,347,474

222 SPECIAL CATEGORIES
STATEWIDE INPATIENT PSYCHIATRIC SERVICES

FROM GENERAL REVENUE FUND	349,119	
FROM MEDICAL CARE TRUST FUND		555,096

The funds in Specific Appropriation 222 are provided to the Agency for Health Care Administration for services for children in the Statewide Inpatient Psychiatric Program. The program shall be designed to permit prior authorization of services, monitoring and quality assurance, discharge planning, and continuing stay reviews of all children admitted to the program.

223 SPECIAL CATEGORIES
SUPPLEMENTAL MEDICAL INSURANCE

FROM GENERAL REVENUE FUND	584,988,828	
FROM MEDICAL CARE TRUST FUND		1,010,209,470
FROM REFUGEE ASSISTANCE TRUST FUND .		14,993

224 SPECIAL CATEGORIES
CLINIC SERVICES

FROM GENERAL REVENUE FUND	64,345,327	
FROM GRANTS AND DONATIONS TRUST FUND		724,605
FROM MEDICAL CARE TRUST FUND		101,934,395
FROM REFUGEE ASSISTANCE TRUST FUND .		467,645

From the funds in Specific Appropriation 224, the Agency for Health Care Administration shall apply a recurring methodology to establish rates taking into consideration the reductions imposed on or after October 1, 2008, in the following manner: (1) the agency shall divide the total amount of each recurring reduction imposed by the number of visits originally used in the rate calculation for each rate setting period on or after October 1, 2008, which will yield a rate reduction per diem for each rate period; (2) the agency shall multiply the resulting rate reduction per diem for each rate setting period on or after October 1, 2008, by the projected number of visits used in establishing the current budget estimate which will yield the total current reduction amount to be applied to current rates; (3) in the event the total current reduction amount is greater than the historical reduction amount, the agency shall hold the rate reduction to the historical reduction amount.

225 SPECIAL CATEGORIES
MEDICAID SCHOOL REFINANCING

FROM GENERAL REVENUE FUND	4,000,000	
FROM MEDICAL CARE TRUST FUND		103,828,461

From the funds in Specific Appropriation 225, \$4,000,000 from the General Revenue Fund and \$6,259,041 from the Medical Care Trust Fund are provided for school-based services, pursuant to section 409.9072, Florida Statutes, provided by private schools or charter schools that are not participating in the school district's certified match program under section 409.9071, Florida Statutes, to children younger than 21 years of age with specified disabilities who are eligible for Medicaid and part B or part H of the Individuals with Disabilities Act (IDEA), or the exceptional student education program, or who have an individualized educational plan.

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226	QUALIFIED EXPENDITURE CATEGORY		
	PREPAID HEALTH PLANS		
	FROM GENERAL REVENUE FUND	236,013,498	
	FROM MEDICAL CARE TRUST FUND		369,304,526

From the funds provided in Specific Appropriation 226, \$236,013,498 from the General Revenue Fund and \$369,304,526 from the Medical Care Trust Fund are provided to the Agency for Health Care Administration for payments to Medicaid prepaid health plans. The Agency for Health Care Administration is authorized to submit budget amendments to request release of these funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed spending plan justifying the need for this funding based upon the results of the agency's capitation rate setting process. The amendments shall also include actuarial reports and studies to support the need for rate adjustments as well as detailed calculations in support of the need to access additional funding.

TOTAL: MEDICAID SERVICES TO INDIVIDUALS			
FROM GENERAL REVENUE FUND	5,428,646,041		
FROM TRUST FUNDS		14,344,863,778	
TOTAL ALL FUNDS			19,773,509,819

MEDICAID LONG TERM CARE

227	SPECIAL CATEGORIES		
	ASSISTIVE CARE SERVICES		
	FROM GENERAL REVENUE FUND	617,147	
	FROM MEDICAL CARE TRUST FUND		965,687

228	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES		
	FROM GENERAL REVENUE FUND	7,563,739	
	FROM MEDICAL CARE TRUST FUND		1,126,329,661

From the funds in Specific Appropriation 228, \$4,000,000 from the General Revenue fund and \$6,259,041 from the Medical Care Trust Fund are provided for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance, subject to federal approval under section 409.906(13)(e), Florida Statutes.

229	SPECIAL CATEGORIES		
	INTERMEDIATE CARE FACILITIES/ INTELLECTUALLY DISABLED - SUNLAND CENTER		
	FROM MEDICAL CARE TRUST FUND		78,376,293

From the funds in Specific Appropriations 229, 230 and 231, the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 259 for the Developmental Disabilities Home and Community Based Waiver. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

230	SPECIAL CATEGORIES		
	INTERMEDIATE CARE FACILITIES/ DEVELOPMENTALLY DISABLED COMMUNITY		
	FROM GENERAL REVENUE FUND	84,279,774	
	FROM GRANTS AND DONATIONS TRUST FUND		15,255,670
	FROM MEDICAL CARE TRUST FUND		155,749,100

From the funds in Specific Appropriation 230, \$15,255,670 from the Grants and Donations Trust Fund and \$23,871,465 from the Medical Care Trust Fund are provided to buy back intermediate care facilities for the developmentally disabled rate reductions, effective on or after October 1, 2008 and are contingent on the nonfederal share being provided through intermediate care facilities for the developmentally disabled quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds

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are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

The recurring methodology to be utilized by the Agency for Health Care Administration to establish rates taking into consideration the reductions imposed on or after October 1, 2008, shall be to compare the average unit appropriation with actual average unit cost as follows: 1) the average unit appropriation shall be determined by dividing the total appropriation in Specific Appropriation 230 by the total bed days for the past fiscal year; 2) the total actual cost as generated based on the July 1 rate setting shall be divided by the total bed days for the past fiscal year to determine the actual unit cost; 3) the actual unit cost shall be reduced to a Reduced Actual Unit Cost by the same percentage used to calculate the Legislative Appropriation to account for client participation contributions; 4) no negative adjustment to the rates paid to providers shall occur so long as the Reduced Actual Unit Cost is equal to or less than the average unit appropriation; and 5) in the event the Reduced Actual Unit Cost is greater than the average unit appropriation a prorated reduction shall be imposed on all rates after all Quality Assessment Fee funds have been exhausted to cover the rate reductions.

The Agency for Health Care Administration shall not pay any legal judgments, settlements, lawsuit damages or awards imposed by a court as the result of any legal proceeding relating to prior fiscal years without specific authority in the General Appropriations Act.

From the funds in Specific Appropriation 230, \$4,023,672 from the General Revenue Fund and \$6,296,081 from the Medical Care Trust Fund are provided for an Intermediate Care Facility for the Developmentally Disabled (ICF/DD) rate increase.

231	SPECIAL CATEGORIES		
	NURSING HOME CARE		
	FROM GENERAL REVENUE FUND	87,405,953	
	FROM HEALTH CARE TRUST FUND		21,729,472
	FROM GRANTS AND DONATIONS TRUST FUND		49,921,212
	FROM MEDICAL CARE TRUST FUND		248,885,493

From the funds in Specific Appropriation 231, the Agency for Health Care Administration, in consultation with the Department of Health, is authorized to transfer funds in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 228 specifically for slots under the Model Waiver, Specific Appropriation 527A Brain and Spinal Cord Home and Community Based Services Waiver, and Specific Appropriation 232 Statewide Medicaid Managed Care Long-Term Care Waiver to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities to community-based alternatives in order to maximize the reduction in Medicaid nursing home occupancy. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

From the funds in Specific Appropriations 231 and 232, \$403,982,869 from the Grants and Donations Trust Fund and \$632,136,313 from the Medical Care Trust Fund are provided to buy back nursing facility rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the budgeted authority in these Specific Appropriations. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

232	SPECIAL CATEGORIES		
	PREPAID HEALTH PLAN/LONG TERM CARE		
	FROM GENERAL REVENUE FUND	838,050,514	
	FROM HEALTH CARE TRUST FUND		303,100,403
	FROM GRANTS AND DONATIONS TRUST FUND		369,919,314
	FROM MEDICAL CARE TRUST FUND		2,364,462,551

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From the funds in Specific Appropriation 232, \$3,173,065 from the General Revenue Fund and \$4,965,086 from the Medical Care Trust Fund are provided to serve elders on the Medicaid Long Term Care waitlist who have been classified as a priority score of four or higher.

233	SPECIAL CATEGORIES STATE MENTAL HEALTH HOSPITAL PROGRAM FROM MEDICAL CARE TRUST FUND	7,381,925
234	SPECIAL CATEGORIES MENTAL HEALTH HOSPITAL DISPROPORTIONATE SHARE FROM MEDICAL CARE TRUST FUND	72,236,154
235	SPECIAL CATEGORIES T.B. HOSPITAL DISPROPORTIONATE SHARE FROM MEDICAL CARE TRUST FUND	2,443,885
236	SPECIAL CATEGORIES PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE) FROM MEDICAL CARE TRUST FUND	50,282,883
237	QUALIFIED EXPENDITURE CATEGORY PREPAID HEALTH PLANS - LONG TERM CARE FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	38,664,030 60,499,935

From the funds provided in Specific Appropriation 237, \$38,664,030 from the General Revenue Fund and \$60,499,935 from the Medical Care Trust Fund are provided to the Agency for Health Care Administration for payments to Medicaid prepaid health plans. The Agency for Health Care Administration is authorized to submit budget amendments to request release of these funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed spending plan justifying the need for this funding based upon the results of the agency's capitation rate setting process. The amendments shall also include actuarial reports and studies to support the need for rate adjustments as well as detailed calculations in support of the need to access additional funding.

TOTAL: MEDICAID LONG TERM CARE		
FROM GENERAL REVENUE FUND	1,056,581,157	
FROM TRUST FUNDS		4,927,539,638
TOTAL ALL FUNDS		5,984,120,795

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE	28,407,309	
238	SALARIES AND BENEFITS POSITIONS 642.00 FROM HEALTH CARE TRUST FUND	37,911,056
239	OTHER PERSONAL SERVICES FROM HEALTH CARE TRUST FUND	657,144
240	EXPENSES FROM HEALTH CARE TRUST FUND	6,635,224
241	OPERATING CAPITAL OUTLAY FROM HEALTH CARE TRUST FUND	87,054
243	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM HEALTH CARE TRUST FUND	253,813
244	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HEALTH CARE TRUST FUND FROM QUALITY OF LONG-TERM CARE	3,032,511

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	FACILITY IMPROVEMENT TRUST FUND . .	1,000,000
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245	SPECIAL CATEGORIES EMERGENCY ALTERNATIVE PLACEMENT FROM HEALTH CARE TRUST FUND	806,629
246	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HEALTH CARE TRUST FUND	768,383
247	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HEALTH CARE TRUST FUND	140,269
248	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HEALTH CARE TRUST FUND	212,303
249	SPECIAL CATEGORIES STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM HEALTH CARE TRUST FUND	652,990
250	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM HEALTH CARE TRUST FUND	115,390,787

TOTAL: HEALTH CARE REGULATION		
FROM TRUST FUNDS		167,548,163
TOTAL POSITIONS	642.00	
TOTAL ALL FUNDS		167,548,163
TOTAL: AGENCY FOR HEALTH CARE ADMINISTRATION		
FROM GENERAL REVENUE FUND	6,544,982,400	
FROM TRUST FUNDS		20,054,713,416
TOTAL POSITIONS	1,546.00	
TOTAL ALL FUNDS		26,599,695,816
TOTAL APPROVED SALARY RATE	70,699,987	

AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE	16,558,443	
251	SALARIES AND BENEFITS POSITIONS 404.00 FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	13,122,349 7,586,063
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	1,659,841
252	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	2,604,031 2,333,762 162,396
253	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	1,799,268 1,008,740 193,061

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254	OPERATING CAPITAL OUTLAY	
	FROM GENERAL REVENUE FUND	9,060
255	SPECIAL CATEGORIES	
	GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS	
	FROM GENERAL REVENUE FUND	3,080,000
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	10,106,771

Funds in Specific Appropriation 255 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 255, the sum of \$500,000 in nonrecurring funds from the General Revenue Fund is provided for supported employment services for individuals on the waiting list for the Developmental Disabilities Medicaid Waiver program in Specific Appropriation 259. The supported employment services shall be provided in a manner consistent with the same rules and regulations governing these services in the Developmental Disabilities Medicaid Waiver program, and may additionally be used towards obtaining and maintaining paid or unpaid internships.

256	SPECIAL CATEGORIES	
	ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED	
	FROM GENERAL REVENUE FUND	2,839,201
257	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	477,637
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	529,072
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	32,018
258	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	10,914,209

From the funds in Specific Appropriation 258, the additional sum of \$1,000,000 from the General Revenue Fund is provided to the ARC of Florida for dental services to individuals with developmental disabilities.

From the funds in Specific Appropriation 258, the nonrecurring sum of \$5,222,209 from the General Revenue Fund is provided for the following projects:

Angels Reach Foundation.....	50,000
ARC of Tampa Bay Foundation - Behavior Analysis Services....	268,303
ARC of Indian River - Employment Assistance in Aquaculture..	19,740
Area Stage Company (ASC) Development Disabilities Theater Program for Children.....	150,000
ARC Sunrise of Central Florida.....	250,000
Brevard Achievement Center.....	343,106
Easter Seals Florida - Brevard County.....	50,000
Easter Seals of Volusia and Flagler Counties.....	100,000
Hope Therapy, Inc.....	250,000
Loveland Center.....	1,000,000
MACTown Fitness and Wellness Center.....	150,000
Mailman Center for Child Development.....	800,000
Operation Grow - Seminole County Work Opportunity Program...	316,060
Our Children's Academy Therapy Services.....	200,000
Our Pride Academy.....	1,200,000
United Cerebral Palsy at Golden Glades.....	75,000

259	SPECIAL CATEGORIES	
	HOME AND COMMUNITY BASED SERVICES WAIVER	
	FROM GENERAL REVENUE FUND	427,800,911
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	669,405,836

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From the funds in Specific Appropriation 259, \$15,188,744 from the General Revenue Fund and \$23,766,741 from the Operations and Maintenance Trust Fund are provided to expand the Individual Budget (iBudget) Waiver by removing the greatest number of individuals permissible under the additional funding.

From the funds in Specific Appropriation 259, the nonrecurring sums of \$14,395,136 from the General Revenue Fund and \$22,524,935 from the Operations and Maintenance Trust Fund are provided to implement revised 1:1 ratio service rates due to the expansion of minimum wage requirements under the U.S. Department of Labor Fair Standards to Domestic Service Rule.

From the funds in Specific Appropriation 259, \$1,759,833 from the General Revenue Fund and \$2,753,717 from the Operations and Maintenance Trust Fund are provided as a rate increase to the 1:3 ratio service rates for Adult Day Training providers.

From the funds in Specific Appropriation 259, \$974,583 from the General Revenue Fund and \$1,524,989 from the Operations and Maintenance Trust Fund are provided for a rate increase for Adult Day Training providers.

From the funds in Specific Appropriation 259, \$4,242,289 from the General Revenue Fund and \$6,638,165 from the Operations and Maintenance Trust Fund are provided for a rate increase for Residential Habilitation providers.

From the funds in Specific Appropriation 259, \$2,710,303 from the General Revenue Fund and \$4,240,974 from the Operations and Maintenance Trust Fund are provided for a rate increase for Personal Supports providers.

Funds in Specific Appropriation 259 shall not be used for administrative costs. Funds for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 259, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Medicaid Waiver program expenditures for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

260	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND	384,498

261	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM GENERAL REVENUE FUND	93,168
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	64,307

261A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY THE DEVEREUX FLORIDA THRESHOLD CENTER FOR AUTISM	
	FROM GENERAL REVENUE FUND	500,000

From the funds in Specific Appropriation 261A, the nonrecurring sum of \$500,000 from the General Revenue Fund is provided to Devereux Florida for infrastructure needs at the Threshold Center for Autism.

261B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FIXED CAPITAL OUTLAY FOR PERSONS WITH DISABILITIES	
	FROM GENERAL REVENUE FUND	1,400,000

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From the funds in Specific Appropriation 261B, \$400,000 in nonrecurring funds from the General Revenue Fund is provided to the City of Hialeah Gardens to provide water therapy for individuals with unique abilities.

From the funds in Specific Appropriation 261B, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to Russell Home in Orlando for facility renovations and code corrections.

261C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BRANDON SPORTS AND AQUATIC CENTER FOR INDIVIDUALS WITH UNIQUE ABILITIES
FROM GENERAL REVENUE FUND 750,000

From the funds in Specific Appropriation 261C, \$750,000 in nonrecurring funds from the General Revenue Fund is provided to the Brandon Sports and Aquatic Center for individuals with unique abilities.

261D GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ARC OF BROWARD CULINARY PROGRAM
FROM GENERAL REVENUE FUND 750,000

From the funds in Specific Appropriation 261D, the nonrecurring sum of \$750,000 from the General Revenue Fund is provided to the ARC of Broward - Culinary Program.

261E GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
PALM BEACH HABILITATION CENTER FACILITY MAINTENANCE, REPAIR, OR NEW CONSTRUCTION
FROM GENERAL REVENUE FUND 649,111

From the funds provided in Specific Appropriation 261E, the nonrecurring sum of \$166,511 from the General Revenue Fund is provided to the Palm Beach Habilitation Center for roofing repairs or replacement.

From the funds provided in Specific Appropriation 261E, the nonrecurring sum of \$482,600 from the General Revenue Fund is provided to the Palm Beach Habilitation Center for the repair or replacement of fire safety and potable water systems.

TOTAL: HOME AND COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 467,173,443
FROM TRUST FUNDS 693,081,867

TOTAL POSITIONS 404.00
TOTAL ALL FUNDS 1,160,255,310

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 9,526,784

262 SALARIES AND BENEFITS POSITIONS 162.00
FROM GENERAL REVENUE FUND 8,165,796
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 5,333,843

263 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 325,451
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 212,459

264 EXPENSES
FROM GENERAL REVENUE FUND 878,339
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 559,135

265 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 23,974

266 SPECIAL CATEGORIES

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TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 78,505
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 2,178

267 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 742,293
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 546,938

268 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,988,073
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 1,043,094

269 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES
FROM GENERAL REVENUE FUND 3,874
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 2,374

270 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 182,334

271 SPECIAL CATEGORIES
HOME AND COMMUNITY SERVICES ADMINISTRATION
FROM GENERAL REVENUE FUND 2,670,194
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 4,542,485

From the funds in Specific Appropriation 271, the nonrecurring sum of \$1,881,929 from the Operations and Maintenance Trust Fund shall be placed in reserve and is provided to the Agency for Persons with Disabilities to implement the Client Data Management System for the purpose of providing electronic verification of service delivery to recipients by providers, electronic billings for Developmental Disabilities Medicaid Waiver services, and electronic processing of claims. The department is authorized to request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

272 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 34,610
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 36,536

274 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)
FROM GENERAL REVENUE FUND 69,711
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 280,779

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE
FROM GENERAL REVENUE FUND 15,163,154
FROM TRUST FUNDS 12,559,821

TOTAL POSITIONS 162.00
TOTAL ALL FUNDS 27,722,975

DEVELOPMENTAL DISABILITY CENTERS - CIVIL PROGRAM

From the funds provided in Specific Appropriations 275 through 285 to the Developmental Disability Centers - Civil Program, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total civil program expenditures

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of the Developmental Disability Centers for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

	APPROVED SALARY RATE	56,085,324	
275	SALARIES AND BENEFITS	POSITIONS	1,637.00
	FROM GENERAL REVENUE FUND		29,664,116
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		41,977,346
276	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		609,649
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		878,799
277	EXPENSES		
	FROM GENERAL REVENUE FUND		2,002,916
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		3,017,223
278	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		123,123
279	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND		788,707
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		1,110,220
280	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		553,118
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		793,498
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		33,480
281	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND		1,604,279
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,711,770
282	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID		
	FROM GENERAL REVENUE FUND		338,721
283	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		2,049,843
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,126,371
284	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		285,645
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		428,288
285	FIXED CAPITAL OUTLAY		
	AGENCY FOR PERSONS WITH DISABILITIES FIXED CAPITAL OUTLAY NEEDS FOR CENTRALLY MANAGED FACILITIES		
	FROM GENERAL REVENUE FUND		1,305,485
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		1,500,000

From the funds in Specific Appropriation 285, the nonrecurring sum of \$1,500,000 from the Social Services Block Grant Trust Fund is provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

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From the funds in Specific Appropriation 285, the nonrecurring sum of \$1,305,485 from the General Revenue Fund is provided for "Billy Joe" Rish Recreational Park for recreational enhancements and critical repairs.

TOTAL: DEVELOPMENTAL DISABILITY CENTERS - CIVIL PROGRAM			
FROM GENERAL REVENUE FUND		39,325,602	
FROM TRUST FUNDS			54,576,995
TOTAL POSITIONS	1,637.00		
TOTAL ALL FUNDS			93,902,597

DEVELOPMENTAL DISABILITY CENTERS - FORENSIC PROGRAM

From the funds provided in Specific Appropriations 286 through 296 to the Developmental Disability Centers - Forensic Program, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total forensic program expenditures of the Developmental Disability Centers for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

	APPROVED SALARY RATE	16,488,988	
286	SALARIES AND BENEFITS	POSITIONS	508.50
	FROM GENERAL REVENUE FUND		23,273,579
287	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		279,845
288	EXPENSES		
	FROM GENERAL REVENUE FUND		1,249,744
289	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		96,844
290	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND		556,200
291	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		571,137
292	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND		350,122
293	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID		
	FROM GENERAL REVENUE FUND		807,202
294	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		917,931
295	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		18,751
296	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		143,336

TOTAL: DEVELOPMENTAL DISABILITY CENTERS - FORENSIC PROGRAM			
FROM GENERAL REVENUE FUND		28,264,691	
TOTAL POSITIONS	508.50		
TOTAL ALL FUNDS			28,264,691

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 TOTAL: AGENCY FOR PERSONS WITH DISABILITIES
 FROM GENERAL REVENUE FUND 549,926,890
 FROM TRUST FUNDS 760,218,683
 TOTAL POSITIONS 2,711.50
 TOTAL ALL FUNDS 1,310,145,573
 TOTAL APPROVED SALARY RATE 98,659,539

CHILDREN AND FAMILIES, DEPARTMENT OF

From the funds in Specific Appropriations 297 through 396C, the Department of Children and Families shall provide a report to the chairs of the Senate Appropriations Committee and the House of Representatives Appropriations Committee by December 1, 2016, that categorizes the funding and full-time equivalency positions supporting the Florida Safe Family Network (FSFN), the Florida Online Recipients Integrated Data Access (FLORIDA) system, and other department applications. The report data must identify funds by the budget entity, program component, appropriation category, fund, and fund source identifier levels.

No funds are appropriated in Specific Appropriations 297 through 396C, and Sections 35 through 44, 90, 98, and 99, for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease, by the Department of Children and Families, notwithstanding any lease or contract to the contrary. The Department of Children and Families is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease.

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	33,389,668		
297 SALARIES AND BENEFITS	POSITIONS 614.00		
FROM GENERAL REVENUE FUND	28,998,227		
FROM ADMINISTRATIVE TRUST FUND		14,021,754	
FROM FEDERAL GRANTS TRUST FUND		1,453,484	
FROM WELFARE TRANSITION TRUST FUND		260,682	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		283,152	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		61,248	
298 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	321,585		
FROM ADMINISTRATIVE TRUST FUND		54,551	
FROM FEDERAL GRANTS TRUST FUND		93,033	
FROM WELFARE TRANSITION TRUST FUND		9,531	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,132	
299 EXPENSES			
FROM GENERAL REVENUE FUND	4,189,140		
FROM ADMINISTRATIVE TRUST FUND		859,747	
FROM FEDERAL GRANTS TRUST FUND		206,799	
FROM WELFARE TRANSITION TRUST FUND		14,868	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		69,480	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,118	
300 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	27,616		

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 APPROPRIATION
 FROM ADMINISTRATIVE TRUST FUND 106,950
 301 SPECIAL CATEGORIES
 ACQUISITION OF MOTOR VEHICLES
 FROM ADMINISTRATIVE TRUST FUND 20,000
 302 SPECIAL CATEGORIES
 TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
 FROM GENERAL REVENUE FUND 312,373
 303 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND 912,215
 FROM ADMINISTRATIVE TRUST FUND 311,178
 FROM FEDERAL GRANTS TRUST FUND 14,538
 FROM WELFARE TRANSITION TRUST FUND 1,120
 FROM OPERATIONS AND MAINTENANCE TRUST FUND 405,883
 FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 778
 304 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 815,062
 FROM ADMINISTRATIVE TRUST FUND 103,432
 305 SPECIAL CATEGORIES
 STATE INSTITUTIONAL CLAIMS
 FROM GENERAL REVENUE FUND 40,498
 306 SPECIAL CATEGORIES
 TENANT BROKER COMMISSIONS
 FROM ADMINISTRATIVE TRUST FUND 132,912
 307 SPECIAL CATEGORIES
 DEFERRED-PAYMENT COMMODITY CONTRACTS
 FROM GENERAL REVENUE FUND 6,520
 FROM ADMINISTRATIVE TRUST FUND 2,272
 308 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 157,174
 FROM ADMINISTRATIVE TRUST FUND 54,877
 FROM FEDERAL GRANTS TRUST FUND 3,775
 FROM WELFARE TRANSITION TRUST FUND 495
 FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 17
 309 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 3,373,309
 FROM FEDERAL GRANTS TRUST FUND 564,435
 FROM WELFARE TRANSITION TRUST FUND 251
 312 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS
 RELIEF/JORGE AND DEBBIE GARCIA-BENGOCHEA
 FROM FEDERAL GRANTS TRUST FUND 950,000
 313 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS
 RELIEF - MARISSA AMORA
 FROM GENERAL REVENUE FUND 1,700,000
 314 FIXED CAPITAL OUTLAY
 DEPARTMENT OF CHILDREN AND FAMILY SERVICES
 FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES
 FROM FEDERAL GRANTS TRUST FUND 2,000,000
 TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
 FROM GENERAL REVENUE FUND 40,853,719
 FROM TRUST FUNDS 22,070,492

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TOTAL POSITIONS 614.00
TOTAL ALL FUNDS 62,924,211

PROGRAM: SUPPORT SERVICES

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 12,935,221

315 SALARIES AND BENEFITS POSITIONS 238.00
 FROM GENERAL REVENUE FUND 6,043,628
 FROM ADMINISTRATIVE TRUST FUND 6,256,883
 FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 20,385
 FROM FEDERAL GRANTS TRUST FUND 4,547,787
 FROM WELFARE TRANSITION TRUST FUND 220,012
 FROM OPERATIONS AND MAINTENANCE TRUST FUND 127,494
 FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 163,764

316 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 126,105
 FROM ADMINISTRATIVE TRUST FUND 208,000
 FROM FEDERAL GRANTS TRUST FUND 129,228

317 EXPENSES
 FROM GENERAL REVENUE FUND 2,324,550
 FROM ADMINISTRATIVE TRUST FUND 248,821
 FROM FEDERAL GRANTS TRUST FUND 1,070,487
 FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 5,218

318 OPERATING CAPITAL OUTLAY
 FROM GENERAL REVENUE FUND 40,599
 FROM FEDERAL GRANTS TRUST FUND 8,299

319 SPECIAL CATEGORIES
 COMPUTER RELATED EXPENSES
 FROM GENERAL REVENUE FUND 2,683,889
 FROM ADMINISTRATIVE TRUST FUND 118,466
 FROM FEDERAL GRANTS TRUST FUND 313,937
 FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 71,808

From the funds in Specific Appropriation 319, \$350,000 in nonrecurring funds from the General Revenue Fund is provided to support the annual maintenance costs of the electronic personal health records system for foster children.

319A SPECIAL CATEGORIES
 FLORIDA SAFE FAMILIES NETWORK (FSFN) INFORMATION TECHNOLOGY SYSTEM
 FROM GENERAL REVENUE FUND 5,178,349
 FROM FEDERAL GRANTS TRUST FUND 3,783,123
 FROM WELFARE TRANSITION TRUST FUND 3,808,161
 FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,000,000

From the funds in Specific Appropriation 319A, the recurring sum of \$1,337,335 from the General Revenue Fund shall continue to be provided to the Department of Children and Families for the ongoing maintenance, operation, and enhancements of the Florida Safe Family Network (FSFN) application. From these funds, the department must ensure that the required technical architecture changes are made to the FSFN application so that all software associated with this application is under mainstream support levels.

From the funds in Specific Appropriation 319A, the nonrecurring sums of \$2,126,194 from the General Revenue Fund, \$1,066,914 from the Federal Grants Trust Fund, and \$3,504,902 from the Welfare Transition Trust Fund, are provided to the Department of Children and Families to complete enhancements to the Florida Safe Family Network (FSFN) application that improve the application's decision support tools and

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data reporting; and the nonrecurring sums of \$2,000,000 from the Operations and Maintenance Trust Fund and \$2,000,000 from the Federal Grants Trust Fund are provided for the department to complete the transition of the FSN application from a mainframe-based environment to a middle-tier environment hosted by a private sector vendor's Infrastructure as a Service cloud service that complies with all applicable federal and state security and privacy requirements, is located within the United States, provides geographically redundant hosting, and complies with the provisions of section 287.058, Florida Statutes. These funds shall be placed in reserve.

Contingent upon submission of a detailed project plan that defines and describes all activities and proposed timeline(s) associated with (a) moving the current FSN application to the State Data Center - Southwood location, (b) completing all enhancements to the FSN application that improve the application's decision support tools and data reporting, (c) migrating the FSN application's mainframe environment to a middle-tier environment, (d) competitively procuring the private sector vendor's Infrastructure as a Service cloud service, and (e) transitioning the application to the private sector vendor's cloud service and pursuant to the provisions of chapter 216, Florida Statutes, the department is authorized to submit a budget amendment to request release of an amount not to exceed \$6,698,010 of the funds being held in reserve.

Contingent upon submission of a detailed spend plan that validates the costs associated with migrating the FSN application's mainframe environment to a middle-tier environment and transitioning the application to the private sector vendor's cloud service the department is authorized to request the release of the balance of the funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes.

319B SPECIAL CATEGORIES
 FLORIDA ONLINE RECIPIENTS INTEGRATED DATA ACCESS (FLORIDA) TECHNOLOGY SYSTEM FOR PUBLIC BENEFIT ELIGIBILITY DETERMINATION
 FROM GENERAL REVENUE FUND 1,841,197
 FROM FEDERAL GRANTS TRUST FUND 2,647,042

From the funds in Specific Appropriation 319B, the recurring sum of \$2,439,042 from the Federal Grants Trust Fund shall continue to be provided to the Department of Children and Families for the ongoing maintenance, operation, and enhancements of the Florida Online Recipients Integrated Data Access (FLORIDA) public benefit eligibility determination system. From these funds, the department must ensure that the required technical architecture changes are made to the FLORIDA system so that all software associated with this application is under mainstream support levels.

From the funds in Specific Appropriation 319B, the sum of \$1,000,000 from existing General Revenue funds within this category shall be placed in reserve and provided to the Department of Children and Families for the Florida Online Recipients Integrated Data Access (FLORIDA) system. The department shall collaborate with the Agency for State Technology to develop a proposal for moving the FLORIDA application's development, test and production environments to an external service provider cloud computing service; such a service must include disaster recovery support and must comply with all applicable federal and state security and privacy requirements. At a minimum, the proposal must: (1) identify the types of cloud computing services considered with a detailed cost benefit analysis that documents all costs and savings, and qualitative and quantitative benefits involved in, or resulting from, the migration of the FLORIDA system to an external service provider cloud computing service; (2) identify any applicable federal regulations that must be addressed and federal approvals that must be received prior to relocating the FLORIDA system; and (3) include any implementation plan with a proposed project schedule and timeline for migrating the FLORIDA system to an external service provider cloud computing service no later than June 30, 2018. The department must submit the proposal to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget by December 30, 2016. Contingent upon the submission of the proposal, the department is authorized to request the release of the funds placed in reserve pursuant to the provisions of chapter 216, Florida Statutes.

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320	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	49,028	
	FROM FEDERAL GRANTS TRUST FUND		453
321	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	19,791	
321A	QUALIFIED EXPENDITURE CATEGORY		
	SUBSTANCE ABUSE AND MENTAL HEALTH		
	FINANCIAL AND SERVICES ACCOUNTABILITY		
	MANAGEMENT SYSTEM		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,000,000

From the funds in Specific Appropriation 321A, the nonrecurring sum of \$2,000,000 from the Operations and Maintenance Trust Fund is provided to the Department of Children and Families for the continued development and implementation of a uniform management information and fiscal accounting system for use by providers of community substance abuse and mental health services. The department is authorized to request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

321B	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	10,677,100	
	FROM ADMINISTRATIVE TRUST FUND		1,731,085
	FROM FEDERAL GRANTS TRUST FUND		9,446,649
	FROM WELFARE TRANSITION TRUST FUND		3
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		10,567
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		10,897

From the funds in Specific Appropriation 321B, the nonrecurring sums of \$388,178 from the General Revenue Fund and \$426,424 from the Federal Grants Trust Fund are provided to the Department of Children and Families for the costs associated with the replacement of the mainframe infrastructure supporting the Florida On-line Recipient Integrated Data Access (FLORIDA) and the Florida Safe Families Network (FSFN) applications. The mainframe replacement shall provide increased processing capacity to ensure an acceptable system performance for the users of the FLORIDA and FSFN applications. The mainframe replacement shall be physically located at the State Data Center - Southwood.

TOTAL:	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	28,984,236	
	FROM TRUST FUNDS		38,948,569
	TOTAL POSITIONS	238.00	
	TOTAL ALL FUNDS		67,932,805

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

FAMILY SAFETY AND PRESERVATION SERVICES

	APPROVED SALARY RATE	148,494,926	
322	SALARIES AND BENEFITS POSITIONS	3,538.00	
	FROM GENERAL REVENUE FUND	83,944,260	
	FROM DOMESTIC VIOLENCE TRUST FUND		15,509
	FROM FEDERAL GRANTS TRUST FUND		32,536,808
	FROM WELFARE TRANSITION TRUST FUND		70,066,874
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		25,071,788
323	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,223,043	
	FROM FEDERAL GRANTS TRUST FUND		4,128,037

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	FROM GRANTS AND DONATIONS TRUST		
	FUND		46,935
	FROM WELFARE TRANSITION TRUST FUND		2,645,305
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		1,087,951
324	EXPENSES		
	FROM GENERAL REVENUE FUND	14,196,032	
	FROM CHILD WELFARE TRAINING TRUST		
	FUND		8,394
	FROM DOMESTIC VIOLENCE TRUST FUND		11,645
	FROM FEDERAL GRANTS TRUST FUND		6,016,469
	FROM GRANTS AND DONATIONS TRUST		
	FUND		9,886
	FROM WELFARE TRANSITION TRUST FUND		11,915,962
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		3,914,954

325	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	54,475	
	FROM FEDERAL GRANTS TRUST FUND		42,941
	FROM WELFARE TRANSITION TRUST FUND		11,590
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		7,671

326	LUMP SUM		
	SHARED RISK FUND FOR COMMUNITY BASED		
	PROVIDERS OF CHILD WELFARE SERVICES		
	FROM GENERAL REVENUE FUND	5,000,000	

The nonrecurring funds provided in Specific Appropriation 326 are available to community-based care lead agencies pursuant to the provisions of section 409.990, Florida Statutes.

327	SPECIAL CATEGORIES		
	HOME CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND		1,987,544

328	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR		
	DISABLED ADULTS		
	FROM GENERAL REVENUE FUND		2,041,955

329	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,467,567	
	FROM CHILD WELFARE TRAINING TRUST		
	FUND		2,815
	FROM FEDERAL GRANTS TRUST FUND		5,259,083
	FROM GRANTS AND DONATIONS TRUST		
	FUND		13,180
	FROM WELFARE TRANSITION TRUST FUND		786,634
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		607,155

From the funds in Specific Appropriation 329, the nonrecurring sum of \$1,500,000 from the Federal Grants Trust Fund is provided to the Department of Children and Families to continue contracting for the analytics and predictive analysis initiative within the child welfare system.

From the funds in Specific Appropriation 329, the nonrecurring sum of \$500,000 from the General Revenue Fund shall be placed in reserve and is provided to the Department of Children and Families for the continuation of the Child Welfare Results Oriented Accountability System as described in section 409.997, Florida Statutes. The department is authorized to request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

330	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,782,800	
	FROM FEDERAL GRANTS TRUST FUND		250,000

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From the funds in Specific Appropriation 330, the nonrecurring sum of \$2,782,800 from the General Revenue Fund is provided for the following projects:

Table with 2 columns: Project Name and Amount. Includes items like Alpha & Omega Freedom Ministries - Hannah's House (125,000), Camelot Community Care - Adoption support services (250,000), etc.

From the funds in Specific Appropriation 330, the nonrecurring sum of \$250,000 from the Federal Grants Trust Fund is provided to the Florida Dream Center for services to sexually exploited youth.

Table for Section 331: SPECIAL CATEGORIES, GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS. Includes funding sources like General Revenue Fund (38,030,066) and Welfare Transition Trust Fund (9,392,840).

From the funds in Specific Appropriation 331, the sums of \$38,030,066 from the General Revenue Fund, of which \$1,200,000 is nonrecurring, \$9,392,840 from the Welfare Transition Trust Fund, and \$9,589,500 from the Social Services Block Grant Trust Fund, shall be used by the Department of Children and Families to award grants to the sheriffs of the following counties to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The funds shall be allocated as follows:

Table listing county sheriffs and their allocated amounts: Broward County Sheriff (15,454,474), Hillsborough County Sheriff (13,830,952), Manatee County Sheriff (4,719,787), Pasco County Sheriff (6,641,374), Pinellas County Sheriff (11,828,667), Seminole County Sheriff (4,537,152).

Table for Section 332: SPECIAL CATEGORIES, GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM. Includes funding sources like General Revenue Fund (11,964,596), Domestic Violence Trust Fund (7,897,064), Federal Grants Trust Fund (12,395,658), and Welfare Transition Trust Fund (7,750,000).

From the funds in Specific Appropriation 332, \$11,964,596 from the General Revenue Fund, \$7,897,064 from the Domestic Violence Trust Fund, \$10,799,061 from the Federal Grants Trust Fund and \$7,750,000 from the Welfare Transition Trust Fund shall be provided to the Florida Coalition Against Domestic Violence for implementation of programs and the management and delivery of services of the state's domestic violence program including implementation of statutory directives contained in chapter 39, Florida Statutes, implementation of special projects, coordination of a strong families and domestic violence campaign, implementation of the child welfare and domestic violence co-location projects, conduction of training and provide technical assistance to certified domestic violence centers and allied professionals, and administration of contracts designated under this appropriation.

From the funds in Specific Appropriation 332, \$208,391 from the Federal Grants Trust Fund is provided to the Florida Coalition Against Domestic Violence to implement portions of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

From the funds in Specific Appropriation 332, \$195,987 from the

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Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence to implement portions of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

From the funds in Specific Appropriation 332, \$1,192,219 from the Federal Grants Trust Fund shall be transferred to the Department of Health to contract with the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

Table for Section 333: SPECIAL CATEGORIES, GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION. Includes funding sources like General Revenue Fund (19,114,251), Federal Grants Trust Fund (1,488,375), and Welfare Transition Trust Fund (7,777,637).

Funds provided in Specific Appropriation 333 shall be provided for the Healthy Families Program.

Table for Section 334: SPECIAL CATEGORIES, GRANTS AND AIDS - CHILD PROTECTION. Includes funding sources like General Revenue Fund (13,226,231), Child Welfare Training Trust Fund (285,993), Federal Grants Trust Fund (23,674,020), etc.

Table for Section 335: SPECIAL CATEGORIES, RISK MANAGEMENT INSURANCE. Includes funding source: General Revenue Fund (3,557,083).

Table for Section 336: SPECIAL CATEGORIES, TEMPORARY EMERGENCY SHELTER SERVICES. Includes funding source: General Revenue Fund (435,843).

Table for Section 337: SPECIAL CATEGORIES, GRANTS AND AIDS - RESIDENTIAL GROUP CARE. Includes funding sources like General Revenue Fund (1,641,215), Welfare Transition Trust Fund (115,836), and Social Services Block Grant (929,958).

Table for Section 338: SPECIAL CATEGORIES, SPECIAL NEEDS ADOPTION INCENTIVES. Includes funding source: General Revenue Fund (2,750,000).

The funds provided in Specific Appropriation 338, are provided for state employee adoption benefits pursuant to section 409.1664, Florida Statutes.

Table for Section 339: SPECIAL CATEGORIES, DEFERRED-PAYMENT COMMODITY CONTRACTS. Includes funding sources like General Revenue Fund (4,920), Federal Grants Trust Fund (4,427), Welfare Transition Trust Fund (1,684), and Social Services Block Grant (1,713).

Table for Section 340: SPECIAL CATEGORIES, LEASE OR LEASE-PURCHASE OF EQUIPMENT. Includes funding sources like General Revenue Fund (345,275), Federal Grants Trust Fund (208,554), Welfare Transition Trust Fund (247,526), and Social Services Block Grant (112,721).

341 SPECIAL CATEGORIES

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Table with 3 columns: Description, Amount, and Subtotal. Includes items like 'TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES' and 'SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY BASED CARE'.

From the funds provided in Specific Appropriation 342, the Department of Children and Families shall conduct a comprehensive, multi-year review of the revenues, expenditures, and financial position of all Community-based Care Lead Agencies...

From the funds provided in Specific Appropriation 342, \$2,250,000 from the General Revenue Fund is provided for adoption incentive awards to community-based care lead agencies or their subcontractors...

From the funds in Specific Appropriation 342, the sums of \$7,113,007 from the General Revenue Fund, \$5,616,745 from the Federal Grants Trust Fund, and the nonrecurring sum of \$2,083,640 from the Welfare Transition Trust Fund...

From the funds in Specific Appropriation 342, the nonrecurring sums of \$343,699 from the General Revenue Fund and \$7,743,341 from the Federal Grants Trust Fund are provided to the Community-Based Care Lead Agencies to implement the safety management services.

Table for Section 342A: SPECIAL CATEGORIES GRANTS AND AIDS - ADOPTION ASSISTANCE PAYMENTS AND MAINTENANCE SUBSIDIES. Includes amounts for General Revenue Fund, Federal Grants Trust Fund, and Welfare Transition Trust Fund.

Funds provided in Specific Appropriation 342A, are provided to community-based care lead agencies for the payment of adoption assistance subsidies pursuant to section 409.166, Florida Statutes.

By February 15, 2017, the Department of Children and Families shall provide to the chairs of the Senate Committee on Appropriations and the House of Representatives' Appropriations Committee, a report providing the total number of finalized adoptions occurring from July 1, 2016 through January 31, 2017.

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Table with 3 columns: Description, Amount, and Subtotal. Includes items like 'By April 30, 2017, the department shall perform a reconciliation of the funding appropriated...' and '342B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY'.

PROGRAM: MENTAL HEALTH PROGRAM

MENTAL HEALTH SERVICES

Table with 3 columns: Description, Amount, and Subtotal. Includes items like 'APPROVED SALARY RATE', '343 SALARIES AND BENEFITS', '344 OTHER PERSONAL SERVICES', '345 EXPENSES', '346 OPERATING CAPITAL OUTLAY', '347 FOOD PRODUCTS', '348 SPECIAL CATEGORIES CONTRACTED SERVICES', and '349 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES'.

From the funds in Specific Appropriation 349 and 350, the nonrecurring sum of \$3,000,000 from the General Revenue Fund is provided as a cost of living increase for the following providers:

Table with 2 columns: Provider Name and Amount. Lists South Florida State Hospital, Florida Civil Commitment Center, Treasure Coast, and South Florida Evaluation and Treatment Center.

350 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES

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FROM GENERAL REVENUE FUND 100,421,456
FROM FEDERAL GRANTS TRUST FUND 14,620,079

From the funds in Specific Appropriation 350, \$1,211,727 from the General Revenue Fund is provided to contract with a mental health facility for no less than 11 additional secure forensic flex beds to ensure capacity for forensic individuals being admitted within 15 days of a court order as required by chapter 916, Florida Statutes.

351 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID
FROM GENERAL REVENUE FUND 8,788,410
FROM FEDERAL GRANTS TRUST FUND 1,900,961
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 876,992

352 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,477,579
FROM FEDERAL GRANTS TRUST FUND 963,605

353 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 90,969

354 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 716,733

355 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 348,888
FROM FEDERAL GRANTS TRUST FUND 20,446
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 1,973

356 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 23,944

TOTAL: MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 267,271,294
FROM TRUST FUNDS 84,294,228

TOTAL POSITIONS 3,070.50
TOTAL ALL FUNDS 351,565,522

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

ECONOMIC SELF SUFFICIENCY SERVICES

APPROVED SALARY RATE 161,416,687

357 SALARIES AND BENEFITS POSITIONS 4,355.00
FROM GENERAL REVENUE FUND 92,312,170
FROM FEDERAL GRANTS TRUST FUND 99,144,460
FROM GRANTS AND DONATIONS TRUST
FUND 4,516,181
FROM WELFARE TRANSITION TRUST FUND 7,299,483

358 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,441,392
FROM FEDERAL GRANTS TRUST FUND 2,604,791
FROM WELFARE TRANSITION TRUST FUND 141,420

359 EXPENSES
FROM GENERAL REVENUE FUND 11,641,741
FROM FEDERAL GRANTS TRUST FUND 16,847,488
FROM WELFARE TRANSITION TRUST FUND 1,067,102

360 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,998

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FROM FEDERAL GRANTS TRUST FUND 25,594
FROM WELFARE TRANSITION TRUST FUND 474

361 SPECIAL CATEGORIES
GRANTS AND AIDS - CHALLENGE GRANTS
FROM GRANTS AND DONATIONS TRUST
FUND 5,000,000

Funds in Specific Appropriation 361, which have been transferred from the Department of Economic Opportunity, Specific Appropriation 2224, shall be used to provide services to homeless persons according to the provisions of section 420.622, Florida Statutes.

362 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL EMERGENCY
SHELTER GRANT PROGRAM
FROM FEDERAL GRANTS TRUST FUND 6,160,320
FROM WELFARE TRANSITION TRUST FUND 852,507

363 SPECIAL CATEGORIES
GRANTS AND AIDS - HOMELESS HOUSING
ASSISTANCE GRANTS
FROM GENERAL REVENUE FUND 3,290,800

From the funds in Specific Appropriation 363, the recurring sum of \$2,700,000 and the nonrecurring sum of \$300,000 from the General Revenue Fund are provided to the local homeless coalitions throughout the state.

From the funds provided in Specific Appropriation 363, the nonrecurring sum of \$140,800 from the General Revenue Fund is provided to Citrus Health Network for the Safe Haven for Homeless Youth program.

From the funds provided in Specific Appropriation 363, the nonrecurring sum of \$150,000 from the General Revenue Fund is provided to National Veterans Homeless Support in Brevard County.

364 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 17,020,436
FROM FEDERAL GRANTS TRUST FUND 21,118,507
FROM WELFARE TRANSITION TRUST FUND 595,294

From the funds in Specific Appropriation 364, the nonrecurring sums of \$1,407,000 from the General Revenue Fund and \$1,407,000 from the Federal Grants Trust Fund are provided to contract for automated commercial wage verification services for the purpose of acquiring current employment and income information, for eligibility determination and periodic recertification, for the following public benefit programs: Supplemental Nutrition Assistance (SNAP), Temporary Assistance for Needy Families (TANF), and Medicaid. Funds shall be used to automate the eligibility determination process, to improve program integrity and to detect and deter fraud, waste, and abuse in public benefit programs administered by the Department of Children and Families.

365 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 576,801
FROM FEDERAL GRANTS TRUST FUND 11,708,995
FROM WELFARE TRANSITION TRUST FUND 166,494

366 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAM
FROM FEDERAL GRANTS TRUST FUND 64,742,633

367 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FRAUD CONTRACT
FROM FEDERAL GRANTS TRUST FUND 3,406,033
FROM WELFARE TRANSITION TRUST FUND 689,593

368 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,432,669
FROM FEDERAL GRANTS TRUST FUND 1,200,901
FROM WELFARE TRANSITION TRUST FUND 76,129

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APPROPRIATION			
369	SPECIAL CATEGORIES		
	SERVICES TO REPATRIATED AMERICANS		
	FROM FEDERAL GRANTS TRUST FUND . . .	40,380	
370	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	5,935	
	FROM FEDERAL GRANTS TRUST FUND . . .	8,322	
	FROM WELFARE TRANSITION TRUST FUND .	545	
371	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	424,578	
	FROM FEDERAL GRANTS TRUST FUND . . .	611,231	
	FROM WELFARE TRANSITION TRUST FUND .	39,110	
372	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	750	
	FROM FEDERAL GRANTS TRUST FUND . . .	26,644	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	28,714	
	FROM WELFARE TRANSITION TRUST FUND .	640	
373	FINANCIAL ASSISTANCE PAYMENTS		
	CASH ASSISTANCE		
	FROM GENERAL REVENUE FUND	127,459,723	
	FROM WELFARE TRANSITION TRUST FUND .	31,432,356	
374	FINANCIAL ASSISTANCE PAYMENTS		
	NONRELATIVE CARE GIVER		
	FROM GENERAL REVENUE FUND	4,800,000	
375	FINANCIAL ASSISTANCE PAYMENTS		
	OPTIONAL STATE SUPPLEMENTATION PROGRAM		
	FROM GENERAL REVENUE FUND	6,918,700	
376	FINANCIAL ASSISTANCE PAYMENTS		
	PERSONAL CARE ALLOWANCE		
	FROM GENERAL REVENUE FUND	4,555,139	
	FROM FEDERAL GRANTS TRUST FUND . . .	28,017	
377	FINANCIAL ASSISTANCE PAYMENTS		
	REFUGEE/ENTRANT ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND . . .	29,607,836	
TOTAL:	ECONOMIC SELF SUFFICIENCY SERVICES		
	FROM GENERAL REVENUE FUND	271,883,832	
	FROM TRUST FUNDS	309,188,194	
	TOTAL POSITIONS	4,355.00	
	TOTAL ALL FUNDS	581,072,026	
PROGRAM: COMMUNITY SERVICES			
COMMUNITY SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES			
	APPROVED SALARY RATE	5,230,253	
378	SALARIES AND BENEFITS		
	POSITIONS	94.00	
	FROM GENERAL REVENUE FUND	3,803,963	
	FROM ADMINISTRATIVE TRUST FUND . . .	30	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND	2,960,832	
	FROM FEDERAL GRANTS TRUST FUND . . .	210,673	
379	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	535,096	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND	484,864	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,155,711	

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APPROPRIATION			
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		258,557
380	EXPENSES		
	FROM GENERAL REVENUE FUND	1,011,640	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND		714,599
	FROM FEDERAL GRANTS TRUST FUND . . .		280,090
	FROM WELFARE TRANSITION TRUST FUND .		3,723
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		101,980
381	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PUBLIC SAFETY, MENTAL		
	HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING		
	GRANT PROGRAM		
	FROM GENERAL REVENUE FUND	9,000,000	
382	SPECIAL CATEGORIES		
	CHILDREN'S ACTION TEAMS FOR MENTAL HEALTH		
	AND SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND	17,250,000	
Funds provided in Specific Appropriation 382, shall be used by the Department of Children and Families to contract directly with each of the following providers for the operation of Community Action Treatment (CAT) teams that provide community-based services to children ages 11 to 21 with a mental health diagnosis or co-occurring substance abuse diagnosis with accompanying characteristics such as: being at-risk for out-of-home placement as demonstrated by repeated failures at less intensive levels of care; having two or more hospitalizations or repeated failures; involvement with the Department of Juvenile Justice or multiple episodes involving law enforcement; or, poor academic performance and/or suspensions. Children younger than 11 may be candidates if they meet two or more of the aforementioned characteristics.			
The department shall fund the following contracts:			
	SalusCare (Lee Mental Health) - Lee.....		750,000
	Manatee Glens - Sarasota, Desoto.....		750,000
	Circles of Care - Brevard.....		750,000
	Life Management Center - Bay.....		750,000
	David Lawrence Center - Collier.....		750,000
	Child Guidance Center - Duval.....		750,000
	Institute for Child and Family Health - Miami-Dade.....		750,000
	Mental Health Care - Hillsborough.....		750,000
	Personal Enrichment Mental Health Services - Pinellas.....		750,000
	Peace River Center - Polk, Highlands, Hardee.....		750,000
	COPE Center - Walton.....		750,000
	Lifestream Behavioral Center - Sumter and Lake.....		750,000
	Family Preservation Services of Florida - Treasure Coast....		750,000
	Lakeside Behavioral Healthcare - Orange.....		750,000
	Citrus Health Network - Miami-Dade.....		750,000
	Manatee Glens - Manatee.....		750,000
	Lakeview Center - Escambia.....		750,000
	Sinfonia - Alachua.....		750,000
	Baycare Behavioral Health - Pasco.....		750,000
	Meridian Behavioral Health - Alachua, Columbia, Dixie,		
	Hamilton, Lafayette, and Suwannee.....		750,000
	The Centers - Marion.....		750,000
	Sinfonia - Palm Beach.....		750,000
	Bridgeway Center - Okaloosa.....		750,000
383	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY MENTAL HEALTH		
	SERVICES		
	FROM GENERAL REVENUE FUND	210,364,438	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND		32,726,272
	FROM FEDERAL GRANTS TRUST FUND . . .		27,008,169
	FROM WELFARE TRANSITION TRUST FUND .		6,948,619
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		445,370

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From the funds in Specific Appropriation 383, the sum of \$455,000 from the General Revenue Fund shall continue to be provided to the Citrus Health Network.

From the funds in Specific Appropriation 383, the nonrecurring sum of \$1,508,754 is provided from the General Revenue Fund to Stewart-Marchman Behavioral Healthcare to provide a Florida Assertive Community Treatment (F.A.C.T.) team serving Putnam and St. Johns counties.

From the funds in Specific Appropriation 383, \$4,730,000 from the General Revenue Fund is provided to continue to fund mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

From the funds in Specific Appropriation 383, \$3,504,000 from the General Revenue Fund is provided for an expansion of forensic mental health transitional beds to divert individuals sentenced under chapter 916, Florida Statutes, from the county jail system and to move eligible individuals currently in forensic state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in circuits 2, 13, and 17 that are currently under contract with the department for this and other forensic services and qualified to provide integrated health care, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

From the funds in Specific Appropriation 383, the recurring sum of \$3,260,000 from the General Revenue Fund is provided for the creation of five pilot community forensic multidisciplinary teams designed to divert individuals from secure forensic commitment by providing community-based services. The teams will be placed in the areas of greatest need, as determined by the Department of Children and Families.

384	SPECIAL CATEGORIES	
	GRANTS AND AIDS - BAKER ACT SERVICES	
	FROM GENERAL REVENUE FUND	72,738,856
385	SPECIAL CATEGORIES	
	GRANTS AND AIDS - COMMUNITY SUBSTANCE	
	ABUSE SERVICES	
	FROM GENERAL REVENUE FUND	103,338,212
	FROM ALCOHOL, DRUG ABUSE AND	
	MENTAL HEALTH TRUST FUND	122,418,776
	FROM FEDERAL GRANTS TRUST FUND . . .	2,554,954
	FROM WELFARE TRANSITION TRUST FUND .	5,850,004
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND	1,992,695

From the funds in Specific Appropriation 385, \$10,000,000 from the General Revenue Fund shall continue to be provided for the expansion of substance abuse services for pregnant women, mothers, and their affected families. These services shall include the expansion of residential treatment, outpatient treatment with housing support, outreach, detoxification, child care and post-partum case management supporting both the mother and child consistent with recommendations from the Statewide Task Force on Prescription Drug Abuse and Newborns. Priority for services shall be given to counties with the greatest need and available treatment capacity.

From the funds in Specific Appropriation 385, \$750,000 from the General Revenue Fund is provided to the Department of Children and Families to continue contracting directly with Informed Families of Florida for the purpose of providing a statewide program for the prevention of child and adolescent substance abuse.

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From the funds in Specific Appropriation 385, \$9,360,000 from the General Revenue Fund is provided to implement the Family Intensive Treatment (FIT) team model that is designed to provide intensive team-based, family-focused, comprehensive services to families in the child welfare system with parental substance abuse. Treatment shall be available and provided in accordance with the indicated level of care required and providers shall meet program specifications. Funds shall be targeted to select communities with high rates of child abuse cases.

From the funds in Specific Appropriation 385, the sum of \$840,000 from the General Revenue Fund is provided to Centerstone of Florida for the operation of a Family Intensive Treatment (FIT) team.

From the funds in Specific Appropriation 385, the recurring sum of \$200,000 and the nonrecurring sum of \$300,000 from the General Revenue Fund shall be provided to Here's Help, Inc.

From the funds in Specific Appropriation 385, \$250,000 from the General Revenue Fund shall continue to be provided to the Drug Abuse Comprehensive Coordinating Office (DACC0).

386	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CENTRAL RECEIVING	
	FACILITIES	
	FROM GENERAL REVENUE FUND	20,000,000
	The funds in Specific Appropriation 386 are provided for a statewide initiative to fund centralized receiving systems. A central receiving system consists of a designated central receiving facility and other service providers that serve as a single point or a coordinated system of entry for individuals needing evaluation or stabilization under section 394.463 or section 397.675, Florida Statutes, or crisis services as defined in subsections 394.67(17)-(18), Florida Statutes. Centralized receiving systems provide a single point or a coordinated system of entry for an array of behavioral health services, conduct initial assessments and triage, and provide case management and related services, including jail diversion programs for individuals with mental health or substance abuse disorders. The Department of Children and Families shall administer a matching grant program to provide funding for the start-up or on-going costs of a centralized receiving system. Each award, including awards granted by the department in Fiscal Year 2015-2016, may be granted for a period of up to five years, and shall require a local match of at least 50 percent of the state award. The department shall work with local agencies to encourage and support the development of centralized receiving systems.	
387	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	4,846,877
	FROM ALCOHOL, DRUG ABUSE AND	
	MENTAL HEALTH TRUST FUND	1,206,192
	FROM FEDERAL GRANTS TRUST FUND . . .	1,133,961
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND	37,599

From the funds in Specific Appropriation 387, the sum of \$1,500,000 from the General Revenue Fund shall continue to be provided to contract with a nonprofit organization for the distribution and associated medical costs of naltrexone extended-release injectable medication to treat alcohol and opioid dependency.

388	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	10,151,172
	FROM ALCOHOL, DRUG ABUSE AND	
	MENTAL HEALTH TRUST FUND	452,312
	FROM FEDERAL GRANTS TRUST FUND . . .	5,904,931

From the funds in Specific Appropriation 388, the sum of \$1,235,000 from the General Revenue Fund is provided for the following projects:

Circles of Care - Harbor Pines / Cedar Village.....	970,000
The David Lawrence Center.....	100,000
Pt. Myers Salvation Army - Behavioral health services.....	165,000

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From the funds in Specific Appropriation 388, the nonrecurring sum of \$7,534,794 from the General Revenue Fund is provided for the following projects:

Table with 2 columns: Project Name and Amount. Includes items like BayCare Behavioral Health - Veteran Intervention Program (485,000), Camillus House - Behavioral health services (200,000), etc.

From the funds in Specific Appropriation 388, the nonrecurring sum of \$300,000 from the Federal Grants Trust Fund is provided to Specialized Treatment, Education and Prevention Services (STEPS).

Table of appropriations 389-395. Includes categories like SPECIAL CATEGORIES, GRANTS AND AIDS - PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN, etc.

Funds in Specific Appropriation 395 are provided for the administration costs of the seven regional managing entities that

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deliver behavioral health care through local network providers.

Table for appropriation 396. Includes SPECIAL CATEGORIES, TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES, etc.

Table for appropriation 396A. Includes GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GATEWAY COMMUNITY SERVICES.

From the funds in Specific Appropriation 396A, the nonrecurring sum of \$200,000 from the General Revenue Fund is provided to Gateway Community Services for the construction and renovation of buildings and patient rooms.

Table for appropriation 396B. Includes GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY AGAPE NETWORK - SPECIALIZED THERAPEUTIC GROUP CAMPS.

From the funds in Specific Appropriation 396B, the nonrecurring sum of \$245,000 from the General Revenue Fund is provided to Agape Network for the renovation of a building to provide Specialized Therapeutic Group Camps.

Table for appropriation 396C. Includes GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY RESIDENTIAL SUPPORT FOR INDIVIDUALS WITH MENTAL HEALTH OR SUBSTANCE ABUSE DISORDERS.

From the funds in Specific Appropriation 396C, the nonrecurring sum of \$250,000 from the General Revenue Fund is provided to Fellowship House in Miami-Dade County to provide housing support to individuals with mental health or co-occurring substance abuse disorders.

TOTAL: COMMUNITY SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES. Summary table showing totals for revenue and trust funds.

TOTAL: CHILDREN AND FAMILIES, DEPARTMENT OF. Summary table showing totals for revenue and trust funds.

TOTAL POSITIONS and TOTAL ALL FUNDS. Summary table showing totals for positions and approved salary rate.

ELDER AFFAIRS, DEPARTMENT OF
PROGRAM: SERVICES TO ELDERS PROGRAM

Table for Comprehensive Eligibility Services. Includes APPROVED SALARY RATE and SALARIES AND BENEFITS POSITIONS.

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398	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	182,194	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		970,316
399	EXPENSES		
	FROM GENERAL REVENUE FUND	371,607	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,669,679
400	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	8,405	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,178
401	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	91,999	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		121,818
402	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	114,776	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		106,731
403	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	54,828	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		89,483
404	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	23,860	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		70,761
TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES			
	FROM GENERAL REVENUE FUND	4,493,309	
	FROM TRUST FUNDS		13,839,265
	TOTAL POSITIONS	272.50	
	TOTAL ALL FUNDS		18,332,574
HOME AND COMMUNITY SERVICES			
	APPROVED SALARY RATE	3,071,903	
405	SALARIES AND BENEFITS POSITIONS	64.50	
	FROM GENERAL REVENUE FUND	1,554,475	
	FROM FEDERAL GRANTS TRUST FUND		2,047,253
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		972,575
406	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	260,220	
	FROM ADMINISTRATIVE TRUST FUND		59,598
	FROM FEDERAL GRANTS TRUST FUND		825,349
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		230,105
407	EXPENSES		
	FROM GENERAL REVENUE FUND	403,089	
	FROM ADMINISTRATIVE TRUST FUND		5,958
	FROM FEDERAL GRANTS TRUST FUND		1,085,024
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		450,427
408	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,905	

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	FROM FEDERAL GRANTS TRUST FUND		5,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,000
409	SPECIAL CATEGORIES		
	AGING AND ADULT SERVICES TRAINING AND EDUCATION		
	FROM FEDERAL GRANTS TRUST FUND		119,493
410	SPECIAL CATEGORIES		
	GRANTS AND AIDS - ALZHEIMER'S DISEASE INITIATIVE		
	FROM GENERAL REVENUE FUND	22,139,517	
	From the funds in Specific Appropriation 410, \$1,559,200 from the General Revenue Fund is provided for Alzheimer's respite care services to serve individuals on the waitlist statewide.		
	From the funds in Specific Appropriation 410, the following projects are funded from nonrecurring general revenue funds:		
	Alzheimer's Project, Inc.....		150,000
	Alzheimer's Community Care.....		400,000
	Jewish Family and Community Services of Southwest Florida...		50,000
	Easter Seals of South Florida.....		101,850
411	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY		
	FROM GENERAL REVENUE FUND	63,031,300	
	FROM FEDERAL GRANTS TRUST FUND		269,851
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,088,969
	From the funds in Specific Appropriation 411, \$1,955,220 from the General Revenue Fund, of which \$1,755,000 is nonrecurring, is provided to serve elders on the waitlist. The Department of Elder Affairs shall allocate these increased funds to the eleven planning and service areas according to the department's established statewide allocation formula for the Community Care for the Elderly Program. Each Aging Resource Center shall prioritize funding to serve frail seniors on the waiting list who are most at risk of nursing home placement.		
	From the funds in Specific Appropriation 411, \$700,000 from the General Revenue Fund, of which \$50,000 is nonrecurring, and \$700,000 from the Operations and Maintenance Trust Fund, of which \$50,000 is nonrecurring, are provided to the Area Agencies on Aging related to the Statewide Medicaid Managed Care Long Term Care program.		
412	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOME ENERGY ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND		5,963,764
413	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM		
	FROM GENERAL REVENUE FUND	9,952,809	
	FROM FEDERAL GRANTS TRUST FUND		96,743,728
	From the funds in Specific Appropriation 413, the following projects are funded from nonrecurring general revenue funds:		
	City of Hialeah Gardens - Hot Meals.....		215,000
	City of Hialeah Meals Program.....		1,150,000
	Community Coalition Hot Meals Program.....		250,000
	AAA Meals Nassau and Duval County.....		400,000
	Ruth and Norman Rales Jewish Family Services.....		75,000
	Little Havana Activities Center - Local Services Program....		50,000
414	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	239,710	
	FROM ADMINISTRATIVE TRUST FUND		33,131
	FROM FEDERAL GRANTS TRUST FUND		458,925

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Table with 2 columns: Description and Amount. Rows include 'FROM GRANTS AND DONATIONS TRUST FUND' (22,700) and 'FROM OPERATIONS AND MAINTENANCE TRUST FUND' (178,564).

From the funds in Specific Appropriation 414, \$125,000 in nonrecurring funds from the General Revenue Fund and \$125,000 in nonrecurring funds from the Operations and Maintenance Trust Fund are provided to conduct a needs analysis for the Client Information and Registration Tracking System (CIRTS).

Table with 2 columns: Description and Amount. Rows include '415 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES' (2,553,545), 'FROM ADMINISTRATIVE TRUST FUND' (31,397), 'FROM FEDERAL GRANTS TRUST FUND' (9,135,359), and 'FROM OPERATIONS AND MAINTENANCE TRUST FUND' (796,511).

From the funds in Specific Appropriation 415, \$50,000 in nonrecurring funds from the General Revenue fund is provided to the Villa Serena Group in Miami-Dade County to provide a consumer referral program for indigent persons needing a placement in an assisted living facility.

From the funds in Specific Appropriation 415, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for United Home Care Assisted Living Facility - Miami Dade to provide subsidized residency to low-income elders.

Table with 2 columns: Description and Amount. Row: '416 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND' (47,785).

Table with 2 columns: Description and Amount. Rows include '417 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND' (9,639), 'FROM FEDERAL GRANTS TRUST FUND' (6,635), and 'FROM OPERATIONS AND MAINTENANCE TRUST FUND' (6,182).

Table with 2 columns: Description and Amount. Rows include '418 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND' (8,729), 'FROM FEDERAL GRANTS TRUST FUND' (12,293), and 'FROM OPERATIONS AND MAINTENANCE TRUST FUND' (4,952).

Table with 2 columns: Description and Amount. Row: '419 SPECIAL CATEGORIES PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE) FROM GENERAL REVENUE FUND' (19,605,297) and 'FROM OPERATIONS AND MAINTENANCE TRUST FUND' (30,677,586).

From the funds in Specific Appropriation 419, \$2,001,310 from the General Revenue Fund and \$3,131,570 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 200 slots in Palm Beach County, effective July 1, 2016.

From the funds in Specific Appropriation 419, \$1,583,381 from the General Revenue Fund, of which \$400,000 is nonrecurring, and \$2,477,611 from the Operations and Maintenance Trust Fund, of which \$625,904 is nonrecurring, are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 134 slots in Miami-Dade County, effective July 1, 2016.

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From the funds in Specific Appropriation 419, \$600,000 in nonrecurring funds from the General Revenue Fund and \$938,856 in nonrecurring funds from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 60 slots in Pinellas County, effective July 1, 2016.

Table with 2 columns: Description and Amount. Row: '419A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - ALZHEIMER'S COMMUNITY CARE AND SERVICES FROM GENERAL REVENUE FUND' (60,037).

From the funds in Specific Appropriation 419A, \$60,037 in nonrecurring funds from the General Revenue Fund is provided to Easter Seals of South Florida.

Table with 2 columns: Description and Amount. Row: '419B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SENIOR CITIZEN CENTERS FROM GENERAL REVENUE FUND' (750,000).

From the funds in Specific Appropriation 419B, \$250,000 in nonrecurring funds from the General Revenue Fund is provided for the Pasco Elderly Nutrition Kitchen.

From the funds in Specific Appropriation 419B, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to Violeta Duenas Senior Center.

Summary table for HOME AND COMMUNITY SERVICES. Rows include 'TOTAL: HOME AND COMMUNITY SERVICES FROM GENERAL REVENUE FUND' (120,622,057), 'FROM TRUST FUNDS' (153,236,329), 'TOTAL POSITIONS' (64.50), and 'TOTAL ALL FUNDS' (273,858,386).

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,461,762

Table with 2 columns: Description and Amount. Rows include '420 SALARIES AND BENEFITS POSITIONS' (64.50), 'FROM GENERAL REVENUE FUND' (1,795,910), 'FROM ADMINISTRATIVE TRUST FUND' (1,692,489), and 'FROM FEDERAL GRANTS TRUST FUND' (1,306,737).

Table with 2 columns: Description and Amount. Rows include '421 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND' (89,463), 'FROM ADMINISTRATIVE TRUST FUND' (515,613), and 'FROM FEDERAL GRANTS TRUST FUND' (643,883).

Table with 2 columns: Description and Amount. Rows include '422 EXPENSES FROM GENERAL REVENUE FUND' (233,611), 'FROM ADMINISTRATIVE TRUST FUND' (384,307), and 'FROM FEDERAL GRANTS TRUST FUND' (801,228).

Table with 2 columns: Description and Amount. Row: '423 OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND' (2,000).

Table with 2 columns: Description and Amount. Row: '424 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND' (5,452).

Table with 2 columns: Description and Amount. Rows include '425 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND' (67,285), 'FROM ADMINISTRATIVE TRUST FUND' (112,789), and 'FROM FEDERAL GRANTS TRUST FUND' (205,789).

From the funds in Specific Appropriation 425, \$61,800 in nonrecurring funds from the General Revenue Fund is provided to contract with an independent consultant to conduct a study of the current prioritization score and rankings for clients that did not receive services to determine the correlation between the Priority Score and entry into a

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nursing home. The study will also determine if the Priority Score ranking has the appropriate cut-off points for each level. The study shall be submitted to the Governor, the Speaker of the House, and the President of the Senate no later than January 31, 2017.

426	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	110,603		
	FROM ADMINISTRATIVE TRUST FUND . . .		4,058	
	FROM FEDERAL GRANTS TRUST FUND . . .		73,406	
427	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	5,022		
	FROM ADMINISTRATIVE TRUST FUND . . .		4,159	
	FROM FEDERAL GRANTS TRUST FUND . . .		7,016	
428	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	10,705		
	FROM ADMINISTRATIVE TRUST FUND . . .		16,942	
429	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)			
	FROM GENERAL REVENUE FUND	28,518		
	FROM ADMINISTRATIVE TRUST FUND . . .		48,472	
	FROM FEDERAL GRANTS TRUST FUND . . .		166,582	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		333,879	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	2,346,569		
	FROM TRUST FUNDS		6,319,349	
	TOTAL POSITIONS	64.50		
	TOTAL ALL FUNDS		8,665,918	

CONSUMER ADVOCATE SERVICES

	APPROVED SALARY RATE	1,402,221		
430	SALARIES AND BENEFITS POSITIONS	32.00		
	FROM GENERAL REVENUE FUND	431,023		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,489,508	
431	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND . . .		153,825	
	FROM FEDERAL GRANTS TRUST FUND . . .		405,633	
432	EXPENSES			
	FROM GENERAL REVENUE FUND	126,361		
	FROM ADMINISTRATIVE TRUST FUND . . .		109,973	
	FROM FEDERAL GRANTS TRUST FUND . . .		107,427	
433	SPECIAL CATEGORIES PUBLIC GUARDIANSHIP CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	5,687,527		
	FROM ADMINISTRATIVE TRUST FUND . . .		154,816	

From the funds in Specific Appropriation 433, \$3,000,000 from the General Revenue Fund is provided to operate the Public Guardianship program on a statewide basis and to allow resources to be allocated to local public guardianship offices based upon criteria established by the Department of Elder Affairs. The allocation criteria will include factors such as need, size, current wards served, and new or additional wards served.

From the funds in Specific Appropriation 433, \$750,000 in nonrecurring funds from the General Revenue Fund is provided for currently unfunded public guardianship services.

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434	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		6,760	
	FROM ADMINISTRATIVE TRUST FUND . . .			149,000
435	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		48,327	
436	SPECIAL CATEGORIES LONG TERM CARE OMBUDSMAN COUNCIL			
	FROM GENERAL REVENUE FUND		872,350	
	FROM FEDERAL GRANTS TRUST FUND . . .			626,020
437	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		50,092	
438	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		4,667	
	FROM FEDERAL GRANTS TRUST FUND . . .			9,012
TOTAL:	CONSUMER ADVOCATE SERVICES			
	FROM GENERAL REVENUE FUND		7,227,107	
	FROM TRUST FUNDS			3,205,214
	TOTAL POSITIONS	32.00		
	TOTAL ALL FUNDS			10,432,321
TOTAL:	ELDER AFFAIRS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND		134,689,042	
	FROM TRUST FUNDS			176,600,157
	TOTAL POSITIONS	433.50		
	TOTAL ALL FUNDS			311,289,199
	TOTAL APPROVED SALARY RATE		18,255,922	
HEALTH, DEPARTMENT OF				
PROGRAM:	EXECUTIVE DIRECTION AND SUPPORT			
ADMINISTRATIVE SUPPORT				
	APPROVED SALARY RATE	19,358,623		
439	SALARIES AND BENEFITS POSITIONS	387.50		
	FROM GENERAL REVENUE FUND	3,180,167		
	FROM ADMINISTRATIVE TRUST FUND . . .			21,602,065
440	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND . . .		1,514,768	
	FROM FEDERAL GRANTS TRUST FUND . . .		117,600	
441	EXPENSES			
	FROM GENERAL REVENUE FUND	1,915,516		
	FROM ADMINISTRATIVE TRUST FUND . . .			8,061,504
	FROM FEDERAL GRANTS TRUST FUND . . .			17,400
442	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - MINORITY HEALTH INITIATIVES			
	FROM GENERAL REVENUE FUND		3,134,044	
443	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		63,408	
	FROM ADMINISTRATIVE TRUST FUND . . .			2,573,137
443A	LUMP SUM DISASTER RECOVERY SERVICES			
	FROM GENERAL REVENUE FUND		1,570,484	

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The funds in Specific Appropriation 443A are provided for the Department of Health to obtain a managed disaster recovery service that does not require the purchase of hardware. The department is authorized to request the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Requests for release of funds shall include a detailed implementation plan and project spend plan.

444	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .		33,245
445	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . . FROM FEDERAL GRANTS TRUST FUND . . .	1,222,032	4,340,408 74,019
446	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	94,388	250,669
447	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM ADMINISTRATIVE TRUST FUND . . .		738,731
448	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	10,397	67,336
449	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	34,990	101,295
450	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	1,362,947	5,017,623
451	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER FROM ADMINISTRATIVE TRUST FUND . . .		1,282,859
452	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER (NSRC) DEPRECIATION FEDERAL SHARE BILLINGS FROM ADMINISTRATIVE TRUST FUND . . .		17,011
TOTAL:	ADMINISTRATIVE SUPPORT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	12,588,373	45,809,670
	TOTAL POSITIONS	387.50	
	TOTAL ALL FUNDS		58,398,043

PROGRAM: COMMUNITY PUBLIC HEALTH

COMMUNITY HEALTH PROMOTION

The Florida Hospital/Sanford-Burnham Translational Research Institute is designated as a State of Florida resource for research in diabetes diagnosis, prevention and treatment. The Florida Hospital/Sanford-Burnham Translational Research Institute may coordinate with the Department of Health on activities and grant opportunities in relation to research in diabetes diagnosis, prevention and treatment.

APPROVED SALARY RATE 10,687,438

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453	SALARIES AND BENEFITS POSITIONS	223.50	
	FROM GENERAL REVENUE FUND	1,850,092	
	FROM ADMINISTRATIVE TRUST FUND . . .		255,085
	FROM RAPE CRISIS PROGRAM TRUST FUND		40,943
	FROM TOBACCO SETTLEMENT TRUST FUND .		316,778
	FROM EPILEPSY SERVICES TRUST FUND . .		66,775
	FROM FEDERAL GRANTS TRUST FUND . . .		9,679,698
	FROM GRANTS AND DONATIONS TRUST FUND		61,969
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,187,299
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		550,402

From the funds in Specific Appropriation 453, \$316,778 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.

454	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		662,340
	FROM GRANTS AND DONATIONS TRUST FUND		114,390
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		147,829
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		67,086

455	EXPENSES FROM GENERAL REVENUE FUND	155,572	
	FROM ADMINISTRATIVE TRUST FUND . . .		36,074
	FROM RAPE CRISIS PROGRAM TRUST FUND		35,000
	FROM EPILEPSY SERVICES TRUST FUND .		31,044
	FROM BIOMEDICAL RESEARCH TRUST FUND		2,047
	FROM FEDERAL GRANTS TRUST FUND . . .		2,662,761
	FROM GRANTS AND DONATIONS TRUST FUND		41,478
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		447,752
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		292,504

456	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FAMILY PLANNING SERVICES FROM GENERAL REVENUE FUND	4,245,455	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,067,783

457	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EPILEPSY SERVICES FROM GENERAL REVENUE FUND	2,668,230	
	FROM EPILEPSY SERVICES TRUST FUND .		709,547

From the funds in Specific Appropriation 457, \$561,078 from the General Revenue Fund is provided to the Epilepsy Services Program.

458	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	3,455,424	
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459	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PRIMARY CARE PROGRAM FROM GENERAL REVENUE FUND	19,221,512	
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460	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLUORIDATION PROJECT FROM GENERAL REVENUE FUND	200,000	
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		150,000

From the funds in Specific Appropriation 460, \$200,000 in nonrecurring funds from the General Revenue Fund is provided for

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Table with 3 columns: Item ID, Description, Amount. Includes 'Community Water Fluoridation' and '461 AID TO LOCAL GOVERNMENTS SCHOOL HEALTH SERVICES'.

From the funds in Specific Appropriations 461 and 476, \$5,000,000 from the Federal Grants Trust Fund is provided for school health services using Title XXI administrative funding.

Table with 3 columns: Item ID, Description, Amount. Includes '462 OPERATING CAPITAL OUTLAY'.

Table with 3 columns: Item ID, Description, Amount. Includes '463 SPECIAL CATEGORIES GRANTS AND AIDS - OUNCE OF PREVENTION'.

From the funds in Specific Appropriation 463, the Ounce of Prevention shall identify, fund and evaluate innovative prevention programs for at-risk children and families.

From the funds in Specific Appropriation 463, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for the Ounce of Prevention Fund of Florida.

Table with 3 columns: Item ID, Description, Amount. Includes '464 SPECIAL CATEGORIES GRANTS AND AIDS - CRISIS COUNSELING'.

The funds in Specific Appropriation 464 are provided to the Florida Pregnancy Support Services Program. These funds may be used to provide wellness services, including but not limited to, high blood pressure screening, flu vaccines, anemia testing, thyroid screening, cholesterol screening, diabetes screening, assistance with smoking cessation, and tetanus vaccines.

From the funds in Specific Appropriation 464, a minimum of 85 percent of the appropriated funds shall be spent on direct client services, including life skills, program awareness, and communications.

The Department of Health shall award a contract to the current Florida Pregnancy Support Services Program contract management provider for this Specific Appropriation. The contract shall provide for payments to such provider of \$500 per month per sub-contracted direct service provider for contract oversight, to include technical and educational support.

Table with 3 columns: Item ID, Description, Amount. Includes '465 SPECIAL CATEGORIES CONTRACTED SERVICES'.

Table with 3 columns: Item ID, Description, Amount. Includes '466 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES'.

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Table with 3 columns: Description, Amount. Includes 'FROM GENERAL REVENUE FUND', 'FROM ADMINISTRATIVE TRUST FUND', 'FROM RAPE CRISIS PROGRAM TRUST FUND', etc.

From the funds in Specific Appropriation 466, \$2,500,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 466, \$1,192,219 from the Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

From the funds in Specific Appropriation 466, \$1,000,000 from the General Revenue Fund, of which \$250,000 is nonrecurring, is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 466, \$1,000,000 from the General Revenue Fund is provided to VisionQuest to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no access to vision care.

From the funds in Specific Appropriation 466, \$2,100,000 of which \$1,800,000 is nonrecurring from the General Revenue Fund is provided to the Mary Brogan Breast and Cervical Cancer Early Detection Program.

From the funds in Specific Appropriation 466, \$450,000 from the General Revenue Fund is provided to the Florida State University College of Medicine Immokalee Health Education Site.

From the funds in Specific Appropriation 466, \$10,000,000 from the General Revenue Fund, of which \$500,000 is nonrecurring, is provided to the Florida Association of Free and Charitable Clinics.

From the funds in Specific Appropriation 466, \$400,000 in nonrecurring funds from the General Revenue Fund is provided to the Division of Community Health Promotion Bureau of Chronic Disease for grants to auditory-oral early intervention programs serving deaf children in multiple counties including rural and underserved areas.

From the funds in Specific Appropriation 466, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Table with 2 columns: Project Name, Amount. Lists various projects like 'Teen Xpress', 'Florida Donated Dental Services', 'Women's Breast & Heart Initiative', etc.

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Miami Beach Community Health Center - North Dental Center...	500,000
The Villages Chronic Obstructive Pulmonary Disease Project..	200,000
Florida International University - Telemedicine and Student Health Services.....	200,000

467 SPECIAL CATEGORIES

GRANTS AND AIDS - HEALTHY START COALITIONS

FROM GENERAL REVENUE FUND	21,156,426
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	6,542,389

From the funds in Specific Appropriation 467, \$681,250 in nonrecurring funds from the General Revenue Fund is provided to the Department of Health to fund designated Healthy Start Coalitions and federally qualified health centers to integrate the Nurse-Family Partnership model to provide intensive nurse visitation services for women and their infants. From these funds, the Department of Health shall use \$10,000 to contract with the Nurse-Family Partnership National Service Office for process and outcome data identification, management, and analysis. Any needed training and programmatic support will also be provided.

From the funds in Specific Appropriation 467, \$400,000 in nonrecurring funds from the General Revenue Fund is provided to the Florida Association of Healthy Start Coalitions.

From the funds in Specific Appropriation 467, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to the Hillsborough Healthy Start Coalition.

468 SPECIAL CATEGORIES

TRANSFER TO BIOMEDICAL RESEARCH TRUST FUND

FROM GENERAL REVENUE FUND	7,850,000
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469 SPECIAL CATEGORIES

JAMES AND ESTHER KING BIOMEDICAL RESEARCH PROGRAM

FROM BIOMEDICAL RESEARCH TRUST FUND	10,000,000
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470 SPECIAL CATEGORIES

WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID COLEY CANCER RESEARCH PROGRAM

FROM BIOMEDICAL RESEARCH TRUST FUND	10,000,000
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From the funds in Specific Appropriation 470, \$500,000 from the Biomedical Research Trust Fund is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute.

471 SPECIAL CATEGORIES

HEALTH EDUCATION RISK REDUCTION PROJECT

FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND	12,686
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472 SPECIAL CATEGORIES

FLORIDA CONSORTIUM OF NATIONAL CANCER INSTITUTE CENTERS PROGRAM

FROM GENERAL REVENUE FUND	45,000,000
FROM BIOMEDICAL RESEARCH TRUST FUND	15,000,000

Funds in Specific Appropriation 472 are provided for the Florida Consortium of National Cancer Institute (NCI) Centers Program established in section 381.915, Florida Statutes.

Cancer centers are eligible for Tier 1, Tier 2 and Tier 3 designation to participate in the Florida Consortium of National Cancer Institute (NCI) Centers Program as follows: H. Lee Moffitt Cancer Center and Research Institute is eligible for Tier 1 designation as a NCI-designated comprehensive cancer center; and the University of Miami Sylvester Comprehensive Cancer Center and the University of Florida Health Shands Cancer Hospital are eligible for Tier 3 designation in the Florida Consortium of NCI Centers Program.

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472A SPECIAL CATEGORIES

BIOMEDICAL RESEARCH

FROM GENERAL REVENUE FUND	3,642,514
FROM BIOMEDICAL RESEARCH TRUST FUND	4,457,486

From the funds in Specific Appropriation 472A, \$4,457,486 of which \$2,228,743 is nonrecurring, from the Biomedical Research Trust Fund and \$1,142,514 in nonrecurring funds from the General Revenue Fund is provided for the purpose of establishing activities and grant opportunities in relation to biomedical research through the Florida Translational Research Program at Sanford Burnham Prebys Medical Discovery Institute, pursuant to section 210.20(2)(c), Florida Statutes.

From the funds in Specific Appropriation 472A, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Torrey Pines Institute for Molecular Studies.

From the funds in Specific Appropriation 472A, \$2,000,000 from the General Revenue Fund is provided to the Scripps Research Institute - Scripps Florida.

473 SPECIAL CATEGORIES

ENDOWED CANCER RESEARCH

FROM GENERAL REVENUE FUND	2,000,000
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Funds in Specific Appropriation 473 are provided to the Mayo Clinic Cancer Center of Jacksonville to fund an endowed cancer research chair pursuant to section 381.922(4), Florida Statutes.

474 SPECIAL CATEGORIES

ALZHEIMER RESEARCH

FROM GENERAL REVENUE FUND	5,000,000
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The funds in Specific Appropriation 474 are provided for the Ed and Ethel Moore Alzheimer's Disease Research Program established in section 381.82, Florida Statutes.

475 SPECIAL CATEGORIES

GRANTS AND AIDS - FEDERAL NUTRITION PROGRAMS

FROM FEDERAL GRANTS TRUST FUND	269,242,843
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476 SPECIAL CATEGORIES

FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION

FROM GENERAL REVENUE FUND	6,000,000
FROM FEDERAL GRANTS TRUST FUND	2,500,000

477 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	124,709
FROM FEDERAL GRANTS TRUST FUND	1,777

478 SPECIAL CATEGORIES

WOMEN, INFANTS AND CHILDREN (WIC)

FROM FEDERAL GRANTS TRUST FUND	253,434,235
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479 SPECIAL CATEGORIES

LEASE OR LEASE-PURCHASE OF EQUIPMENT

FROM FEDERAL GRANTS TRUST FUND	13,822
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND	1,526

480 SPECIAL CATEGORIES

COMPREHENSIVE STATEWIDE TOBACCO PREVENTION AND EDUCATION PROGRAM

FROM TOBACCO SETTLEMENT TRUST FUND	67,752,019
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The funds in Specific Appropriation 480 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation

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shall be allocated as follows:

State & Community Interventions.....	11,202,740
State & Community Interventions - AHEC.....	5,607,264
Health Communications Interventions.....	22,561,422
Cessation Interventions.....	13,366,084
Cessation Interventions - AHEC.....	7,602,298
Surveillance & Evaluation.....	6,040,199
Administration & Management.....	1,372,012

From the funds in Specific Appropriation 480, the Department of Health may use nicotine replacements and other treatments approved by the federal Food and Drug Administration as part of smoking cessation interventions.

All contracts awarded through this Specific Appropriation shall include performance measures and measurable outcomes. The Department of Health shall establish specific performance and accountability criteria for all intervention and evaluation contracts. The criteria shall be based on best medical practices, past smoking cessation experience, the federal Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs, and the ability to impact the broadest population.

481 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	14,268
FROM ADMINISTRATIVE TRUST FUND	1,077
FROM RAPE CRISIS PROGRAM TRUST FUND	538
FROM FEDERAL GRANTS TRUST FUND	52,947
FROM GRANTS AND DONATIONS TRUST FUND	366
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	6,069
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND	1,925
481A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - HEALTH FACILITIES	
FROM GENERAL REVENUE FUND	6,500,000

From the funds in Specific Appropriation 481A, \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided for the Healthcare Network of Southwest Florida to construct a primary healthcare facility in the Golden Gate community.

From the funds in Specific Appropriation 481A, \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Mount Sinai Medical Center.

From the funds in Specific Appropriation 481A, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for a medical facility for the Clearwater Free Clinic.

TOTAL: COMMUNITY HEALTH PROMOTION	
FROM GENERAL REVENUE FUND	175,253,372
FROM TRUST FUNDS	681,229,339
TOTAL POSITIONS	223.50
TOTAL ALL FUNDS	856,482,711

DISEASE CONTROL AND HEALTH PROTECTION

APPROVED SALARY RATE 22,831,473

482 SALARIES AND BENEFITS POSITIONS	542.50
FROM GENERAL REVENUE FUND	7,820,719
FROM ADMINISTRATIVE TRUST FUND	2,115,803
FROM FEDERAL GRANTS TRUST FUND	13,014,405
FROM GRANTS AND DONATIONS TRUST	

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FUND		2,048,356
FROM OPERATIONS AND MAINTENANCE TRUST FUND		59,404
FROM PLANNING AND EVALUATION TRUST FUND		5,106,327
FROM RADIATION PROTECTION TRUST FUND		299,618
483 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	52,386	
FROM ADMINISTRATIVE TRUST FUND		71,060
FROM FEDERAL GRANTS TRUST FUND		1,186,763
FROM GRANTS AND DONATIONS TRUST FUND		57,197
FROM OPERATIONS AND MAINTENANCE TRUST FUND		20,505
FROM PLANNING AND EVALUATION TRUST FUND		129,707
484 EXPENSES		
FROM GENERAL REVENUE FUND	1,460,419	
FROM ADMINISTRATIVE TRUST FUND		964,928
FROM FEDERAL GRANTS TRUST FUND		10,666,892
FROM GRANTS AND DONATIONS TRUST FUND		368,658
FROM OPERATIONS AND MAINTENANCE TRUST FUND		727,934
FROM PLANNING AND EVALUATION TRUST FUND		12,508,954
FROM RADIATION PROTECTION TRUST FUND		60,615
485 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - AIDS PATIENT CARE		
FROM GENERAL REVENUE FUND	12,609,807	
FROM FEDERAL GRANTS TRUST FUND		7,560,522
486 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - RYAN WHITE CONSORTIA		
FROM FEDERAL GRANTS TRUST FUND		20,754,358

The funds in Specific Appropriation 486 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

487 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS		
FROM GENERAL REVENUE FUND	10,463,853	
488 AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
FROM GENERAL REVENUE FUND	14,662,823	
FROM ADMINISTRATIVE TRUST FUND		427,426
FROM GRANTS AND DONATIONS TRUST FUND		2,194,571
489 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	52,500	
FROM ADMINISTRATIVE TRUST FUND		15,000
FROM FEDERAL GRANTS TRUST FUND		410,024
FROM PLANNING AND EVALUATION TRUST FUND		100,000
491 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,291,055	
FROM ADMINISTRATIVE TRUST FUND		335,165
FROM FEDERAL GRANTS TRUST FUND		6,479,690
FROM GRANTS AND DONATIONS TRUST		

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Table with 2 columns: Description and Amount. Rows include FUND (966,838), FROM OPERATIONS AND MAINTENANCE TRUST FUND (609,948), FROM PLANNING AND EVALUATION TRUST FUND (2,458,489), and FROM RADIATION PROTECTION TRUST FUND (1,500).

From the funds in Specific Appropriation 491, \$450,000 from the General Revenue Fund is provided to the Birth Defects Registry.

Table with 2 columns: Description and Amount. Rows include 492 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND (3,870,026) and FROM FEDERAL GRANTS TRUST FUND (11,896,717).

From the funds in Specific Appropriation 492, \$654,150 from the General Revenue Fund is provided to increase the current contract expenditure to enhance the legislatively mandated, statewide, population-based Cancer Registry based on the recommendations made by the Florida Cancer Control and Research Advisory Council.

From the funds in Specific Appropriation 492, \$1,000,000 from the General Revenue Fund is provided for Florida academic and research institutions designated as Centers for AIDS Research (CFAR) by the National Institutes of Health to enhance high quality HIV/AIDS research projects conducted in response to the health needs of Florida's citizens.

From the funds in Specific Appropriation 492, the following projects are funded with nonrecurring funds from the General Revenue Fund:

Table with 2 columns: Description and Amount. Rows include HIV/AIDS Outreach for Broward Health (350,000), Hope & Health Center - Hug Me! Pediatric and Adolescent HIV Care Program (300,000), and The Center of Central Florida (35,000).

Table with 2 columns: Description and Amount. Rows include 493 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND (1,995,141) and FROM OPERATIONS AND MAINTENANCE TRUST FUND (3,000,000).

Table with 2 columns: Description and Amount. Rows include 494 SPECIAL CATEGORIES GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM FROM GENERAL REVENUE FUND (6,454,951) and FROM FEDERAL GRANTS TRUST FUND (8,516,293).

Table with 2 columns: Description and Amount. Rows include 495 SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM GENERAL REVENUE FUND (498,687) and FROM OPERATIONS AND MAINTENANCE TRUST FUND (252,395).

Table with 2 columns: Description and Amount. Rows include 496 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND (221,283) and FROM PLANNING AND EVALUATION TRUST FUND (149,190).

Table with 2 columns: Description and Amount. Rows include 497 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND (31,674), FROM ADMINISTRATIVE TRUST FUND (1,748), FROM FEDERAL GRANTS TRUST FUND (35,702), and FROM PLANNING AND EVALUATION TRUST FUND (45,320).

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Table with 2 columns: Description and Amount. Rows include 498 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND (87,326), FROM ADMINISTRATIVE TRUST FUND (9,730), FROM FEDERAL GRANTS TRUST FUND (90,244), FROM GRANTS AND DONATIONS TRUST FUND (11,265), FROM PLANNING AND EVALUATION TRUST FUND (27,603), and FROM RADIATION PROTECTION TRUST FUND (1,346).

Table with 2 columns: Description and Amount. Rows include 499 SPECIAL CATEGORIES OUTREACH FOR PREGNANT WOMEN FROM GENERAL REVENUE FUND (500,000).

Table with 2 columns: Description and Amount. Rows include 500 FIXED CAPITAL OUTLAY FACILITY STUDY FROM GENERAL REVENUE FUND (107,305).

The nonrecurring funds in Specific Appropriation 500 are provided to support a feasibility study to compare the costs and benefits between building new Statewide Public Health Laboratories versus renovating existing facilities.

Table with 2 columns: Description and Amount. Rows include TOTAL: DISEASE CONTROL AND HEALTH PROTECTION FROM GENERAL REVENUE FUND (62,179,955) and FROM TRUST FUNDS (115,758,210), TOTAL POSITIONS (542.50), and TOTAL ALL FUNDS (177,938,165).

COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

Table with 2 columns: Description and Amount. Rows include APPROVED SALARY RATE (417,667,667), 501 SALARIES AND BENEFITS POSITIONS (9,962.07) FROM COUNTY HEALTH DEPARTMENT TRUST FUND (523,254,632), 502 OTHER PERSONAL SERVICES FROM COUNTY HEALTH DEPARTMENT TRUST FUND (54,149,586), 503 EXPENSES FROM COUNTY HEALTH DEPARTMENT TRUST FUND (124,895,505), 504 AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND (118,543,260), 505 AID TO LOCAL GOVERNMENTS COMMUNITY HEALTH INITIATIVES FROM GENERAL REVENUE FUND (2,105,274) and FROM COUNTY HEALTH DEPARTMENT TRUST FUND (500,000), 506 OPERATING CAPITAL OUTLAY FROM COUNTY HEALTH DEPARTMENT TRUST FUND (10,235,802), 507 LUMP SUM COUNTY HEALTH DEPARTMENTS POSITIONS (50.00), 508 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM COUNTY HEALTH DEPARTMENT TRUST FUND (2,374,843), and 509 SPECIAL CATEGORIES.

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	CONTRACTED SERVICES	
	FROM COUNTY HEALTH DEPARTMENT	
	TRUST FUND	79,054,971
510	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CONTRACTED SERVICES	
	FROM COUNTY HEALTH DEPARTMENT	
	TRUST FUND	27,500
511	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM COUNTY HEALTH DEPARTMENT	
	TRUST FUND	6,305,145
512	SPECIAL CATEGORIES	
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM COUNTY HEALTH DEPARTMENT	
	TRUST FUND	3,809,117
513	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM COUNTY HEALTH DEPARTMENT	
	TRUST FUND	2,955,879
514	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND	
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
	MAINTENANCE AND REPAIR OF COUNTY HEALTH	
	DEPARTMENTS	
	FROM COUNTY HEALTH DEPARTMENT	
	TRUST FUND	7,533,960
TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS		
	FROM GENERAL REVENUE FUND	120,648,534
	FROM TRUST FUNDS	815,096,940
	TOTAL POSITIONS	10,012.07
	TOTAL ALL FUNDS	935,745,474
STATEWIDE PUBLIC HEALTH SUPPORT SERVICES		
	APPROVED SALARY RATE	19,906,515
515	SALARIES AND BENEFITS POSITIONS	439.00
	FROM GENERAL REVENUE FUND	1,894,933
	FROM ADMINISTRATIVE TRUST FUND . . .	1,078,157
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	2,488,206
	FROM FEDERAL GRANTS TRUST FUND . . .	7,196,290
	FROM GRANTS AND DONATIONS TRUST	
	FUND	701,335
	FROM BRAIN AND SPINAL CORD INJURY	
	REHABILITATION TRUST FUND	2,381,308
	FROM PLANNING AND EVALUATION TRUST	
	FUND	5,769,163
	FROM RADIATION PROTECTION TRUST	
	FUND	5,914,297
516	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	205,310
	FROM ADMINISTRATIVE TRUST FUND . . .	10,000
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	607,471
	FROM FEDERAL GRANTS TRUST FUND . . .	167,657
	FROM GRANTS AND DONATIONS TRUST	
	FUND	64,047
	FROM BRAIN AND SPINAL CORD INJURY	
	REHABILITATION TRUST FUND	598,329
	FROM PLANNING AND EVALUATION TRUST	
	FUND	711,689
	FROM RADIATION PROTECTION TRUST	
	FUND	42,246

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517	EXPENSES	
	FROM GENERAL REVENUE FUND	265,522
	FROM ADMINISTRATIVE TRUST FUND . . .	250,408
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	770,404
	FROM FEDERAL GRANTS TRUST FUND . . .	1,617,520
	FROM GRANTS AND DONATIONS TRUST	
	FUND	272,116
	FROM BRAIN AND SPINAL CORD INJURY	
	REHABILITATION TRUST FUND	632,117
	FROM PLANNING AND EVALUATION TRUST	
	FUND	715,822
	FROM RADIATION PROTECTION TRUST	
	FUND	1,647,943
518	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - LOCAL HEALTH COUNCILS	
	FROM GRANTS AND DONATIONS TRUST	
	FUND	1,006,000
519	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - EMERGENCY MEDICAL	
	SERVICES COUNTY GRANTS	
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	2,696,675
520	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - EMERGENCY MEDICAL	
	SERVICES MATCHING GRANTS	
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	3,181,461
521	OPERATING CAPITAL OUTLAY	
	FROM GENERAL REVENUE FUND	3,693
	FROM ADMINISTRATIVE TRUST FUND . . .	1,300
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	16,932
	FROM FEDERAL GRANTS TRUST FUND . . .	61,466
	FROM BRAIN AND SPINAL CORD INJURY	
	REHABILITATION TRUST FUND	9,000
	FROM PLANNING AND EVALUATION TRUST	
	FUND	28,302
	FROM RADIATION PROTECTION TRUST	
	FUND	56,997
521A	LUMP SUM	
	COMMUNITY HEALTH CENTERS	
	FROM GENERAL REVENUE FUND	9,000,000
	The release of nonrecurring funds in Specific Appropriation 521A is contingent upon the Department of Health submitting a budget amendment, in accordance with the provisions of chapter 216, Florida Statutes, detailing the distribution of funds to eligible Federally Qualified Health Centers.	
522	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM RADIATION PROTECTION TRUST	
	FUND	210,856
523	SPECIAL CATEGORIES	
	GRANTS AND AIDS - STRENGTHENING DOMESTIC	
	SECURITY - BIOTERRORISM ENHANCEMENTS -	
	HEALTH AND HOSPITALS	
	FROM FEDERAL GRANTS TRUST FUND . . .	21,143,607
524	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	343,690
	FROM ADMINISTRATIVE TRUST FUND . . .	240,623
	FROM EMERGENCY MEDICAL SERVICES	
	TRUST FUND	515,458
	FROM FEDERAL GRANTS TRUST FUND . . .	1,352,941
	FROM GRANTS AND DONATIONS TRUST	

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FUND	100,781
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	242,075
FROM PLANNING AND EVALUATION TRUST FUND	1,769,980
FROM RADIATION PROTECTION TRUST FUND	148,500
525 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	1,895,536
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	1,321,507

From the funds in Specific Appropriation 525, \$1,000,000 from the General Revenue Fund is provided for the Department of Health to contract with the Brain Injury Association of Florida (BIAF) to identify and link resources to traumatic brain injury patients.

From the funds in Specific Appropriation 525, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Bitner/Plante Amyotrophic Lateral Sclerosis Initiative of Florida.

From the funds in Specific Appropriation 525, \$150,000 in nonrecurring funds from the General Revenue Fund is provided to the Ventilated Quadriplegic Workforce Participation Pilot Project.

526 SPECIAL CATEGORIES	
DRUGS, VACCINES AND OTHER BIOLOGICALS	
FROM GENERAL REVENUE FUND	23,977,280
FROM FEDERAL GRANTS TRUST FUND	119,154,984
FROM GRANTS AND DONATIONS TRUST FUND	21,316,023

The funds in Specific Appropriation 526 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

527 SPECIAL CATEGORIES	
GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS	
FROM GENERAL REVENUE FUND	500,000
FROM FEDERAL GRANTS TRUST FUND	799,305

527A SPECIAL CATEGORIES	
BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER	
FROM GENERAL REVENUE FUND	4,058,397
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	12,775,425

From the funds in Specific Appropriation 527A, \$389,032 from the General Revenue Fund and \$608,743 from the Brain and Spinal Cord Injury Program Trust Fund are provided to expand the current Traumatic Brain Injury/Spinal Cord Injury Medicaid Waiver to serve additional individuals. The funding shall be used to reduce the current waitlist for those individuals that are at the greatest risk for institutionalization or developing secondary complications requiring hospitalization.

527B SPECIAL CATEGORIES	
CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER	
FROM GENERAL REVENUE FUND	963,486
FROM FEDERAL GRANTS TRUST FUND	1,507,628

528 SPECIAL CATEGORIES	
PURCHASED CLIENT SERVICES	
FROM GENERAL REVENUE FUND	1,000,000
FROM BRAIN AND SPINAL CORD INJURY	

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REHABILITATION TRUST FUND		1,676,352
529 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,405,027	
FROM PLANNING AND EVALUATION TRUST FUND		51,657
FROM RADIATION PROTECTION TRUST FUND		14,575
530 SPECIAL CATEGORIES		
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS		
FROM FEDERAL GRANTS TRUST FUND		1,000,000
531 SPECIAL CATEGORIES		
GRANTS AND AIDS - TRAUMA CARE		
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		12,093,747
532 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPINAL CORD RESEARCH		
FROM GENERAL REVENUE FUND	1,000,000	
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		4,000,000
From the funds in Specific Appropriation 532, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Miami Project to Cure Paralysis.		
533 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	3,837	
FROM ADMINISTRATIVE TRUST FUND		1,639
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		55,064
FROM FEDERAL GRANTS TRUST FUND		400
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		47,576
FROM PLANNING AND EVALUATION TRUST FUND		52,241
FROM RADIATION PROTECTION TRUST FUND		3,052
534 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	17,442	
FROM ADMINISTRATIVE TRUST FUND		3,634
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		17,535
FROM FEDERAL GRANTS TRUST FUND		38,469
FROM GRANTS AND DONATIONS TRUST FUND		4,882
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		16,482
FROM PLANNING AND EVALUATION TRUST FUND		33,453
FROM RADIATION PROTECTION TRUST FUND		29,448
535 SPECIAL CATEGORIES		
MEDICALLY FRAGILE ENHANCEMENT PAYMENT		
FROM GENERAL REVENUE FUND	610,020	
536 FIXED CAPITAL OUTLAY		
HEALTH FACILITIES REPAIR AND MAINTENANCE - STATEWIDE		
FROM RADIATION PROTECTION TRUST FUND		402,150

The nonrecurring funds in Specific Appropriation 536 are provided for the maintenance and repair of the Orlando Health Physics Lab.

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 TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

FROM GENERAL REVENUE FUND	48,144,173	
FROM TRUST FUNDS		242,836,707
TOTAL POSITIONS	439.00	
TOTAL ALL FUNDS		290,980,880

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

From the funds in Specific Appropriations 537 through 549, the Department of Health shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Children's Medical Services expenditures, by program, for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

APPROVED SALARY RATE 28,223,051

537	SALARIES AND BENEFITS	POSITIONS	614.00	
	FROM GENERAL REVENUE FUND		14,282,912	
	FROM DONATIONS TRUST FUND			14,911,151
	FROM FEDERAL GRANTS TRUST FUND			6,430,980
538	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		140,466	
	FROM DONATIONS TRUST FUND			89,063
	FROM FEDERAL GRANTS TRUST FUND			401,805
539	EXPENSES			
	FROM GENERAL REVENUE FUND		1,312,787	
	FROM DONATIONS TRUST FUND			3,590,549
	FROM FEDERAL GRANTS TRUST FUND			2,672,081
540	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		29,319	
	FROM DONATIONS TRUST FUND			35,629
	FROM FEDERAL GRANTS TRUST FUND			106,825
541	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK			
	FROM GENERAL REVENUE FUND		28,671,967	
	FROM DONATIONS TRUST FUND			159,393,674
	FROM FEDERAL GRANTS TRUST FUND			553,738
	FROM GRANTS AND DONATIONS TRUST FUND			300,400
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND			8,258,090
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			1,613,263

The funds in Specific Appropriation 541 shall not be used to support continuing education courses or training for health professionals or staff employed by the Children's Medical Services (CMS) Network or under contract with the Department of Health. This limitation shall include but not be limited to: classroom instruction, train the trainer, or web-based continuing education courses that may be considered professional development, or that results in continuing education credits that may be applied towards the initial or subsequent renewal of a health professional's license. This does not preclude the CMS Network from providing information on treatment methodologies or best practices to appropriate CMS Network health professionals, staff, or contractors.

From the funds in Specific Appropriation 541, the Department of Health shall transfer an amount not to exceed \$450,000 from the General Revenue Fund to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs.

From the funds in Specific Appropriation 541, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the St.

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 Joseph's Children's Hospital Chronic-Complex Clinic.

541A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SAFETY NET PROGRAM		
	FROM GENERAL REVENUE FUND		5,000,000

The funds in Specific Appropriation 541A shall be used by the Department of Health Children's Medical Services Program to provide benefits authorized in section 391.0315, Florida Statutes, for children with chronic and serious medical conditions who do not qualify for Medicaid or Title XXI of the Social Security Act. Children eligible for assistance using these funds must be uninsured, or insured but not covered for medically necessary services, or unable to access services due to lack of providers or lack of financial resources regardless of insurance status. The department may serve children on a first-come, first-serve basis until the appropriated funds are fully obligated. Receiving services through the Safety Net Program does not constitute an entitlement for coverage or services when funds appropriated for this purpose are exhausted.

542	SPECIAL CATEGORIES		
	GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN		
	FROM GENERAL REVENUE FUND		15,155,434
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,763,295
543	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM DONATIONS TRUST FUND		1,982,067
	FROM FEDERAL GRANTS TRUST FUND		82,405
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		281,710
544	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		2,330,169

From the funds in Specific Appropriation 544, \$300,000 from the General Revenue Fund is provided to A Safe Haven for Newborns.

From the funds in Specific Appropriation 544, \$250,000 from the General Revenue Fund is provided for the Department of Health and the Information Clearinghouse on Developmental Disabilities Advisory Council to work in collaboration with internal and external stakeholders, including but not limited to, the Children's Medical Services Program, Local Early Steps providers, Area Health Education Centers, the Agency for Health Care Administration, the Agency for Persons with Disabilities, and the Department of Education to conduct a statewide marketing campaign to promote Bright Expectations - the Information Clearinghouse on Developmental Disabilities - established pursuant to section 383.141, Florida Statutes. The statewide marketing campaign shall be designed to educate the broadest population permissible under the funds provided in this Specific Appropriation and shall include, but not be limited to, social media, print, radio, and the proliferation of informational pamphlets in all health care settings where the target market receives health care services.

From the funds in Specific Appropriation 544, the following projects are funded with nonrecurring funds from the General Revenue Fund:

All Children's Hospital for Neonatal Abstinence Syndrome Services.....	350,000
Diabetes Research Institute - Islet Cell Transplantation and Clinical Research Trials.....	321,668
Guardian Hands Foundation.....	50,000

545	SPECIAL CATEGORIES		
	POISON CONTROL CENTER		
	FROM GENERAL REVENUE FUND		5,264,498

From the funds in Specific Appropriation 545, \$3,672,805 in nonrecurring funds from the General Revenue Fund is provided to the Poison Control Centers of Florida.

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546	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	848,985	
547	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DEVELOPMENTAL EVALUATION		
	AND INTERVENTION SERVICES/PART C		
	FROM GENERAL REVENUE FUND	43,175,141	
	FROM FEDERAL GRANTS TRUST FUND		23,853,779

From the funds in Specific Appropriation 547, \$3,783,221 from the General Revenue Fund is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 197.

From the funds in Specific Appropriation 547, at least 85 percent of funds distributed to Local Early Steps providers must be spent on direct client services.

548	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	82,009	
	FROM DONATIONS TRUST FUND		121,245
	FROM FEDERAL GRANTS TRUST FUND		75,871
549	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	122,408	
	FROM DONATIONS TRUST FUND		88,092
	FROM FEDERAL GRANTS TRUST FUND		36,428
TOTAL:	CHILDREN'S SPECIAL HEALTH CARE		
	FROM GENERAL REVENUE FUND	116,416,095	
	FROM TRUST FUNDS		230,642,140
	TOTAL POSITIONS	614.00	
	TOTAL ALL FUNDS		347,058,235

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

APPROVED SALARY RATE 21,926,923

550	SALARIES AND BENEFITS	POSITIONS	570.00
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		30,921,006
551	OTHER PERSONAL SERVICES		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		238,222
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		5,453,615
552	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND		17,775
	FROM GRANTS AND DONATIONS TRUST		
	FUND		60,373
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		7,017,286
553	OPERATING CAPITAL OUTLAY		
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		57,604
554	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		21,000
555	SPECIAL CATEGORIES		
	UNLICENSED ACTIVITIES		
	FROM MEDICAL QUALITY ASSURANCE		

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	TRUST FUND	1,173,452
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556	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		278,038
557	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		213,944
	FROM GRANTS AND DONATIONS TRUST		
	FUND		107,908
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		13,825,119

558	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		478,768

559	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		339,364

560	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		337
	FROM MEDICAL QUALITY ASSURANCE		
	TRUST FUND		186,806

TOTAL: MEDICAL QUALITY ASSURANCE

	FROM TRUST FUNDS		60,390,617
	TOTAL POSITIONS	570.00	
	TOTAL ALL FUNDS		60,390,617

PROGRAM: DISABILITY DETERMINATIONS

DISABILITY BENEFITS DETERMINATION

	APPROVED SALARY RATE	52,312,278	
561	SALARIES AND BENEFITS	POSITIONS	1,277.00
	FROM GENERAL REVENUE FUND		619,591
	FROM FEDERAL GRANTS TRUST FUND		688,653
	FROM U.S. TRUST FUND		76,052,552
562	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		4,996
	FROM FEDERAL GRANTS TRUST FUND		27,001
	FROM U.S. TRUST FUND		29,228,411
563	EXPENSES		
	FROM GENERAL REVENUE FUND		139,839
	FROM FEDERAL GRANTS TRUST FUND		198,434
	FROM U.S. TRUST FUND		25,136,082
564	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		4,000
	FROM FEDERAL GRANTS TRUST FUND		4,000
	FROM U.S. TRUST FUND		1,212,620
565	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		135,331
	FROM FEDERAL GRANTS TRUST FUND		79,818
	FROM U.S. TRUST FUND		35,481,799
566	SPECIAL CATEGORIES		

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	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,784	
	FROM FEDERAL GRANTS TRUST FUND		1,784
	FROM U.S. TRUST FUND		334,840
567	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM FEDERAL GRANTS TRUST FUND		1,000
	FROM U.S. TRUST FUND		2,334
568	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,357	
	FROM FEDERAL GRANTS TRUST FUND		3,329
	FROM U.S. TRUST FUND		437,233
TOTAL:	DISABILITY BENEFITS DETERMINATION		
	FROM GENERAL REVENUE FUND	908,898	
	FROM TRUST FUNDS		168,889,890
	TOTAL POSITIONS	1,277.00	
	TOTAL ALL FUNDS		169,798,788
TOTAL:	HEALTH, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	536,139,400	
	FROM TRUST FUNDS		2,360,653,513
	TOTAL POSITIONS	14,065.57	
	TOTAL ALL FUNDS		2,896,792,913
	TOTAL APPROVED SALARY RATE	592,913,968	
VETERANS' AFFAIRS, DEPARTMENT OF			
PROGRAM: SERVICES TO VETERANS' PROGRAM			
VETERANS' HOMES			
	APPROVED SALARY RATE	31,648,398	
569	SALARIES AND BENEFITS POSITIONS	978.00	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		46,675,792
570	OTHER PERSONAL SERVICES		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		3,133,234
571	EXPENSES		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		66,700
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		16,852,223
572	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		25,000
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		1,207,694
	FROM STATE HOMES FOR VETERANS		
	TRUST FUND		253,600
573	FOOD PRODUCTS		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		3,226,561
574	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		81,500
575	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

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	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		9,381,854
576	SPECIAL CATEGORIES		
	RECREATIONAL EQUIPMENT AND SUPPLIES		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		72,500
577	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,654,824
578	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		355,460
579	FIXED CAPITAL OUTLAY		
	STATE NURSING HOME FOR VETERANS - DMS MGD		
	FROM FEDERAL GRANTS TRUST FUND		4,389,624
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,363,644
Funds in Specific Appropriation 579 are provided for the continued construction of a seventh State Veterans' Nursing Home in St. Lucie County.			
580	FIXED CAPITAL OUTLAY		
	MAINTENANCE AND REPAIR OF STATE-OWNED		
	RESIDENTIAL FACILITIES FOR VETERANS		
	FROM STATE HOMES FOR VETERANS		
	TRUST FUND		2,000,000
Funds in Specific Appropriation 580 are provided to support the following maintenance and repair projects:			
	Lake City State Veterans' Home.....		250,000
	Daytona Beach State Veterans' Home.....		200,000
	Land o' Lakes State Veterans' Home.....		450,000
	Pembroke Pines State Veterans' Home.....		190,000
	Panama City State Veterans' Home.....		220,000
	Port Charlotte State Veterans' Home.....		490,000
	St. Augustine State Veterans' Home.....		200,000
TOTAL:	VETERANS' HOMES		
	FROM TRUST FUNDS		92,740,210
	TOTAL POSITIONS	978.00	
	TOTAL ALL FUNDS		92,740,210
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	1,662,877	
581	SALARIES AND BENEFITS POSITIONS	27.50	
	FROM GENERAL REVENUE FUND		2,272,820
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		92,699
582	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		21,315
583	EXPENSES		
	FROM GENERAL REVENUE FUND		703,965
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		409,464
584	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		120,512
585	SPECIAL CATEGORIES		

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CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	110,882	
FROM OPERATIONS AND MAINTENANCE		458,000
TRUST FUND		
586 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,984	
587 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	9,488	
FROM OPERATIONS AND MAINTENANCE		346
TRUST FUND		
588 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE		
TECHNOLOGY (AST)		
FROM GENERAL REVENUE FUND	10,614	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	3,252,580	960,509
FROM TRUST FUNDS		
TOTAL POSITIONS	27.50	
TOTAL ALL FUNDS		4,213,089
VETERANS' BENEFITS AND ASSISTANCE		
APPROVED SALARY RATE	4,604,017	
589 SALARIES AND BENEFITS POSITIONS	101.00	
FROM GENERAL REVENUE FUND	4,267,692	
FROM OPERATIONS AND MAINTENANCE		1,807,146
TRUST FUND		
590 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,000	
FROM OPERATIONS AND MAINTENANCE		10,000
TRUST FUND		
591 EXPENSES		
FROM GENERAL REVENUE FUND	208,653	
FROM OPERATIONS AND MAINTENANCE		223,884
TRUST FUND		
592 OPERATING CAPITAL OUTLAY		
FROM OPERATIONS AND MAINTENANCE		5,973
TRUST FUND		
593 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,569	
FROM OPERATIONS AND MAINTENANCE		4,000
TRUST FUND		
593A SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	200,000	
From the funds in Specific Appropriation 593A, \$125,000 in nonrecurring funds from the General Revenue Fund is provided to Disabled Veterans Insurance Careers Inc., for career training and job placement.		
From the funds in Specific Appropriation 593A, \$75,000 in nonrecurring funds from the General Revenue Fund is provided for a Veterans Adaptive Bowling Pilot Program.		
594 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	14,642	
FROM OPERATIONS AND MAINTENANCE		

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TRUST FUND		14,509
595 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	27,116	
FROM OPERATIONS AND MAINTENANCE		8,560
TRUST FUND		
TOTAL: VETERANS' BENEFITS AND ASSISTANCE		
FROM GENERAL REVENUE FUND	4,732,672	
FROM TRUST FUNDS		2,074,072
TOTAL POSITIONS	101.00	
TOTAL ALL FUNDS		6,806,744
VETERANS EMPLOYMENT AND TRAINING SERVICES		
596 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS ENTREPRENEUR TRAINING		
FROM GENERAL REVENUE FUND	500,000	
597 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS WORKFORCE TRAINING GRANTS		
FOR VETERANS		
FROM GENERAL REVENUE FUND	1,000,000	
598 AID TO LOCAL GOVERNMENTS		
FLORIDA IS FOR VETERANS, INC.-OPERATIONS		
FROM GENERAL REVENUE FUND	344,106	
TOTAL: VETERANS EMPLOYMENT AND TRAINING SERVICES		
FROM GENERAL REVENUE FUND	1,844,106	
TOTAL ALL FUNDS		1,844,106
TOTAL: VETERANS' AFFAIRS, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	9,829,358	
FROM TRUST FUNDS		95,774,791
TOTAL POSITIONS	1,106.50	
TOTAL ALL FUNDS		105,604,149
TOTAL APPROVED SALARY RATE	37,915,292	
TOTAL OF SECTION 3		
FROM GENERAL REVENUE FUND	9,490,868,084	
FROM TRUST FUNDS		24,823,010,613
TOTAL POSITIONS	31,772.57	
TOTAL ALL FUNDS		34,313,878,697

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Florida Commission on Offender Review as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

From the funds in Specific Appropriations 598A through 755, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department.

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Funds shall only be released to providers whose performance reports indicate substantial compliance with the performance measures described in the contract.

The Department of Corrections shall continue to submit an annual report on the state prison system to the Governor and to the Legislature using a uniform format and uniform methodologies. The report shall include a comprehensive plan for current facility use and any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovated facilities.

From the funds in Specific Appropriations 598A through 755, the Department of Corrections shall prepare a report detailing the amount of overtime expended per facility; the number of positions in overlap, with justification for each overlapped position; and identifying the number of unfunded positions that may be eliminated.

From the funds in Specific Appropriations 598A through 755, the Department of Corrections shall, before closing, substantially reducing the use of, or changing the purpose of any state correctional institution as defined in section 944.02, Florida Statutes, submit its proposal to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee for review.

From the funds in Specific Appropriations 598A through 755 the Department of Corrections may work within its existing budget, including applicable grants, to implement any corrective action plan that is developed as the result of a Prison Rape Elimination Act audit conducted in accordance with Title 23, Part 115 of the Code of Federal Regulations. The department may request additional resources required through the Legislative Budget Request process as defined in chapter 216, Florida Statutes.

Funds in Specific Appropriation 598A through 755 shall not be used to pay for unoccupied space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2016, and for which it has been determined by the Secretary of the department that there is no longer a need.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

APPROVED SALARY RATE 9,350,293

Table with 4 columns: Code, Description, Amount, and Position Count. Includes rows for 598A SALARIES AND BENEFITS, 598B EXPENSES, and 598C SPECIAL CATEGORIES CONTRACTED SERVICES.

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Table with 4 columns: Code, Description, Amount, and Position Count. Includes rows for 598D RISK MANAGEMENT INSURANCE, 598E LEASE OR LEASE-PURCHASE OF EQUIPMENT, 598F SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES, and a TOTAL for BUSINESS SERVICE CENTERS.

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 12,989,849

Table with 4 columns: Code, Description, Amount, and Position Count. Includes rows for 599 SALARIES AND BENEFITS, 600 OTHER PERSONAL SERVICES, 601 EXPENSES, 602 OPERATING CAPITAL OUTLAY, 603 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS, and 604 SPECIAL CATEGORIES CONTRACTED SERVICES.

From the funds in Specific Appropriation 604, \$1,000,000 in nonrecurring general revenue funds is provided for a resource allocation analytics project for the purpose of analyzing and mitigating inmate deaths and reducing recidivism rates by consolidating, cleansing and analyzing data to measure behavior, improve outcomes, and make data driven decisions on how to best utilize resources.

Table with 4 columns: Code, Description, Amount, and Position Count. Includes row for 605 SPECIAL CATEGORIES TRANSFER TO GENERAL REVENUE FUND.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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FROM FEDERAL GRANTS TRUST FUND	6,700,000	
Funds in Specific Appropriation 605 are from reimbursements from the United States Government for incarcerating aliens in Florida's prisons. If total reimbursements exceed \$6,700,000, the Department of Corrections shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.		
606 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	378,868	
607 SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM ADMINISTRATIVE TRUST FUND	525,394	
608 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	36,220	
609 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	7,345,885 49,766 102,636	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	19,017,514 12,884,455	
TOTAL POSITIONS TOTAL ALL FUNDS	236.00 31,901,969	

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 610 through 620, the Department of Corrections shall prepare a business case for replacement/upgrade of the Offender-Based Information System (OBIS). At a minimum, the business case must identify information technology implementation options, projected cost for deliverables by fiscal year, and a schedule of work for an OBIS replacement/upgrade project. The department shall coordinate with the Agency for State Technology to ensure that established project management and oversight standards are adhered to in the writing of the business case. The department shall submit the business case to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2017.

APPROVED SALARY RATE	8,041,253	
610 SALARIES AND BENEFITS POSITIONS 161.50 FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	8,759,792 1,154,821	
611 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	13,500	
612 EXPENSES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	1,461,941 1,357,535	
613 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	127,720	
614 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	2,084,778 7,812	
615 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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FROM GENERAL REVENUE FUND	56,318	
616 SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND	45,329	
617 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,270	
618 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	1,029	
619 DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	9,226,757 58,289	
620 DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM ADMINISTRATIVE TRUST FUND	20,420	
TOTAL: INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND FROM TRUST FUNDS	21,778,434 2,598,877	
TOTAL POSITIONS TOTAL ALL FUNDS	161.50 24,377,311	

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds in Specific Appropriations 633K, 643 and 645K, a total of \$1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. Funding is provided as follows: \$269,324 for the Bay Correctional Facility, \$339,242 for the Moore Haven Correctional Facility, \$275,560 for the South Bay Correctional Facility, \$100,000 for the Gadsden Correctional Facility, and \$90,236 for the Lake City Correctional Facility. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as State Government property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with respect to any facility, to reimburse the Department of Corrections for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

Funds and positions in Specific Appropriations 598A through 707 and 721 through 755 support the state's inmate population. These funds and positions are sufficient to provide housing and security for 98,948 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 99,112 inmates.

Funds and positions in Specific Appropriations 598A through 707 and 721 through 755 are provided to address security needs for the prison population expected in Fiscal Year 2016-2017, as projected by the Criminal Justice Estimating Conference.

ADULT MALE CUSTODY OPERATIONS

APPROVED SALARY RATE	351,266,419	
633A SALARIES AND BENEFITS POSITIONS 9,050.00 FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	482,192,992 382,673	
633B OTHER PERSONAL SERVICES		

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FROM GENERAL REVENUE FUND	6,952,855	
FROM GRANTS AND DONATIONS TRUST FUND		91,000
633C EXPENSES		
FROM GENERAL REVENUE FUND	17,966,978	
FROM FEDERAL GRANTS TRUST FUND		216,949
FROM GRANTS AND DONATIONS TRUST FUND		240,389

From the funds in Specific Appropriation 633C, \$142,900 from recurring general revenue funds is provided to the City of Pahokee as a payment in lieu of taxes for the Sago Palm facility.

633D OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	303,666	
FROM FEDERAL GRANTS TRUST FUND		100,000
FROM GRANTS AND DONATIONS TRUST FUND		250,000

633E FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	40,890,048	
FROM FEDERAL GRANTS TRUST FUND		83,421

633F SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	5,227,696	
FROM FEDERAL GRANTS TRUST FUND		273,617

From funds in Specific Appropriation 633F, \$350,000 in nonrecurring general revenue funds is provided for the Children of Inmates program to support children of incarcerated inmates by expanding research-based programs to mitigate the traumas and challenges for Florida's children that result from parental incarceration. The Department of Corrections shall submit a report on the current status of the Children of Inmates program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

From funds in Specific Appropriation 633F, \$100,000 in nonrecurring general revenue funds is provided for the Children of Inmates program to support children of incarcerated inmates in Duval County.

From funds in Specific Appropriation 633F, \$250,000 in nonrecurring general revenue funds is provided for the Children of Inmates program to support children of incarcerated inmates in south Miami-Dade County.

633G SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION		
FROM GENERAL REVENUE FUND	3,683,962	
FROM FEDERAL GRANTS TRUST FUND		118,172

633H SPECIAL CATEGORIES OVERTIME		
FROM GENERAL REVENUE FUND	523,270	

633I SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	18,146,826	
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND		1,148,049

633J SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	3,080,949	

633K SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS		
FROM GENERAL REVENUE FUND	118,366,211	
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		1,300,586

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From funds in Specific Appropriation 633K, \$109,350 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.

From the funds in Specific Appropriation 633K, \$330,000 in nonrecurring general revenue funds is provided to the Florida Department of Management Services for operation of the GEO Continuum of Care rehabilitation and reentry program at Blackwater River Correctional Facility.

633L SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND		517,746

633M SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND		339,074

TOTAL: ADULT MALE CUSTODY OPERATIONS		
FROM GENERAL REVENUE FUND	698,192,273	
FROM TRUST FUNDS		4,204,856
TOTAL POSITIONS	9,050.00	
TOTAL ALL FUNDS		702,397,129

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY
OPERATIONS

APPROVED SALARY RATE 35,264,508

634 SALARIES AND BENEFITS POSITIONS	813.00	
FROM GENERAL REVENUE FUND	39,196,031	
FROM GRANTS AND DONATIONS TRUST FUND		136,413

635 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	367,773	
FROM GRANTS AND DONATIONS TRUST FUND		32,884

636 EXPENSES		
FROM GENERAL REVENUE FUND	1,994,239	
FROM GRANTS AND DONATIONS TRUST FUND		50,703

637 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	2,406,265	
FROM GRANTS AND DONATIONS TRUST FUND		15,841

638 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	825,305	

From the funds in Specific Appropriation 638, \$200,000 from nonrecurring general revenue funds is provided for the Department of Corrections to implement an inmate tracking pilot project at Lowell Correctional Institution. The pilot project must use a tracking system that includes technology, such as a radio frequency identification (RFID) tag embedded in clothing, to enable real-time identification of the location of inmates. Additionally, the tracking system used in the pilot project must include the capability to store and retrieve historical inmate location data.

639 SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION		
FROM GENERAL REVENUE FUND	180,841	
FROM GRANTS AND DONATIONS TRUST FUND		22,509

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640	SPECIAL CATEGORIES OVERTIME		
	FROM GENERAL REVENUE FUND	469,295	
641	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,234,102	
642	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	341,923	
643	SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND	24,664,194	
	FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		597,359

From funds in Specific Appropriation 643, \$22,800 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.

644	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	80,162	
645	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	8,462	
TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS			
	FROM GENERAL REVENUE FUND	74,768,592	
	FROM TRUST FUNDS		855,709
	TOTAL POSITIONS	813.00	
	TOTAL ALL FUNDS		75,624,301

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

	APPROVED SALARY RATE	13,334,465	
645A	SALARIES AND BENEFITS POSITIONS	102.00	
	FROM GENERAL REVENUE FUND	15,245,813	
	FROM FEDERAL GRANTS TRUST FUND . . .		537,494
645B	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	277,640	
645C	EXPENSES		
	FROM GENERAL REVENUE FUND	262,556	
	FROM FEDERAL GRANTS TRUST FUND . . .		24,336

From funds in Specific Appropriation 645C, \$145,413 in nonrecurring general revenue funds is provided for a body camera pilot project at Sumter Correctional Institution. Funding will provide for every correctional officer on duty supervising youthful offenders to be equipped with body cameras.

645D	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,185	
	FROM FEDERAL GRANTS TRUST FUND . . .		500,000
645E	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	1,334,376	
	FROM FEDERAL GRANTS TRUST FUND . . .		483,667
645F	SPECIAL CATEGORIES		

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	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		29,599
645G	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND		197,340
	FROM FEDERAL GRANTS TRUST FUND . . .		191,046
645H	SPECIAL CATEGORIES OVERTIME		
	FROM GENERAL REVENUE FUND		7,986,977
645I	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		2,488,239
645J	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		159,226
645K	SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND		19,216,164
	FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		195,403

From funds in Specific Appropriation 645K, \$17,850 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.

645L	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		38,675
645M	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		6,131
	FROM FEDERAL GRANTS TRUST FUND . . .		708

TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

	FROM GENERAL REVENUE FUND	47,262,921	
	FROM TRUST FUNDS		1,932,654
	TOTAL POSITIONS	102.00	
	TOTAL ALL FUNDS		49,195,575

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

	APPROVED SALARY RATE	191,575,351	
645N	SALARIES AND BENEFITS POSITIONS	5,008.00	
	FROM GENERAL REVENUE FUND		250,814,894
645O	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		2,693,683
645P	EXPENSES		
	FROM GENERAL REVENUE FUND		3,772,421
645Q	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND		12,170,243
645R	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		562,621
645S	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION		

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	FROM GENERAL REVENUE FUND	1,168,710	
645T	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	4,154,272	
645U	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	15,036,951	
645V	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	1,669,164	
645W	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	283,746	
645X	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	80,445	
TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS			
	FROM GENERAL REVENUE FUND	292,407,150	
	TOTAL POSITIONS	5,008.00	
	TOTAL ALL FUNDS		292,407,150
RECEPTION CENTER OPERATIONS			
	APPROVED SALARY RATE	74,249,259	
646	SALARIES AND BENEFITS	POSITIONS	1,985.00
	FROM GENERAL REVENUE FUND		128,036,804
	FROM FEDERAL GRANTS TRUST FUND		9,543
647	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	874,827	
648	EXPENSES		
	FROM GENERAL REVENUE FUND	3,914,923	
	FROM FEDERAL GRANTS TRUST FUND		31,090
649	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		250,000
650	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	6,099,923	
	FROM FEDERAL GRANTS TRUST FUND		32,449
651	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	87,126	
652	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	363,768	
	FROM FEDERAL GRANTS TRUST FUND		46,893
653	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	1,799,643	
654	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,788,677	
655	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	678,193	
656	SPECIAL CATEGORIES		

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	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		81,590
657	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		15,275
TOTAL: RECEPTION CENTER OPERATIONS			
	FROM GENERAL REVENUE FUND	145,740,749	
	FROM TRUST FUNDS		369,975
	TOTAL POSITIONS	1,985.00	
	TOTAL ALL FUNDS		146,110,724
PUBLIC SERVICE WORKSQUADS AND WORK RELEASE			
TRANSITION			
	APPROVED SALARY RATE	39,309,343	
658	SALARIES AND BENEFITS	POSITIONS	1,047.00
	FROM GENERAL REVENUE FUND		29,411,681
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND		22,242,220
	FROM GRANTS AND DONATIONS TRUST		
	FUND		54,272

The general revenue funds provided in Specific Appropriation 658 are provided to the Department of Corrections to ensure all public worksquads currently funded with general revenue funds are maintained. The department shall, before eliminating any general revenue funded public worksquad officer positions, submit its proposal to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee for review and approval.

659	EXPENSES		
	FROM GENERAL REVENUE FUND	678,772	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND		756,268
	FROM GRANTS AND DONATIONS TRUST		
	FUND		32,776
660	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	154,907	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND		110,327
661	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	1,104,000	
662	LUMP SUM		
	CORRECTIONAL WORK PROGRAMS		
	POSITIONS	1.00	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND		161,387

Funds and positions in Specific Appropriation 662 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of interagency community service work squad contracts.

663	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	28,362,654	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND		284,315

From the funds in Specific Appropriation 663, no privately operated work release center may house more than 200 inmates at any given time. In addition, each facility with 100 or more inmates in its work release program must have at least one certified correctional officer on

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premises at all times. A person who was a certified correctional officer at the time of separating or retiring from the Department of Corrections in good standing is considered to be a certified correctional officer for this purpose unless his or her certification has been revoked for misconduct.

664	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND	203,504	
665	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	185,998	
666	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,269,719	
667	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	308,420	197,867
668	SPECIAL CATEGORIES ELECTRONIC MONITORING FROM GENERAL REVENUE FUND	4,600,000	
<p>From the funds provided in Specific Appropriation 668, \$1,500,657 from recurring general revenue funds is provided for the Department of Corrections to provide electronic monitoring for inmates in privately operated work release facilities while in the community under work release assignment. From such funds, the department shall also provide electronic monitoring for inmates in as many department-operated work release facilities as allowable under this Specific Appropriation, while such inmates are in the community under work release assignment.</p>			
669	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	40,356	
670	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	2,269	9,516
TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION			
	FROM GENERAL REVENUE FUND	66,322,280	
	FROM TRUST FUNDS		23,848,948
	TOTAL POSITIONS	1,048.00	
	TOTAL ALL FUNDS		90,171,228
ROAD PRISON OPERATIONS			
	APPROVED SALARY RATE	3,881,964	
671	SALARIES AND BENEFITS POSITIONS FROM CORRECTIONAL WORK PROGRAM TRUST FUND	95.00	6,027,157
672	EXPENSES FROM CORRECTIONAL WORK PROGRAM TRUST FUND		499,172
673	FOOD PRODUCTS FROM CORRECTIONAL WORK PROGRAM TRUST FUND		352,549
674	SPECIAL CATEGORIES		

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	CONTRACTED SERVICES FROM CORRECTIONAL WORK PROGRAM TRUST FUND			11,284
675	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM CORRECTIONAL WORK PROGRAM TRUST FUND			53,567
676	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM CORRECTIONAL WORK PROGRAM TRUST FUND			24,666
677	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM CORRECTIONAL WORK PROGRAM TRUST FUND			8,341
TOTAL: ROAD PRISON OPERATIONS				
	FROM TRUST FUNDS			6,976,736
	TOTAL POSITIONS	95.00		
	TOTAL ALL FUNDS			6,976,736
OFFENDER MANAGEMENT AND CONTROL				
	APPROVED SALARY RATE	46,804,365		
678	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	1,300.00	63,740,195	69,912
679	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND		304,814	
680	EXPENSES FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND		2,847,301	1,959
681	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND		21,578	
682	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND		31,653	
683	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND		64,719	1,655
684	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		166,269	
685	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		20,690	
TOTAL: OFFENDER MANAGEMENT AND CONTROL				
	FROM GENERAL REVENUE FUND		67,197,219	
	FROM TRUST FUNDS			73,526
	TOTAL POSITIONS	1,300.00		
	TOTAL ALL FUNDS			67,270,745
EXECUTIVE DIRECTION AND SUPPORT SERVICES				

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	APPROVED SALARY RATE	8,919,593	
686	SALARIES AND BENEFITS	POSITIONS	178.00
	FROM GENERAL REVENUE FUND		12,917,849
687	OTHER PERSONAL SERVICES		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		75,000
688	EXPENSES		
	FROM GENERAL REVENUE FUND		1,731,528
	FROM GRANTS AND DONATIONS TRUST		
	FUND		226,785
	FROM SALE OF GOODS AND SERVICES		
	CLEARING TRUST FUND		1,678,250
689	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		256,642
690	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		3,407,104

From funds in Specific Appropriation 690, \$1,000,000 from recurring general revenue funds is provided to continue the victim notification system (VINE).

Funds in Specific Appropriation 690 are provided to continue implementation of an automated time and attendance system for all prison facilities statewide. The Department of Corrections shall track the date the automated time and attendance system is installed and operational at each facility. A quarterly status report on implementation progress shall be submitted to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

From the funds provided in Specific Appropriation 690, \$1,500,000 from nonrecurring general revenue funds is provided for the Department of Corrections to obtain and use a commercial off-the-shelf workforce scheduling and management solution for its security operations workforce. The solution must interface with the department's time and attendance system and the People First system in order to maximize the efficiency of workforce scheduling and management.

From the funds provided in Specific Appropriation 690, \$400,000 from nonrecurring general revenue funds is provided to the Department of Corrections to procure and implement a job candidate assessment tool. The assessment tool shall be administered to all new job applicants applying for a correctional officer or correctional probation officer position who meet initial screening requirements developed by the department. Implementation of the assessment tool shall include development of profiles of the behavioral and cognitive traits of the department's best performers for the type of position that is sought. The assessment tool shall identify each job applicant's behavioral and cognitive traits and compare those traits with the profiles of the best performers. The purpose of the assessment tool is to identify job applicants whose behavioral and cognitive traits are compatible with those of successful department employees in order to improve employee retention and reduce training costs due to high employee turnover.

691	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		100,080
692	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		114,940
693	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		1,770

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	18,529,913	
	FROM TRUST FUNDS		1,980,035
	TOTAL POSITIONS	178.00	
	TOTAL ALL FUNDS		20,509,948

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

The Auditor General shall conduct an audit of expenditures from, and transfers to and from, Fixed Capital Outlay funds appropriated to the Department of Corrections during Fiscal Years 2013-2014, 2014-2015, and 2015-2016. The Auditor General shall submit a report of the findings to the Governor, President of the Senate, and Speaker of the House of Representatives by December 1, 2016.

	APPROVED SALARY RATE	19,400,138	
694	SALARIES AND BENEFITS	POSITIONS	555.00
	FROM GENERAL REVENUE FUND		25,895,636
695	EXPENSES		
	FROM GENERAL REVENUE FUND		86,069,300
696	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		364,154
697	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND		3,218,653
698	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		5,058,135
699	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND		4,198,894
700	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		36,771
701	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		13,300
702	FIXED CAPITAL OUTLAY		
	CORRECTIONAL FACILITIES - LEASE PURCHASE		
	FROM GENERAL REVENUE FUND		57,136,422

Funds in Specific Appropriation 702 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities:

Bay Correctional Facility.....	815,250
Moore Haven Correctional Facility (Glades County).....	1,058,775
South Bay Correctional Facility (Palm Beach County).....	2,893,625
Graceville Correctional Facility (Jackson County).....	6,847,323
Blackwater River Correctional Facility (Santa Rosa County)..	10,717,369
Gadsden Correctional Facility.....	1,302,300
Lake City Correctional Facility (Columbia County).....	1,724,500
Demilly Correctional Institution (Polk County).....	674,875
Sago Palm Work Camp (Palm Beach County).....	857,125
Various DOC Facility Projects - Series 2009 B and C Bonds...	30,195,280

Series 2009 B and C Bonds include various facility construction projects for the following Department of Corrections facilities:

Mayo Annex (Lafayette County), Suwannee Annex (Suwannee County), Lowell Reception Center (Marion County), Lancaster Secure Housing Unit

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(Gilchrist County), Liberty Work Camp (Liberty County), Franklin Work Camp (Franklin County), Cross City Work Camp (Dixie County), Okeechobee Work Camp (Okeechobee County), New River Work Camp (Bradford County), Santa Rosa Work Camp (Santa Rosa County), Hollywood Work Release Center (Broward County), Kissimmee Work Release Center (Osceola County), Lake City Work Release Center (Columbia County), Santa Fe Work Release Center (Alachua County), Everglades Re-Entry Center (Dade County), Baker Re-Entry Center (Baker County), and Pat Thomas Re-Entry Center (Gadsden County).

The funds in Specific Appropriation 702 reflect a reduction of \$2,907,162 based on savings realized from bond refinancing.

Table with 4 columns: Item Number, Description, Amount, and Total. Includes items 704, 706, 707, and a TOTAL for Correctional Facilities Maintenance and Repair.

PROGRAM: COMMUNITY CORRECTIONS

COMMUNITY SUPERVISION

Table with 4 columns: Item Number, Description, Amount, and Total. Includes APPROVED SALARY RATE, items 708-713, and a paragraph of explanatory text for item 713.

Funds in Specific Appropriation 713 are provided to continue rent payments for individual private contracts for rental of office/building space at a rate not to exceed the rate for each contract in effect on June 30, 2016.

Table with 4 columns: Item Number, Description, Amount, and Total. Includes item 714.

From funds in Specific Appropriation 714, \$300,000 in nonrecurring

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general revenue funds is provided for the Department of Corrections to contract with the University of Florida to develop recommendations and a plan by which the State of Florida can transfer responsibility for community supervision of felony offenders to the Sheriff of each county.

From funds in Specific Appropriation 714, \$500,000 from nonrecurring general revenue funds is provided to the Home Builders Institute to provide certification, pre-apprenticeships, and job placement services to persons under community corrections supervision.

Table with 4 columns: Item Number, Description, Amount, and Total. Includes items 715, 716, 717, 718, and a TOTAL for Community Supervision.

COMMUNITY FACILITY OPERATIONS

Table with 4 columns: Item Number, Description, Amount, and Total. Includes items 719 and 720.

Pursuant to sections 944.012(6)(c), 921.00241 and 775.082(10), Florida Statutes, funds from Specific Appropriation 720 are provided for Judicial/Department of Corrections prison diversion programs for offenders that allow the offender to retain community support and access drug treatment and/or employment opportunities while receiving life-skills assistance in a structured environment.

These programs shall continue to use evidence-based practices and graduated incentives that are anticipated to result in a reduction in prison admissions for that community.

Table with 4 columns: Item Number, Description, Amount, and Total. Includes a TOTAL for Community Facility Operations.

PROGRAM: HEALTH SERVICES

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INMATE HEALTH SERVICES			
	APPROVED SALARY RATE	6,760,737	
721	SALARIES AND BENEFITS	POSITIONS 136.50	
	FROM GENERAL REVENUE FUND	8,164,339	
	FROM FEDERAL GRANTS TRUST FUND		384,189
722	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	333,045	
723	EXPENSES		
	FROM GENERAL REVENUE FUND	1,481,817	
724A	SPECIAL CATEGORIES		
	SETTLEMENT AGREEMENTS		
	FROM ADMINISTRATIVE TRUST FUND		723,341
725	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	895,970	
726	SPECIAL CATEGORIES		
	INMATE HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	300,547,085	
	From the funds in Specific Appropriation 726, \$100,000 from recurring general revenue funds is provided for Hepatitis B vaccinations for inmates.		
	From the funds in Specific Appropriation 726, \$1,791,873 in recurring general revenue funds is provided to the Department of Corrections' health services provider in Region IV for the forecasted Consumer Price Index increase for Fiscal Year 2016-2017.		
727	SPECIAL CATEGORIES		
	TREATMENT OF INMATES - GENERAL DRUGS		
	FROM GENERAL REVENUE FUND	29,572,427	
728	SPECIAL CATEGORIES		
	TREATMENT OF INMATES - PSYCHOTROPIC DRUGS		
	FROM GENERAL REVENUE FUND	4,818,876	
729	SPECIAL CATEGORIES		
	TREATMENT OF INMATES - INFECTIOUS DISEASE DRUGS		
	FROM GENERAL REVENUE FUND	12,092,256	
730	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	100	
731	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	284,701	
TOTAL:	INMATE HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	358,190,616	
	FROM TRUST FUNDS		1,107,530
	TOTAL POSITIONS	136.50	
	TOTAL ALL FUNDS		359,298,146
TREATMENT OF INMATES WITH INFECTIOUS DISEASES			
731A	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		104,207
731B	EXPENSES		
	FROM GENERAL REVENUE FUND	17,083	
	FROM FEDERAL GRANTS TRUST FUND		201,494

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
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731C OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND		27,019
731D SPECIAL CATEGORIES			
INMATE HEALTH SERVICES			
	FROM GENERAL REVENUE FUND	2,204,554	
731E SPECIAL CATEGORIES			
TREATMENT OF INMATES - INFECTIOUS DISEASE DRUGS			
	FROM GENERAL REVENUE FUND	21,536,127	
TOTAL:	TREATMENT OF INMATES WITH INFECTIOUS DISEASES		
	FROM GENERAL REVENUE FUND	23,757,764	
	FROM TRUST FUNDS		332,720
	TOTAL ALL FUNDS		24,090,484
PROGRAM: EDUCATION AND PROGRAMS			
ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES			
	APPROVED SALARY RATE	1,609,867	
732	SALARIES AND BENEFITS	POSITIONS 33.00	
	FROM GENERAL REVENUE FUND	1,631,872	
	FROM FEDERAL GRANTS TRUST FUND		807,223
733	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		47,762
734	EXPENSES		
	FROM GENERAL REVENUE FUND	68,648	
	FROM FEDERAL GRANTS TRUST FUND		622,865
735	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		45,600
736 SPECIAL CATEGORIES			
CONTRACT DRUG ABUSE SERVICES			
	FROM GENERAL REVENUE FUND	16,013,682	
	FROM FEDERAL GRANTS TRUST FUND		3,072,341
	From the funds in Specific Appropriation 736, \$150,000 in recurring general revenue funds is provided to Westcare Florida Gulfcoast, located in St. Petersburg, to provide overlay services for mental health disorders in both secure and non-secure residential programs.		
737	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,900	
TOTAL:	ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES		
	FROM GENERAL REVENUE FUND	17,717,102	
	FROM TRUST FUNDS		4,595,791
	TOTAL POSITIONS	33.00	
	TOTAL ALL FUNDS		22,312,893
BASIC EDUCATION SKILLS			
	APPROVED SALARY RATE	14,499,020	
738	SALARIES AND BENEFITS	POSITIONS 317.00	
	FROM GENERAL REVENUE FUND	13,200,512	
	FROM FEDERAL GRANTS TRUST FUND		2,655,464
739	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,082,769	
	FROM FEDERAL GRANTS TRUST FUND		608,269
740	EXPENSES		

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FROM GENERAL REVENUE FUND	2,819,214	
FROM FEDERAL GRANTS TRUST FUND . . .		1,933,823

From funds in Specific Appropriation 740, \$1,500,000 from recurring general revenue funds is provided for an online career education program through an Advanced/SACS accredited online school district that offers career-based online high school diplomas designed to prepare adults for transition into the workplace. The Department of Corrections shall provide a report regarding the progress of the inmates in the online diploma and career certificate programs to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by December 31, 2016.

741 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . .		472,386
742 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	3,885,096	
FROM FEDERAL GRANTS TRUST FUND . . .		1,402,052
743 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	112,636	
744 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	20,888	
745 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	12,510	
FROM FEDERAL GRANTS TRUST FUND . . .		943
TOTAL: BASIC EDUCATION SKILLS		
FROM GENERAL REVENUE FUND	22,133,625	
FROM TRUST FUNDS		7,072,937
TOTAL POSITIONS	317.00	
TOTAL ALL FUNDS		29,206,562

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

APPROVED SALARY RATE	3,426,816	
746 SALARIES AND BENEFITS POSITIONS	59.00	
FROM GENERAL REVENUE FUND	3,931,384	
FROM FEDERAL GRANTS TRUST FUND . . .		466,981
747 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,160,469	
748 EXPENSES		
FROM GENERAL REVENUE FUND	372,770	
FROM FEDERAL GRANTS TRUST FUND . . .		119,152
749 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . .		3,000
750 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	8,995,781	
FROM FEDERAL GRANTS TRUST FUND . . .		324,848

By January 1, 2017, all re-entry programs funded in Specific Appropriation 750 must provide the following information to the Department of Corrections: the population served by the program including information relating to the criminal history, age, employment history, and education level of inmates served; the services provided to inmates as part of the program; the cost per inmate to provide those services; any available recidivism rates; and any matching funds or

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in-kind contributions provided to the program. The department must compile this information and submit a report to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by February 1, 2017.

From the funds in Specific Appropriation 750, \$1,225,000 in recurring general revenue funds and \$250,000 in nonrecurring general revenue funds are provided for Operation New Hope's Ready4Work reentry initiative. Operation New Hope will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Ready4Work program services upon release. Operation New Hope will also provide post-release services including case management, career development, life skills training, job skills training, life coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Operation New Hope may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Ready4Work program. Eligibility for participation in the Ready4Work program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Duval, Clay, St. Johns, or Nassau counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding from Specific Appropriation 750 to 633F, 638, 645F and 714 in order to serve incarcerated inmates as well as persons under community corrections supervision not to exceed the appropriated amount.

From the funds in Specific Appropriation 750, \$1,000,000 in recurring general revenue funds is provided for the Ready4Work-Hillsborough reentry program, which replicates the Operation New Hope Ready4Work program. Funds used for startup activities for the Ready4Work-Hillsborough reentry program may not exceed 25 percent of the total funds appropriated. Ready4Work-Hillsborough will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Ready4Work reentry program services upon release. Ready4Work-Hillsborough will also provide post-release services including case management, career development, life skills training, job skills training, life-coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Ready4Work-Hillsborough may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Ready4Work-Hillsborough reentry program. Eligibility for participation in the Ready4Work-Hillsborough reentry program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Hillsborough, Pinellas, Pasco, or Polk counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding from Specific Appropriation 750 to 633F, 638, 645F and 714 in order to serve incarcerated inmates as well as persons under community corrections supervision not to exceed the appropriated amount.

From the funds in Specific Appropriation 750, \$200,000 in nonrecurring general revenue funds is provided for the Reentry Alliance Pensacola, Inc., for implementation and operation of a reentry program to assist ex-offenders with successful transition back into the community after release from incarceration.

From the funds in Specific Appropriation 750, \$500,000 in nonrecurring general revenue funds is provided for the Bethel Empowerment Foundation Reentry Program, which replicates the Operation New Hope Ready4Work program. Funds used for startup activities for the Bethel Empowerment Foundation Reentry Program may not exceed 25 percent of the total funds appropriated. Bethel Empowerment Foundation Reentry Program will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Bethel Empowerment Foundation Reentry Program services upon release. Bethel Empowerment Foundation Reentry Program will also provide post-release services including case management, career development, life skills training, job skills training, life-coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Bethel

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Empowerment Foundation Reentry Program may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Bethel Empowerment Foundation Reentry Program. Eligibility for participation in the Bethel Empowerment Foundation Reentry Program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Leon, Gadsden, Jefferson and Wakulla counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding from Specific Appropriation 750 to 633F, 638, 645F and 714 in order to serve incarcerated inmates as well as persons under community corrections supervision not to exceed the appropriated amount.

From the funds in Specific Appropriation 750, \$600,000 in nonrecurring general revenue funds is provided for the Broward County Sheriff's Office inmate portal.

From the funds in Specific Appropriation 750, \$900,000 in nonrecurring general revenue funds is provided to the City of Jacksonville for the Jacksonville Reentry Center (JREC), a program within the Jacksonville Journey initiative. JREC provides pre- and post-release support services for adult offenders returning to Duval County after incarceration in order to reduce criminal activity and recidivism.

From the funds in Specific Appropriation 750, \$100,000 in nonrecurring general revenue funds is provided to the Hope City Center for operation of a reentry program to assist adult female ex-offenders with successful transition back into the Broward County community after release from incarceration.

From the funds in Specific Appropriation 750, \$500,000 in nonrecurring general revenue funds is provided for the Regional and State Transitional Offender Reentry (RESTORE) Initiative in Palm Beach County. RESTORE, in collaboration with the Department of Corrections and community-based reentry partners, will facilitate the successful reintegration of ex-offenders returning to the county.

From funds in Specific Appropriation 750, \$500,000 in nonrecurring general revenue funds is provided for the Tampa Bay Career Pathways Collaborative Manufacturing, Employment and Reentry Program. The program will partner with the local workforce system, work release centers and the local industry associations to provide job assistance to those on work release and ex-offenders.

From the funds in Specific Appropriation 750, \$400,000 in nonrecurring general revenue funds is provided for the Gadsden County Jail Faith Behind Bars reentry program. The Gadsden County Jail Faith Behind Bars reentry program provides pre-release activities such as substance abuse counseling, anger management, employment skills, drug and alcohol awareness education, family counseling, job search training, GED preparation, and horticultural training. The reentry program partners with the Gadsden County Chamber of Commerce to connect inmates with employment opportunities following release.

From the funds in Specific Appropriation 750, \$750,000 in nonrecurring general revenue funds is provided to implement the Florida HIRE pilot program which will include online diagnostic assessments to benchmark inmate foundational work readiness skills prior to release; online career planning and exploration resources including a resume builder and budgeting calculator; a resulting personalized career pathway plan for each inmate; online training to support development of the core communication, problem solving and soft / life skills commonly required for employment; online summative assessments to validate mastery of foundational work readiness skills, resulting in a Florida HIRE branded, employer-recognized credential certifying program completion in advance of release; automated referrals to community based providers for post-release reentry social services, career coaching and placement services; and fully integrated data collection and reporting system to track project outcomes. The project will target approximately 5,000 inmates in up to five facilities in Duval County (Jacksonville); Orange County (Orlando) and Tampa-Bradenton (Hillsborough/Manatee).

From the funds in Specific Appropriation 750, \$228,000 in

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nonrecurring general revenue funds is provided for the Lake County Reentry Program to provide coordination of support services in order to reduce criminal activity and recidivism by adult offenders returning to the Lake County community after incarceration.

From the funds in Specific Appropriation 750, \$200,000 in recurring general revenue funds may be used to expand Horizon volunteer faith and character peer-to-peer program activities at Wakulla Correctional Institution and up to seven additional male or female prisons, including Computer Lab, Quest, and Realizing Educational Emotional and Finance Smarts (REEFS) transition programs.

751 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 20,544

752 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,397

TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND
SUPPORT
FROM GENERAL REVENUE FUND 14,483,345
FROM TRUST FUNDS 913,981

TOTAL POSITIONS 59.00
TOTAL ALL FUNDS 15,397,326

COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION,
AND TREATMENT SERVICES

From the funds in Specific Appropriation 753 through 755, the Department of Corrections may implement a court liaison pilot program at two community drug treatment provider sites. The department may amend the provider contract to fund a court liaison position responsible for networking with the court to ensure full utilization of the allocated community beds.

753 EXPENSES
FROM GENERAL REVENUE FUND 300,000

754 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,493,762

From the funds in Specific Appropriation 754, \$1,000,000 in recurring general revenue funds is provided to the Department of Corrections to contract with one or more private providers to provide residential substance abuse treatment services located within the geographic area that includes Alachua, Bradford, and Clay counties for offenders under community supervision who are residents of one of the counties in the described area. The provider must have experience in residential treatment of substance abuse and mental health disorders. The department shall give priority for placement to offenders who have served as members of the United States Armed Forces in either an Active, Reserve, or National Guard status, but may place other compatible offenders in a treatment center if space is available. The contract shall be awarded based upon a competitive solicitation process pursuant to section 287.057, Florida Statutes.

From the funds in Specific Appropriation 754, \$500,000 in recurring general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol and opioid dependence within the Department of Corrections.

755 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED DRUG
TREATMENT/REHABILITATION PROGRAMS
FROM GENERAL REVENUE FUND 21,750,861
FROM FEDERAL GRANTS TRUST FUND 550,000

From the funds in Specific Appropriation 755, \$600,000 from recurring

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general revenue funds is provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

TOTAL: COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION, AND TREATMENT SERVICES		
FROM GENERAL REVENUE FUND	26,544,623	
FROM TRUST FUNDS		550,000
TOTAL ALL FUNDS		27,094,623

TOTAL: CORRECTIONS, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	2,331,809,316	
FROM TRUST FUNDS		71,752,186
TOTAL POSITIONS	24,107.00	
TOTAL ALL FUNDS		2,403,561,502
TOTAL APPROVED SALARY RATE	957,980,006	

FLORIDA COMMISSION ON OFFENDER REVIEW

PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS

APPROVED SALARY RATE 5,944,452

756 SALARIES AND BENEFITS POSITIONS 132.00		
FROM GENERAL REVENUE FUND	7,796,282	
FROM FEDERAL GRANTS TRUST FUND		60,558

757 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	518,548	

758 EXPENSES		
FROM GENERAL REVENUE FUND	833,563	

759 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	16,771	

760 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	250,000	

761 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	39,866	

762 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	19,800	

763 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	50,404	

764 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	303,887	

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS		
FROM GENERAL REVENUE FUND	9,829,121	
FROM TRUST FUNDS		60,558
TOTAL POSITIONS	132.00	
TOTAL ALL FUNDS		9,889,679

TOTAL: FLORIDA COMMISSION ON OFFENDER REVIEW		
FROM GENERAL REVENUE FUND	9,829,121	
FROM TRUST FUNDS		60,558
TOTAL POSITIONS	132.00	
TOTAL ALL FUNDS		9,889,679

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TOTAL APPROVED SALARY RATE 5,944,452

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,049,048

765 SALARIES AND BENEFITS POSITIONS 85.00		
FROM GENERAL REVENUE FUND	5,456,148	

766 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	29,572	

767 EXPENSES		
FROM GENERAL REVENUE FUND	512,197	
FROM GRANTS AND DONATIONS TRUST FUND		15,900

768 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	20,000	

769 LUMP SUM		
WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS POSITIONS 14.00		

The positions in Specific Appropriation 769 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2016-2017 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Use of these positions is contingent upon the Justice Administrative Commission notifying the Governor's Office of Policy and Budget, chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Such notification is subject to the legislative review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

770 SPECIAL CATEGORIES		
GRANTS AND AIDS - FOSTER CARE CITIZEN REVIEW PANEL		
FROM GENERAL REVENUE FUND	342,160	
FROM GRANTS AND DONATIONS TRUST FUND		300,000

771 SPECIAL CATEGORIES		
SEXUAL PREDATOR CIVIL COMMITMENT LITIGATION COSTS		
FROM GENERAL REVENUE FUND	2,947,591	

Funds in Specific Appropriation 771 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The maximum amount to be paid by the Justice Administrative Commission for medical experts for sexual predator civil commitment cases is \$200 per hour and all related travel costs must be apportioned to the associated case. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee describing, by judicial circuit, actual encumbrances and disbursements from this special appropriations category.

772 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	143,000	

772A SPECIAL CATEGORIES		
REIMBURSEMENT OF EXPENDITURES RELATED TO CIRCUIT AND COUNTY JURIES REQUIRED BY		

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STATUTE
FROM GENERAL REVENUE FUND 11,700,000

Funds in Specific Appropriation 772A are provided for jury costs, contingent upon HB 7095 or similar legislation becoming law, or HB 5003.

773 SPECIAL CATEGORIES
LEGAL REPRESENTATION FOR DEPENDENT
CHILDREN WITH SPECIAL NEEDS
FROM GENERAL REVENUE FUND 2,022,500

Funds in Specific Appropriation 773 shall be used by the Justice Administrative Commission to contract with attorneys to represent dependent children with disabilities in, or being considered for placement in, skilled nursing facilities and dependent children with certain special needs as specified in section 39.01305, Florida Statutes. The implementation of registries, as well as the appointment and compensation of private attorneys appointed pursuant to section 39.01305, Florida Statutes, shall be governed by the provisions of sections 27.40 and 27.5304, Florida Statutes. The flat fee amount for compensation shall not exceed \$1,000 per child per year. Funds anticipated to be in excess of those necessary to represent these children may be used to train attorneys and related personnel to represent these types of children. No other appropriation shall be used to pay attorney fees and related expenses for attorneys representing dependent children with disabilities and appointments under section 39.01305, Florida Statutes.

774 SPECIAL CATEGORIES
PAYMENTS FOR QUALIFIED TRANSPORTATION
BENEFITS PROGRAM
FROM GRANTS AND DONATIONS TRUST
FUND 750,000

775 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,263,034

Funds in Specific Appropriation 775 are provided for the Public Defenders' due process costs as specified in section 29.006, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

Table with 2 columns: Circuit and Amount. Rows include 1st through 20th Judicial Circuits with amounts ranging from 849,921 to 905,694.

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

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Table with 2 columns: Circuit and Amount. Rows include 1st through 17th Judicial Circuits with amounts ranging from 60,851 to 323,698.

776 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 13,200,000

Funds in Specific Appropriation 776 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of these case payments to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as follows:

Table with 2 columns: Case Type and Amount. Rows include various legal categories such as ADMISSION OF INMATE TO MENTAL HEALTH FACILITY, ADULT PROTECTIVE SERVICES ACT, BAKER ACT/MENTAL HEALTH, etc., with amounts ranging from 200 to 300.

777 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19,134

778 SPECIAL CATEGORIES
POST-CONVICTION CAPITAL COLLATERAL CASES -
REGISTRY ATTORNEYS

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Table with 2 columns: Description and Amount. Includes items like 'FROM GENERAL REVENUE FUND' with amounts 1,084,310, 779 SPECIAL CATEGORIES ATTORNEY PAYMENTS OVER FLAT FEE 7,600,000, and 780 SPECIAL CATEGORIES CRIMINAL CONFLICT CASE COSTS 27,984,827.

Funds in Specific Appropriation 780 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants and for due process costs for those individuals the court finds indigent for costs.

From the funds in Specific Appropriation 780, a total of \$216,934 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting and interpreter services.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

Table with 2 columns: Description and Amount. Lists various legal categories such as POSTCONVICTION, CAPITAL - 1ST DEGREE MURDER, FELONY - LIFE, JUVENILE DELINQUENCY, etc., with corresponding amounts.

Funds for costs and related expenses to be paid through Specific Appropriations 776, 780, and 782 shall be subject to the following:

The hourly rate for mitigation specialists in capital death cases shall not exceed \$75.00 per hour.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services other than those specified, shall not exceed the rates in effect for the 2007-2008 fiscal year.

The maximum amount to be paid by the Justice Administrative Commission for investigators is \$40 per hour. The maximum amount to be paid for court reporting and transcribing costs is as follows:

- 1. Deposition Appearance fees: 1st hour: \$75.00; thereafter \$25.00 per hour.
2. Deposition transcript fee (Original & one copy): 10 business day delivery: \$4.00 per page...
3. Appellate/hearing/trial transcript fee (Original & all copies needed with a minimum of 2 copies): 10 business day delivery: \$5.00 per page...
4. Transcription from tapes or audio recordings...
5. Video Services: \$100 per hour per location with two-hour minimum.

Table with 2 columns: Description and Amount. Includes 781 SPECIAL CATEGORIES STATE ATTORNEY DUE PROCESS COSTS FROM GENERAL REVENUE FUND 10,266,646.

Funds in Specific Appropriation 781 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures, by circuit, in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

Table with 2 columns: Judicial Circuit and Amount. Lists amounts for various judicial circuits from 1st to 20th.

From the funds credited for the use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

Table with 2 columns: Judicial Circuit and Amount. Lists amounts for 1st, 2nd, and 3rd Judicial Circuits.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

6th Judicial Circuit.....	25,443
7th Judicial Circuit.....	12,818
8th Judicial Circuit.....	21,937
9th Judicial Circuit.....	26,007
10th Judicial Circuit.....	3,980
11th Judicial Circuit.....	426,986
12th Judicial Circuit.....	19,650
13th Judicial Circuit.....	45,716
15th Judicial Circuit.....	61,252
16th Judicial Circuit.....	4,315
17th Judicial Circuit.....	20,081

782 SPECIAL CATEGORIES
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL
LIABILITY
FROM GENERAL REVENUE FUND 500,000

Funds in Specific Appropriation 782 are provided to pay for criminal conflict, dependency and other civil cases for which appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

783 SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 33,529
FROM GRANTS AND DONATIONS TRUST
FUND 3,000

784 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 600

785 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
FROM GENERAL REVENUE FUND 1,000,000

786 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,447,984
FROM CHILD SUPPORT TRUST FUND 74,498
FROM GRANTS AND DONATIONS TRUST
FUND 120,059
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 34,955

From the funds provided in Specific Appropriation 786, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, State Attorney Revenue Trust Fund, Public Defender Revenue Trust Fund, and Indigent Criminal Defense Trust Fund in proportion to their positions funded from these sources to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

787 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE
TECHNOLOGY (AST)
FROM GENERAL REVENUE FUND 10,289

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 106,583,521
FROM TRUST FUNDS 1,298,412

TOTAL POSITIONS 99.00
TOTAL ALL FUNDS 107,881,933

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 28,319,788
788 SALARIES AND BENEFITS POSITIONS 740.00
FROM GENERAL REVENUE FUND 37,395,306

Funds and positions in Specific Appropriations 788 through 797 shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.

789 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,565,681
FROM GRANTS AND DONATIONS TRUST
FUND 150,000

790 EXPENSES
FROM GENERAL REVENUE FUND 1,656,485
FROM GRANTS AND DONATIONS TRUST
FUND 50,249

791 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 60,502
FROM GRANTS AND DONATIONS TRUST
FUND 10,000

792 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES
FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 1,292,656

From the funds in Specific Appropriation 792, \$100,000 in recurring general revenue funds and \$300,000 in nonrecurring general revenue funds shall be used to support the Voices for Children Foundation in Miami-Dade County.

793 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,992,623
FROM GRANTS AND DONATIONS TRUST
FUND 110,000

794 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 539,414

795 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 192,196

796 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 42,057

797 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 332,707

The funds in Specific Appropriation 797 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE
FROM GENERAL REVENUE FUND 46,069,627
FROM TRUST FUNDS 320,249

TOTAL POSITIONS 740.00
TOTAL ALL FUNDS 46,389,876

STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, legal, training and education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 798 through 918. Funding for

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
this office shall not exceed \$450,000 from the State Attorney's Revenue Trust Fund.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

Table with columns for item number, description, and amount. Includes rows for approved salary rate, salaries and benefits (798), other personal services (799), special categories (800-803), and totals for the first judicial circuit.

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

Table with columns for item number, description, and amount. Includes rows for approved salary rate, salaries and benefits (804), other personal services (805), special categories (806), and totals for the second judicial circuit.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FUND 1,500

807 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE ATTORNEYS REVENUE TRUST
FUND 26,439

808 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,093

809 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE ATTORNEYS REVENUE TRUST
FUND 3,000

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,574,350
FROM TRUST FUNDS 1,667,999

TOTAL POSITIONS 117.00
TOTAL ALL FUNDS 9,242,349

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,709,472
810 SALARIES AND BENEFITS POSITIONS 72.00
FROM GENERAL REVENUE FUND 4,238,870
FROM STATE ATTORNEYS REVENUE TRUST
FUND 568,014
FROM GRANTS AND DONATIONS TRUST
FUND 269,844

811 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,857
FROM STATE ATTORNEYS REVENUE TRUST
FUND 6,372
FROM GRANTS AND DONATIONS TRUST
FUND 5,068

811A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST
FUND 54,000

812 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 179,966
FROM STATE ATTORNEYS REVENUE TRUST
FUND 27,204
FROM GRANTS AND DONATIONS TRUST
FUND 76,701

813 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 10,971
FROM GRANTS AND DONATIONS TRUST
FUND 28,392

814 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,034

815 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 35,000

TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,480,698
FROM TRUST FUNDS 1,035,595

TOTAL POSITIONS 72.00
TOTAL ALL FUNDS 5,516,293

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
 SPECIFIC
 APPROPRIATION
 PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	18,243,725	
816 SALARIES AND BENEFITS	POSITIONS	371.00
FROM GENERAL REVENUE FUND		20,481,263
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		3,119,702
FROM GRANTS AND DONATIONS TRUST		
FUND		1,104,274

From the positions and funds provided in Specific Appropriation 816, three full-time equivalent positions with associated salary rate of 174,101 and \$250,818 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

817 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	139,844	
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		5,090
FROM FORFEITURE AND INVESTIGATIVE		
SUPPORT TRUST FUND		55,000
FROM GRANTS AND DONATIONS TRUST		
FUND		33,189

817A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FORFEITURE AND INVESTIGATIVE		
SUPPORT TRUST FUND		80,000

818 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	279,262	
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		335,658
FROM FORFEITURE AND INVESTIGATIVE		
SUPPORT TRUST FUND		110,800
FROM GRANTS AND DONATIONS TRUST		
FUND		14,800

819 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	18,689	
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		118,383

820 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	11,404	

821 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	6,150	

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	20,936,612	
FROM TRUST FUNDS		4,976,896
TOTAL POSITIONS	371.00	
TOTAL ALL FUNDS		25,913,508

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 12,819,972

822 SALARIES AND BENEFITS	POSITIONS	240.00
FROM GENERAL REVENUE FUND		15,142,831
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		2,109,942
FROM GRANTS AND DONATIONS TRUST		
FUND		1,052,867

823 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	60,599	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
 SPECIFIC
 APPROPRIATION

FROM STATE ATTORNEYS REVENUE TRUST		
FUND		37,063
FROM GRANTS AND DONATIONS TRUST		
FUND		93,131

824 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	488,267	
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		61,250

825 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	27,900	
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		44,595

826 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	15,740	

827 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	41,500	

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	15,776,837	
FROM TRUST FUNDS		3,398,848

TOTAL POSITIONS	240.00	
TOTAL ALL FUNDS		19,175,685

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 23,526,513

828 SALARIES AND BENEFITS	POSITIONS	475.00
FROM GENERAL REVENUE FUND		25,682,460
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		3,357,806
FROM GRANTS AND DONATIONS TRUST		
FUND		3,524,873

829 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	86,869	
FROM GRANTS AND DONATIONS TRUST		
FUND		34,737

829A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		76,000

830 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	476,061	
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		232,453
FROM GRANTS AND DONATIONS TRUST		
FUND		569,866

831 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM STATE ATTORNEYS REVENUE TRUST		
FUND		89,598

832 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	22,724	

833 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	2,520	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	26,270,634		
FROM TRUST FUNDS		7,885,333	
TOTAL POSITIONS	475.00		
TOTAL ALL FUNDS		34,155,967	

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	11,747,215		
834 SALARIES AND BENEFITS POSITIONS	243.00		
FROM GENERAL REVENUE FUND	13,658,979		
FROM STATE ATTORNEYS REVENUE TRUST FUND		2,129,192	
FROM GRANTS AND DONATIONS TRUST FUND		294,720	

835 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	39,274		
FROM STATE ATTORNEYS REVENUE TRUST FUND		73,887	
FROM GRANTS AND DONATIONS TRUST FUND		9,980	

835A SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM STATE ATTORNEYS REVENUE TRUST FUND		202,500	

836 SPECIAL CATEGORIES			
STATE ATTORNEY OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND	588,416		
FROM STATE ATTORNEYS REVENUE TRUST FUND		342,348	

837 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	32,550		
FROM STATE ATTORNEYS REVENUE TRUST FUND		55,079	

838 SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS			
FROM GENERAL REVENUE FUND	6,094		
FROM STATE ATTORNEYS REVENUE TRUST FUND		17,620	
FROM GRANTS AND DONATIONS TRUST FUND		2,380	

839 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	32,381		

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	14,357,694		
FROM TRUST FUNDS		3,127,706	
TOTAL POSITIONS	243.00		
TOTAL ALL FUNDS		17,485,400	

PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	6,575,938		
840 SALARIES AND BENEFITS POSITIONS	138.00		
FROM GENERAL REVENUE FUND	7,934,129		
FROM STATE ATTORNEYS REVENUE TRUST FUND		865,920	
FROM GRANTS AND DONATIONS TRUST FUND		410,535	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
841 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		51,558	
FROM STATE ATTORNEYS REVENUE TRUST FUND			58,677
FROM GRANTS AND DONATIONS TRUST FUND			34,329

841A SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM STATE ATTORNEYS REVENUE TRUST FUND			28,000

842 SPECIAL CATEGORIES			
STATE ATTORNEY OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND	284,761		
FROM STATE ATTORNEYS REVENUE TRUST FUND			21,406
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND			419
FROM GRANTS AND DONATIONS TRUST FUND			9,040

843 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	42,322		
FROM STATE ATTORNEYS REVENUE TRUST FUND			20,653

844 SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS			
FROM GENERAL REVENUE FUND	13,506		

845 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	7,306		

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	8,333,582		
FROM TRUST FUNDS			1,448,979
TOTAL POSITIONS	138.00		
TOTAL ALL FUNDS			9,782,561

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	19,657,806		
846 SALARIES AND BENEFITS POSITIONS	385.50		
FROM GENERAL REVENUE FUND	23,540,968		
FROM STATE ATTORNEYS REVENUE TRUST FUND			1,420,095
FROM GRANTS AND DONATIONS TRUST FUND			1,859,699

From the positions and funds provided in Specific Appropriation 846, five full-time equivalent positions with associated salary rate of 293,813 and \$431,719 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

847 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	140,793		
FROM STATE ATTORNEYS REVENUE TRUST FUND			291,200
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND			241,817
FROM GRANTS AND DONATIONS TRUST FUND			1,000

847A SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM GENERAL REVENUE FUND	104,000		
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND			130,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS		
SPECIFIC		
APPROPRIATION		
848	SPECIAL CATEGORIES	
	STATE ATTORNEY OPERATING EXPENDITURES	
	FROM GENERAL REVENUE FUND	956,251
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	197,029
	FROM FORFEITURE AND INVESTIGATIVE	
	SUPPORT TRUST FUND	279,234
	FROM GRANTS AND DONATIONS TRUST	
	FUND	18,966
849	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND	6,584
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	152,019
850	SPECIAL CATEGORIES	
	SALARY INCENTIVE PAYMENTS	
	FROM GENERAL REVENUE FUND	28,837
851	SPECIAL CATEGORIES	
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM GENERAL REVENUE FUND	55,416
TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	24,832,849
	FROM TRUST FUNDS	4,591,059
	TOTAL POSITIONS	385.50
	TOTAL ALL FUNDS	29,423,908
PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	11,912,291
852	SALARIES AND BENEFITS POSITIONS	228.00
	FROM GENERAL REVENUE FUND	12,079,534
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	4,041,984
	FROM GRANTS AND DONATIONS TRUST	
	FUND	1,128,181
853	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	46,728
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	86,742
	FROM GRANTS AND DONATIONS TRUST	
	FUND	33,018
853A	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	60,000
854	SPECIAL CATEGORIES	
	STATE ATTORNEY OPERATING EXPENDITURES	
	FROM GENERAL REVENUE FUND	185,530
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	218,879
	FROM GRANTS AND DONATIONS TRUST	
	FUND	212,872
855	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND	122
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	49,480
	FROM GRANTS AND DONATIONS TRUST	
	FUND	5,500
856	SPECIAL CATEGORIES	
	SALARY INCENTIVE PAYMENTS	
	FROM GENERAL REVENUE FUND	14,365

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS		
SPECIFIC		
APPROPRIATION		
857	SPECIAL CATEGORIES	
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM GENERAL REVENUE FUND	32,032
	FROM GRANTS AND DONATIONS TRUST	
	FUND	7,356
TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	12,358,311
	FROM TRUST FUNDS	5,844,012
	TOTAL POSITIONS	228.00
	TOTAL ALL FUNDS	18,202,323
PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	56,104,692
858	SALARIES AND BENEFITS POSITIONS	1,278.00
	FROM GENERAL REVENUE FUND	47,679,777
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	4,742,169
	FROM CHILD SUPPORT TRUST FUND	19,929,556
	FROM FORFEITURE AND INVESTIGATIVE	
	SUPPORT TRUST FUND	223,824
	FROM GRANTS AND DONATIONS TRUST	
	FUND	3,345,205
From the positions and funds provided in Specific Appropriation 858, three full-time equivalent positions with associated salary rate of 279,377 and \$404,038 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.		
Additionally, two full-time equivalent positions with associated salary rate of 100,585 and \$147,724 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.		
859	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	242,030
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	154,922
	FROM CHILD SUPPORT TRUST FUND	752,372
	FROM GRANTS AND DONATIONS TRUST	
	FUND	85,131
859A	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM FORFEITURE AND INVESTIGATIVE	
	SUPPORT TRUST FUND	189,000
860	SPECIAL CATEGORIES	
	STATE ATTORNEY OPERATING EXPENDITURES	
	FROM GENERAL REVENUE FUND	773,140
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	435,078
	FROM CHILD SUPPORT TRUST FUND	3,862,621
	FROM CIVIL RICO TRUST FUND	200,020
	FROM FORFEITURE AND INVESTIGATIVE	
	SUPPORT TRUST FUND	203,700
	FROM GRANTS AND DONATIONS TRUST	
	FUND	561,527
861	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND	340,912
	FROM STATE ATTORNEYS REVENUE TRUST	
	FUND	405,508
	FROM CHILD SUPPORT TRUST FUND	370,316
862	SPECIAL CATEGORIES	
	SALARY INCENTIVE PAYMENTS	
	FROM GENERAL REVENUE FUND	22,221

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
863	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	3,600	
TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	49,061,680	
	FROM TRUST FUNDS		35,460,949
	TOTAL POSITIONS	1,278.00	
	TOTAL ALL FUNDS		84,522,629
PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	9,136,661	
864	SALARIES AND BENEFITS POSITIONS	184.00	
	FROM GENERAL REVENUE FUND	11,255,949	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		1,386,926
	FROM GRANTS AND DONATIONS TRUST		
	FUND		295,044
865	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	23,211	
865A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		64,500
866	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	408,517	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		89,785
867	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	38,173	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		25,763
868	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	7,461	
869	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,367	
TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	11,735,678	
	FROM TRUST FUNDS		1,862,018
	TOTAL POSITIONS	184.00	
	TOTAL ALL FUNDS		13,597,696
PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	17,604,909	
870	SALARIES AND BENEFITS POSITIONS	358.00	
	FROM GENERAL REVENUE FUND	20,721,556	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		2,830,863
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,437,432

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
103,567 and \$152,179 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
Additionally, two full-time equivalent positions with associated salary rate of 93,863 and \$137,852 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.			
871	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	69,228	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		11,122
	FROM GRANTS AND DONATIONS TRUST		
	FUND		7,755
871A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		50,000
872	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	583,790	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		191,880
	FROM GRANTS AND DONATIONS TRUST		
	FUND		81,630
873	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	48,882	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		33,613
874	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	12,027	
875	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	7,980	
TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	21,443,463	
	FROM TRUST FUNDS		4,644,295
	TOTAL POSITIONS	358.00	
	TOTAL ALL FUNDS		26,087,758
PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	6,051,226	
876	SALARIES AND BENEFITS POSITIONS	124.00	
	FROM GENERAL REVENUE FUND	7,420,173	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		803,732
	FROM GRANTS AND DONATIONS TRUST		
	FUND		430,055
877	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	9,899	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		97,074
877A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		90,000
878	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	238,320	

From the positions and funds provided in Specific Appropriation 870, two full-time equivalent positions with associated salary rate of

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

	FROM STATE ATTORNEYS REVENUE TRUST FUND		168,529
879	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND		54,769
880	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	7,697	
881	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,295	
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,678,384	
	FROM TRUST FUNDS		1,644,159
	TOTAL POSITIONS	124.00	
	TOTAL ALL FUNDS		9,322,543
PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	17,184,682	
882	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	333.00 20,002,943	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,395,166
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		14,527
	FROM GRANTS AND DONATIONS TRUST FUND		1,181,805
From the positions and funds provided in Specific Appropriation 882, two full-time equivalent positions with associated salary rate of 111,833 and \$160,242 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
Additionally, two full-time equivalent positions with associated salary rate of 117,294 and \$159,264 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.			
883	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	74,365	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		61,018
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST FUND		5,000
883A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		50,000
884	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	876,694	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		198,129
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		61,459
	FROM GRANTS AND DONATIONS TRUST FUND		26,000

From the funds provided in Specific Appropriation 884, \$275,000 in nonrecurring general revenue funds is provided to conduct a study aimed

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
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to strengthen investigation and prosecution of criminal and regulatory violations within the substance abuse treatment industry. The state attorney shall coordinate with local and state law enforcement and regulatory agencies, the Department of Children and Families, the Florida Alcohol & Drug Abuse Association, and certifying entities of recovery residences and recovery residence administrators to identify statutory clarifications and enhancements to existing law to ensure that communities remain safe and individuals with substance use disorders are protected. The state attorney shall submit the study to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2017.			
885	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND		120,354
886	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	10,569	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,000
887	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	10,000	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		60,000
TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	20,974,571	
	FROM TRUST FUNDS		4,274,458
	TOTAL POSITIONS	333.00	
	TOTAL ALL FUNDS		25,249,029
PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	3,188,385	
888	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	62.00 3,785,259	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		420,302
	FROM GRANTS AND DONATIONS TRUST FUND		208,169
889	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	15,490	
	FROM GRANTS AND DONATIONS TRUST FUND		76,054
889A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		50,000
890	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	135,049	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		54,509
	FROM GRANTS AND DONATIONS TRUST FUND		106,514
891	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND		30,119
892	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC APPROPRIATION			
	FROM GENERAL REVENUE FUND	7,041	
893	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	3,615	
TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	3,946,454	
	FROM TRUST FUNDS		945,667
	TOTAL POSITIONS	62.00	
	TOTAL ALL FUNDS		4,892,121
PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	24,927,445	
894	SALARIES AND BENEFITS POSITIONS	511.00	
	FROM GENERAL REVENUE FUND	30,666,187	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,581,316
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		417,825
	FROM GRANTS AND DONATIONS TRUST FUND		1,637,991

From the positions and funds provided in Specific Appropriation 894, two full-time equivalent positions with associated salary rate of 111,012 and \$160,242 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 117,294 and \$159,264 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC APPROPRIATION			
	TOTAL POSITIONS	511.00	
	TOTAL ALL FUNDS		38,325,191
PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	14,506,761	
900	SALARIES AND BENEFITS POSITIONS	294.00	
	FROM GENERAL REVENUE FUND	17,125,168	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,062,235
	FROM GRANTS AND DONATIONS TRUST FUND		1,010,455
901	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	25,100	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		19,988
	FROM GRANTS AND DONATIONS TRUST FUND		12,512
901A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		95,000
902	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	600,000	
From the funds in Specific Appropriation 902, \$500,000 in recurring general revenue funds and \$100,000 in nonrecurring general revenue funds are provided for the It's Time to be a Parent Again Pilot Program in Brevard, Orange, Polk, Seminole, and Osceola counties.			
903	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	510,738	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		38,459
	FROM GRANTS AND DONATIONS TRUST FUND		64,924
904	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	33,470	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		40,756
	FROM GRANTS AND DONATIONS TRUST FUND		6,231
905	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	9,587	
906	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	5,130	
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	18,309,193	
	FROM TRUST FUNDS		3,350,560
	TOTAL POSITIONS	294.00	
	TOTAL ALL FUNDS		21,659,753
PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	8,720,871	
907	SALARIES AND BENEFITS POSITIONS	171.00	

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS		SPECIFIC	
APPROPRIATION			
	FROM GENERAL REVENUE FUND	9,295,260	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,282,906
	FROM GRANTS AND DONATIONS TRUST FUND		615,790
908	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	19,414	
	FROM GRANTS AND DONATIONS TRUST FUND		76,678
908A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	25,000	
909	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	267,700	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		19,588
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		493
	FROM GRANTS AND DONATIONS TRUST FUND		56,097
910	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	10,333	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		30,151
911	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	8,764	
912	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,798	
913	SPECIAL CATEGORIES		
	LEAVE LIABILITY		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		189,754
	FROM GRANTS AND DONATIONS TRUST FUND		10,581
TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	9,629,269	
	FROM TRUST FUNDS		2,282,038
	TOTAL POSITIONS	171.00	
	TOTAL ALL FUNDS		11,911,307
PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	14,745,830	
914	SALARIES AND BENEFITS POSITIONS	315.00	
	FROM GENERAL REVENUE FUND	17,374,119	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,443,806
	FROM GRANTS AND DONATIONS TRUST FUND		1,784,670
915	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	52,100	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		85,767
	FROM GRANTS AND DONATIONS TRUST FUND		10,925
915A	SPECIAL CATEGORIES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS		SPECIFIC	
APPROPRIATION			
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		70,000
916	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	800,910	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		144,087
	FROM GRANTS AND DONATIONS TRUST FUND		46,994
917	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	33,084	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		67,487
918	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	21,024	
TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	18,281,237	
	FROM TRUST FUNDS		3,653,736
	TOTAL POSITIONS	315.00	
	TOTAL ALL FUNDS		21,934,973
PUBLIC DEFENDERS			
The Public Defenders Coordination Office's budgeting, legal, training, and education needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 919 through 1041. Funding for this office shall not exceed \$450,000 from the Indigent Criminal Defense Trust Fund. In addition, each Public Defender Office must submit to the Florida Public Defender Association on a quarterly basis the caseload report developed by the association.			
PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	5,972,848	
919	SALARIES AND BENEFITS POSITIONS	121.00	
	FROM GENERAL REVENUE FUND	7,454,242	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		211,234
	FROM GRANTS AND DONATIONS TRUST FUND		140,268
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		857,194
920	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,604	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		120,360
921	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	191,206	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		50,000
	FROM GRANTS AND DONATIONS TRUST FUND		5,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		142,129
922	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	9,951	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		30,821

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

923	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	4,770	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,682,773	
	FROM TRUST FUNDS		1,557,006
	TOTAL POSITIONS	121.00	
	TOTAL ALL FUNDS		9,239,779

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

	APPROVED SALARY RATE	4,233,908	
924	SALARIES AND BENEFITS	POSITIONS	85.00
	FROM GENERAL REVENUE FUND		5,159,425
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		207,772
	FROM GRANTS AND DONATIONS TRUST		
	FUND		107,663
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		337,792

925	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	26,538	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		107,319

926	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	153,981	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,677
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		114,267

927	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,862	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		32,500

928	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	7,617	

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	5,352,423	
	FROM TRUST FUNDS		908,990
	TOTAL POSITIONS	85.00	
	TOTAL ALL FUNDS		6,261,413

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

	APPROVED SALARY RATE	2,023,589	
929	SALARIES AND BENEFITS	POSITIONS	32.00
	FROM GENERAL REVENUE FUND		2,508,639
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		83,773
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		206,801

930	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	251	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		169,901

931	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION

	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		19,000

932	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	73,392	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		32,531

933	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		4,447

934	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		12,560

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	2,594,842	
	FROM TRUST FUNDS		516,453
	TOTAL POSITIONS	32.00	
	TOTAL ALL FUNDS		3,111,295

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	8,357,630	
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935	SALARIES AND BENEFITS	POSITIONS	155.00
	FROM GENERAL REVENUE FUND		10,179,925
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		351,972
	FROM GRANTS AND DONATIONS TRUST		
	FUND		217,550
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		658,178

936	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	25,026	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		123,325

937	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	278,695	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		50,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		147,636

938	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	18,348	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		112,077

939	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		2,305

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	10,504,299	
	FROM TRUST FUNDS		1,660,738
	TOTAL POSITIONS	155.00	
	TOTAL ALL FUNDS		12,165,037

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	6,246,725	
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SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

940	SALARIES AND BENEFITS	POSITIONS	129.50
	FROM GENERAL REVENUE FUND		6,824,243
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		227,971
	FROM GRANTS AND DONATIONS TRUST FUND		803,089
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,254,723
941	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		34,242
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		413,681
942	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND		109,560
	FROM GRANTS AND DONATIONS TRUST FUND		2,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		215,281
943	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		282
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		24,629
944	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,800
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		6,968,327
	FROM TRUST FUNDS		2,943,174
	TOTAL POSITIONS		129.50
	TOTAL ALL FUNDS		9,911,501
PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE		11,767,200
945	SALARIES AND BENEFITS	POSITIONS	232.00
	FROM GENERAL REVENUE FUND		14,389,206
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		481,870
	FROM GRANTS AND DONATIONS TRUST FUND		403,721
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,175,682
946	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		228,566
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		149,532
From the funds in Specific Appropriation 946, \$150,000 in recurring general revenue funds is provided for the Pasco Mobile Medical Unit for homeless medical and legal services outreach.			
947	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		156,000
948	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND		727,076
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		100,000
From the funds in Specific Appropriation 948, \$250,000 in			

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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nonrecurring general revenue funds is provided to Vincent House - Hernando for treatment and employment services for individuals with severe and persistent mental illness involved in the criminal justice system.

949	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		35,118
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		22,154
950	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		52,000
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		15,379,966
	FROM TRUST FUNDS		2,540,959
	TOTAL POSITIONS		232.00
	TOTAL ALL FUNDS		17,920,925
PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE		5,882,916
951	SALARIES AND BENEFITS	POSITIONS	117.00
	FROM GENERAL REVENUE FUND		7,624,500
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		261,920
	FROM GRANTS AND DONATIONS TRUST FUND		86,361
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		383,495
952	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		30
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		83,839
953	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND		122,939
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		121,860
954	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		15,646
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		8,717
955	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		14,589
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		7,777,704
	FROM TRUST FUNDS		946,192
	TOTAL POSITIONS		117.00
	TOTAL ALL FUNDS		8,723,896
PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE		3,786,153
956	SALARIES AND BENEFITS	POSITIONS	74.00
	FROM GENERAL REVENUE FUND		4,914,001
	FROM PUBLIC DEFENDERS REVENUE		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
	TRUST FUND	170,896	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	383,577	
957	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,759	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	36,600	
958	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	98,884	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	5,000	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	378,127	
959	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	504	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	18,927	
960	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	4,751	
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	5,026,148	
	FROM TRUST FUNDS	997,878	
	TOTAL POSITIONS	74.00	
	TOTAL ALL FUNDS	6,024,026	
PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,341,181	
961	SALARIES AND BENEFITS	235.00	
	POSITIONS		
	FROM GENERAL REVENUE FUND	12,421,835	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND	308,868	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	935,547	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	1,809,068	
962	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	25,000	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	7,500	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	141,520	
963	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	164,065	
964	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	929,734	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	120,440	
965	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,189	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND	2,066	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	31,323	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
966	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	23,000	
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	13,566,823	
	FROM TRUST FUNDS		3,356,332
	TOTAL POSITIONS	235.00	
	TOTAL ALL FUNDS		16,923,155
PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	5,727,680	
967	SALARIES AND BENEFITS	115.00	
	POSITIONS		
	FROM GENERAL REVENUE FUND	6,975,045	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		244,010
	FROM GRANTS AND DONATIONS TRUST		
	FUND		51,766
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		646,707
968	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	38,074	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		57,430
969	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	185,049	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		164,621
970	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	27,678	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		20,056
971	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		3,132
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,225,846	
	FROM TRUST FUNDS		1,187,722
	TOTAL POSITIONS	115.00	
	TOTAL ALL FUNDS		8,413,568
PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	21,071,998	
972	SALARIES AND BENEFITS	384.00	
	POSITIONS		
	FROM GENERAL REVENUE FUND	24,895,200	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		877,107
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,543,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		725,672
973	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	110,939	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		70,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		181,235

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

973A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	50,000	
974	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	459,085	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	10,000	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	84,580	
975	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	54,074	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	120,682	
976	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,333	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL		
	CIRCUIT		
	FROM GENERAL REVENUE FUND	25,520,631	
	FROM TRUST FUNDS	3,662,276	
	TOTAL POSITIONS	384.00	
	TOTAL ALL FUNDS	29,182,907	
PROGRAM:	PUBLIC DEFENDERS - TWELFTH JUDICIAL		
	CIRCUIT		
	APPROVED SALARY RATE	4,983,618	
977	SALARIES AND BENEFITS POSITIONS	97.50	
	FROM GENERAL REVENUE FUND	5,776,339	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND	202,307	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	234,495	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	668,167	
978	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	19,836	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND	78,000	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	47,961	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	20,000	
979	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	222,605	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND	110,962	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	217,598	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	37,272	
980	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND	5,202	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	4,444	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	17,712	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

	CIRCUIT		
	FROM GENERAL REVENUE FUND	6,018,780	
	FROM TRUST FUNDS		1,644,120
	TOTAL POSITIONS	97.50	
	TOTAL ALL FUNDS		7,662,900
PROGRAM:	PUBLIC DEFENDERS - THIRTEENTH JUDICIAL		
	CIRCUIT		
	APPROVED SALARY RATE	12,853,326	
981	SALARIES AND BENEFITS POSITIONS	220.50	
	FROM GENERAL REVENUE FUND	13,334,564	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		762,356
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,051,387
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		1,409,875
982	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	121,863	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND		100,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		11,201
983	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		44,000
984	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	613,044	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		137,844
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		107,983
985	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	31,259	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		27,565
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		33,909
986	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,835	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL		
	CIRCUIT		
	FROM GENERAL REVENUE FUND	14,103,565	
	FROM TRUST FUNDS		3,786,120
	TOTAL POSITIONS	220.50	
	TOTAL ALL FUNDS		17,889,685
PROGRAM:	PUBLIC DEFENDERS - FOURTEENTH JUDICIAL		
	CIRCUIT		
	APPROVED SALARY RATE	3,714,315	
987	SALARIES AND BENEFITS POSITIONS	67.00	
	FROM GENERAL REVENUE FUND	4,479,626	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		140,383
	FROM GRANTS AND DONATIONS TRUST		
	FUND		59,486

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC APPROPRIATION			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		549,684
988	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	13,565	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		162,925
989	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	148,676	
	FROM GRANTS AND DONATIONS TRUST FUND		15,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		141,361
990	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	9,636	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		34,131
991	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		2,855
TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	4,651,503	
	FROM TRUST FUNDS		1,105,825
	TOTAL POSITIONS	67.00	
	TOTAL ALL FUNDS		5,757,328
PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	9,865,377	
992	SALARIES AND BENEFITS POSITIONS	193.00	
	FROM GENERAL REVENUE FUND	11,814,781	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		416,353
	FROM GRANTS AND DONATIONS TRUST FUND		196,282
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,097,285
993	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	54,065	
	FROM GRANTS AND DONATIONS TRUST FUND		114,866
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,413
994	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	149,103	
	FROM GRANTS AND DONATIONS TRUST FUND		78,670
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		297,623
995	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	27,422	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		34,255
996	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		9,375

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SPECIFIC APPROPRIATION			
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		12,045,371
	FROM TRUST FUNDS		2,281,122
	TOTAL POSITIONS	193.00	
	TOTAL ALL FUNDS		14,326,493
PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	2,202,419	
997	SALARIES AND BENEFITS POSITIONS	41.00	
	FROM GENERAL REVENUE FUND	2,718,353	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		93,995
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		135,409
998	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	6,968	
	FROM GRANTS AND DONATIONS TRUST FUND		5,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,347
999	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	84,846	
	FROM GRANTS AND DONATIONS TRUST FUND		13,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		17,760
1000	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,937	
	FROM GRANTS AND DONATIONS TRUST FUND		2,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		2,668
1001	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,170	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	2,819,274	
	FROM TRUST FUNDS		271,179
	TOTAL POSITIONS	41.00	
	TOTAL ALL FUNDS		3,090,453
PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	12,676,012	
1002	SALARIES AND BENEFITS POSITIONS	224.00	
	FROM GENERAL REVENUE FUND	14,538,422	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		528,429
	FROM GRANTS AND DONATIONS TRUST FUND		944,526
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,825,796
1003	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	82,254	
	FROM GRANTS AND DONATIONS TRUST FUND		150,708
	FROM INDIGENT CRIMINAL DEFENSE		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
	TRUST FUND		36,000
1004	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	424,593	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		208,165
1005	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		53,257
1006	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	3,812	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	15,049,081	
	FROM TRUST FUNDS		3,746,881
	TOTAL POSITIONS	224.00	
	TOTAL ALL FUNDS		18,795,962
PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	6,371,810	
1007	SALARIES AND BENEFITS POSITIONS	119.00	
	FROM GENERAL REVENUE FUND	7,095,271	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		234,778
	FROM GRANTS AND DONATIONS TRUST		
	FUND	400,593	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		1,510,310
1008	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,792	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		28,160
1008A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		22,000
1009	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	227,858	
1010	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	103,887	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	5,000	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		301,314
1011	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	17,559	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		1,248
1012	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		5,236
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL			
CIRCUIT			

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
	FROM GENERAL REVENUE FUND		7,457,367
	FROM TRUST FUNDS		2,508,639
	TOTAL POSITIONS	119.00	
	TOTAL ALL FUNDS		9,966,006
PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	4,408,920	
1013	SALARIES AND BENEFITS POSITIONS	82.00	
	FROM GENERAL REVENUE FUND	4,695,177	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		159,497
	FROM GRANTS AND DONATIONS TRUST		
	FUND		277,764
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		940,182
1014	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,918	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		60,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		139,622
1015	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	113,318	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		202,540
1016	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	15,024	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		29,673
1017	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		1,440
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	4,846,437	
	FROM TRUST FUNDS		1,810,718
	TOTAL POSITIONS	82.00	
	TOTAL ALL FUNDS		6,657,155
PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	6,913,635	
1018	SALARIES AND BENEFITS POSITIONS	140.00	
	FROM GENERAL REVENUE FUND	7,856,482	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		328,199
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,061,788
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		771,557
1019	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,098	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		20,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		145,440
1019A	SPECIAL CATEGORIES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	25,000	
1020	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	328,894	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	64,260	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	232,938	
1021	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND	34,453	
1022	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	12,730	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	8,213,204	
	FROM TRUST FUNDS		2,683,635
	TOTAL POSITIONS	140.00	
	TOTAL ALL FUNDS		10,896,839
PUBLIC DEFENDERS APPELLATE DIVISION			
PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND			
JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	2,213,351	
1023	SALARIES AND BENEFITS POSITIONS	35.00	
	FROM GENERAL REVENUE FUND	2,850,160	
1024	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	21,114	
1025	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	128,971	
1026	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,535	
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND			
JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	3,002,780	
	TOTAL POSITIONS	35.00	
	TOTAL ALL FUNDS		3,002,780
PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH			
JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	2,071,487	
1027	SALARIES AND BENEFITS POSITIONS	33.00	
	FROM GENERAL REVENUE FUND	2,746,618	
1028	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	17,381	
1029	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	141,907	
1030	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
	FROM GENERAL REVENUE FUND		6,840
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH			
JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		2,912,746
	TOTAL POSITIONS	33.00	
	TOTAL ALL FUNDS		2,912,746
PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH			
JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	2,857,134	
1031	SALARIES AND BENEFITS POSITIONS	50.00	
	FROM GENERAL REVENUE FUND	3,747,779	
1032	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	727,390	
1033	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	144,849	
1034	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,568	
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH			
JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	4,622,586	
	TOTAL POSITIONS	50.00	
	TOTAL ALL FUNDS		4,622,586
PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH			
JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	1,637,395	
1035	SALARIES AND BENEFITS POSITIONS	24.00	
	FROM GENERAL REVENUE FUND	2,105,326	
1036	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	33,731	
1037	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	37,161	
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH			
JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	2,176,218	
	TOTAL POSITIONS	24.00	
	TOTAL ALL FUNDS		2,176,218
PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH			
JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	2,852,216	
1038	SALARIES AND BENEFITS POSITIONS	37.00	
	FROM GENERAL REVENUE FUND	3,684,250	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		112,899
1039	OTHER PERSONAL SERVICES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		55,978
1040	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	44,974	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
 SPECIFIC
 APPROPRIATION
 FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 50,000

1041 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 2,344

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 3,731,568
 FROM TRUST FUNDS 218,877

TOTAL POSITIONS 37.00
 TOTAL ALL FUNDS 3,950,445

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: NORTHERN REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - NORTHERN REGIONAL COUNSEL

APPROVED SALARY RATE 942,800

1042 SALARIES AND BENEFITS POSITIONS 17.00
 FROM GENERAL REVENUE FUND 1,302,390

1043 SPECIAL CATEGORIES
 CASE RELATED COSTS
 FROM GENERAL REVENUE FUND 487,700

1044 SPECIAL CATEGORIES
 OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 238,373

1045 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 975

1046 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 1,000

TOTAL: CAPITAL JUSTICE REPRESENTATION - NORTHERN REGIONAL COUNSEL
 FROM GENERAL REVENUE FUND 2,030,438

TOTAL POSITIONS 17.00
 TOTAL ALL FUNDS 2,030,438

PROGRAM: MIDDLE REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - MIDDLE REGIONAL COUNSEL

APPROVED SALARY RATE 2,583,707

1047 SALARIES AND BENEFITS POSITIONS 42.00
 FROM GENERAL REVENUE FUND 3,333,490

1048 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 60,111

1049 SPECIAL CATEGORIES
 CASE RELATED COSTS
 FROM GENERAL REVENUE FUND 363,004
 FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND 217,000

1050 SPECIAL CATEGORIES
 OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 472,307
 FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND 83,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
 SPECIFIC
 APPROPRIATION
 1051 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 149
 FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND 6,495

1052 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 375

TOTAL: CAPITAL JUSTICE REPRESENTATION - MIDDLE REGIONAL COUNSEL
 FROM GENERAL REVENUE FUND 4,229,436
 FROM TRUST FUNDS 306,495

TOTAL POSITIONS 42.00

TOTAL ALL FUNDS 4,535,931

PROGRAM: SOUTHERN REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - SOUTHERN REGIONAL COUNSEL

APPROVED SALARY RATE 2,083,691

1053 SALARIES AND BENEFITS POSITIONS 33.00
 FROM GENERAL REVENUE FUND 2,603,197

1053A OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 24,960

1054 SPECIAL CATEGORIES
 CASE RELATED COSTS
 FROM GENERAL REVENUE FUND 473,375
 FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND 165,000

1055 SPECIAL CATEGORIES
 OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 389,610
 FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND 135,000

1056 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 3,509
 FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND 5,139

1057 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 702

TOTAL: CAPITAL JUSTICE REPRESENTATION - SOUTHERN REGIONAL COUNSEL

FROM GENERAL REVENUE FUND 3,495,353

FROM TRUST FUNDS 305,139

TOTAL POSITIONS 33.00

TOTAL ALL FUNDS 3,800,492

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE 6,484,805

1058 SALARIES AND BENEFITS POSITIONS 121.00
 FROM GENERAL REVENUE FUND 8,948,792

1059 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 234,242

1060 SPECIAL CATEGORIES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	795,349	
	FROM INDIGENT CIVIL DEFENSE TRUST		75,000
	FUND		
1061	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	1,212,166	
1062	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	26,840	
1063	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	9,984	
1064	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	26,684	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST			
	FROM GENERAL REVENUE FUND	11,254,057	
	FROM TRUST FUNDS		75,000
	TOTAL POSITIONS	121.00	
	TOTAL ALL FUNDS		11,329,057
PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND			
	APPROVED SALARY RATE	5,384,718	
1065	SALARIES AND BENEFITS POSITIONS	106.00	
	FROM GENERAL REVENUE FUND	7,012,013	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		69,463
1066	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	351,037	
1067	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,021,113	
	FROM INDIGENT CIVIL DEFENSE TRUST		
	FUND		75,000
1068	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	937,514	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		165,425
1069	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	71,606	
1070	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	25,000	
1071	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	26,174	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND			
	FROM GENERAL REVENUE FUND	9,444,457	
	FROM TRUST FUNDS		309,888
	TOTAL POSITIONS	106.00	
	TOTAL ALL FUNDS		9,754,345

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
SPECIFIC			
APPROPRIATION			
PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
	APPROVED SALARY RATE	2,779,754	
1072	SALARIES AND BENEFITS POSITIONS	53.00	
	FROM GENERAL REVENUE FUND	3,701,524	
1073	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	177,769	
1074	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,576,836	
	FROM INDIGENT CIVIL DEFENSE TRUST		
	FUND		20,000
1075	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	389,334	
1076	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,104	
1077	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,100	
1078	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	13,220	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
	FROM GENERAL REVENUE FUND	5,866,887	
	FROM TRUST FUNDS		20,000
	TOTAL POSITIONS	53.00	
	TOTAL ALL FUNDS		5,886,887
PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
	APPROVED SALARY RATE	3,977,151	
1079	SALARIES AND BENEFITS POSITIONS	73.00	
	FROM GENERAL REVENUE FUND	5,365,808	
1080	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	458,729	
1081	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,707,457	
	FROM INDIGENT CIVIL DEFENSE TRUST		
	FUND		55,980
1082	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	1,212,550	
1083	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	13,641	
1084	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	7,807	
1085	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	16,657	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
FROM GENERAL REVENUE FUND	8,782,649		
FROM TRUST FUNDS		55,980	
TOTAL POSITIONS	73.00		
TOTAL ALL FUNDS		8,838,629	

PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH

APPROVED SALARY RATE	3,736,400		
1086 SALARIES AND BENEFITS POSITIONS	78.00		
FROM GENERAL REVENUE FUND	5,263,281		
1087 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	125,836		
1088 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	949,220		
FROM GRANTS AND DONATIONS TRUST			
FUND		5,800	
1089 SPECIAL CATEGORIES			
REGIONAL CONFLICT COUNCIL OPERATIONS			
FROM GENERAL REVENUE FUND	748,208		
FROM GRANTS AND DONATIONS TRUST			
FUND		13,890	
FROM INDIGENT CIVIL DEFENSE TRUST			
FUND		100,000	
1090 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	96,602		
1091 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	12,000		
1092 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	18,243		
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH			
FROM GENERAL REVENUE FUND	7,213,390		
FROM TRUST FUNDS		119,690	
TOTAL POSITIONS	78.00		
TOTAL ALL FUNDS		7,333,080	

TOTAL: JUSTICE ADMINISTRATION			
FROM GENERAL REVENUE FUND	745,442,810		
FROM TRUST FUNDS		144,259,377	
TOTAL POSITIONS	10,536.00		
TOTAL ALL FUNDS		889,702,187	
TOTAL APPROVED SALARY RATE	519,416,296		

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1093 through 1174A, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate substantial compliance with the performance measures described in the contract.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

From the funds in Specific Appropriations 1093 through 1174A, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's Office of Program Accountability shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1093 through 1174A, the Department of Juvenile Justice must, before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

From the funds in Specific Appropriations 1093 through 1174A, the Department of Juvenile Justice may work within its existing budget, including applicable grants, to implement any corrective action plan that is developed as the result of a Prison Rape Elimination Act audit conducted in accordance with Title 23, Part 115 of the Code of Federal Regulations. The department may request additional resources required through the Legislative Budget Request process as defined in chapter 216, Florida Statutes.

From the funds in Specific Appropriations 1093 through 1174A, the Department of Juvenile Justice shall conduct a comprehensive statewide review of county-level data, including a gap analysis of services and programs available across all counties in the state, to evaluate the implementation of juvenile justice policies at the county level. As the result of such review, the department shall prepare a report that includes benchmarking of counties' performance on factors that demonstrate how a county is supporting the department's strategic goals of preventing and diverting more youth from entering the juvenile justice system; providing appropriate, less restrictive, community-based sanctions and services; reserving serious sanctions for youth who pose the greatest risk to public safety; and focusing on rehabilitation. The report shall also include recommendations and strategies that can be implemented by the department or counties to address any identified deficiencies and to assist in developing a statewide, coordinated response across all of Florida's communities to support the department's strategic goals. A copy of the report shall be submitted to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2017.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS			
APPROVED SALARY RATE	49,662,805		
1093 SALARIES AND BENEFITS POSITIONS	1,479.00		
FROM GENERAL REVENUE FUND	26,226,023		
FROM FEDERAL GRANTS TRUST FUND		963,805	
FROM SHARED COUNTY/STATE JUVENILE			
DETENTION TRUST FUND		41,339,203	
1094 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	319,081		
FROM GRANTS AND DONATIONS TRUST			
FUND		596,864	
FROM SHARED COUNTY/STATE JUVENILE			
DETENTION TRUST FUND		1,360,225	
1095 EXPENSES			
FROM GENERAL REVENUE FUND	1,044,743		
FROM FEDERAL GRANTS TRUST FUND		1,090,728	
FROM GRANTS AND DONATIONS TRUST			
FUND		824,860	
FROM SHARED COUNTY/STATE JUVENILE			
DETENTION TRUST FUND		4,396,242	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

1096	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	42,225	
	FROM FEDERAL GRANTS TRUST FUND		192,293
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		199,765
1097	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	517,791	
	FROM FEDERAL GRANTS TRUST FUND		1,193,649
	FROM GRANTS AND DONATIONS TRUST FUND		127,472
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,000,497
1098	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	29,110	
1099	SPECIAL CATEGORIES		
	GRANTS AND AIDS - GRANTS TO FISCALLY CONSTRAINED COUNTIES FOR DETENTION CENTER COSTS		
	FROM GENERAL REVENUE FUND	3,883,853	
1100	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	954,864	
	FROM FEDERAL GRANTS TRUST FUND		40,690
	FROM GRANTS AND DONATIONS TRUST FUND		3,116
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,483,075
1101	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,364,391	
	FROM FEDERAL GRANTS TRUST FUND		49,069
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		7,326,801
1102	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,934,573	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		2,671,552
1103	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	90,364	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		134,195
1104	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	195,233	
	FROM FEDERAL GRANTS TRUST FUND		10,216
	FROM GRANTS AND DONATIONS TRUST FUND		1,001
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		285,891
1105	FIXED CAPITAL OUTLAY		
	DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS		
	FROM GENERAL REVENUE FUND	6,165,735	

Funds in Specific Appropriation 1105 used by the Department of Juvenile Justice for repairs and maintenance to juvenile detention facilities shall be expended in accordance with the prioritized list of facility repair needs that is maintained by the department.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

TOTAL: DETENTION CENTERS			
	FROM GENERAL REVENUE FUND	45,767,986	
	FROM TRUST FUNDS		65,291,209
	TOTAL POSITIONS	1,479.00	
	TOTAL ALL FUNDS		111,059,195
PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM			
COMMUNITY SUPERVISION			
For all appropriations specifically identified in proviso in Specific Appropriations 1110 and 1113, the Department of Juvenile Justice shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.			
	APPROVED SALARY RATE	31,567,304	
1106	SALARIES AND BENEFITS	849.50	
	POSITIONS		
	FROM GENERAL REVENUE FUND	37,785,360	
	FROM GRANTS AND DONATIONS TRUST FUND		46,617
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		4,850,629
1107	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	591,986	
	FROM GRANTS AND DONATIONS TRUST FUND		184,000
1108	EXPENSES		
	FROM GENERAL REVENUE FUND	4,640,034	
	FROM FEDERAL GRANTS TRUST FUND		35,866
	FROM GRANTS AND DONATIONS TRUST FUND		7,407
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		311,856
1109	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	41,556	
1110	SPECIAL CATEGORIES		
	JUVENILE REDIRECTIONS PROGRAM		
	FROM GENERAL REVENUE FUND	6,314,831	
Funds in Specific Appropriation 1110 are provided for services to youth at risk of commitment who are eligible to be placed in evidence-based and other alternative programs for family therapy services. These services shall be provided as an alternative to commitment. The Department of Juvenile Justice and each participating court may jointly develop criteria to identify youth appropriate for diversion into the Redirections Program.			
From the funds in Specific Appropriation 1110, \$750,000 in recurring general revenue funds is provided for Parenting with Love and Limits (PLL) to support three PLL teams located in the northern region, central region and the southern region of the state.			
1111	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	635,947	
1112	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	852,545	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		42,490
1113	SPECIAL CATEGORIES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION

GRANTS AND AIDS - CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	35,517,082
FROM GRANTS AND DONATIONS TRUST FUND	1,552,310
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	81,995

From the funds in Specific Appropriation 1113, Department of Juvenile Justice may contract for services consistent with the department's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.

From the funds in Specific Appropriation 1113, \$2,250,000 in recurring general revenue funds and \$1,500,000 in nonrecurring general revenue funds are provided for the AMIKids gender specific program, of which \$750,000 is provided for the AMIKids gender specific program in Clay County and \$750,000 is provided for the AMIKids gender specific program in Hillsborough County.

From the funds in Specific Appropriation 1113, \$1,100,000 from nonrecurring general revenue funds is provided for AMI Kids to provide home-based family counseling and intervention to address issues that may be causing delinquent behavior. The target demographic is youth aged 11-18 at risk for delinquency, violence, substance abuse, conduct disorder, oppositional defiant disorder, or disruptive behavior disorder. The department shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

1114	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	383,932	
1115	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	236,213	
1116	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	280,725	
	FROM GRANTS AND DONATIONS TRUST FUND		11,151
TOTAL:	COMMUNITY SUPERVISION		
	FROM GENERAL REVENUE FUND	87,280,211	
	FROM TRUST FUNDS		7,124,321
	TOTAL POSITIONS	849.50	
	TOTAL ALL FUNDS		94,404,532

COMMUNITY INTERVENTIONS AND SERVICES

	APPROVED SALARY RATE	17,733,969	
1117	SALARIES AND BENEFITS POSITIONS	505.00	
	FROM GENERAL REVENUE FUND	21,424,342	
	FROM GRANTS AND DONATIONS TRUST FUND		26,738
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,779,034
1118	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,014,298	
1119	EXPENSES		

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	FROM GENERAL REVENUE FUND	2,623,784	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		182,506

1120	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	27,131	

1121	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	645,031	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		27,856

1122	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	15,977,556	

From the funds in Specific Appropriation 1122, \$735,840 in recurring general revenue funds shall be used for continuing security services at the existing juvenile assessment centers in Bay and Escambia counties.

From the funds in Specific Appropriation 1122, \$400,000 in nonrecurring general revenue funds shall be used for a juvenile assessment center in Broward County.

1123	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	222,838	
1124	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	154,863	
1125	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	171,564	
	FROM GRANTS AND DONATIONS TRUST FUND		6,815
TOTAL:	COMMUNITY INTERVENTIONS AND SERVICES		
	FROM GENERAL REVENUE FUND	42,261,407	
	FROM TRUST FUNDS		3,022,949
	TOTAL POSITIONS	505.00	
	TOTAL ALL FUNDS		45,284,356

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	10,512,036	
1127	SALARIES AND BENEFITS POSITIONS	231.50	
	FROM GENERAL REVENUE FUND	13,850,050	
	FROM GRANTS AND DONATIONS TRUST FUND		308,293
1128	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	426,432	
	FROM ADMINISTRATIVE TRUST FUND		72,341
	FROM JUVENILE JUSTICE TRAINING TRUST FUND		11,712
1129	EXPENSES		
	FROM GENERAL REVENUE FUND	2,552,729	
	FROM GRANTS AND DONATIONS TRUST FUND		149,305
	FROM JUVENILE JUSTICE TRAINING TRUST FUND		605,353
1130	OPERATING CAPITAL OUTLAY		

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	FROM GENERAL REVENUE FUND	32,841	
1131	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	959,285	
1132	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM GENERAL REVENUE FUND	21,806	
1133	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	584,408	
	FROM ADMINISTRATIVE TRUST FUND	445,930	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	208,537	
1134	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	349,329	
	FROM JUVENILE JUSTICE TRAINING		
	TRUST FUND	1,839,189	
1135	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	177,151	
1136	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	59,032	
1137	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	67,149	
	FROM JUVENILE JUSTICE TRAINING		
	TRUST FUND	3,973	
1138	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	79,720	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	1,342	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	19,159,932	
	FROM TRUST FUNDS	3,645,975	
	TOTAL POSITIONS	231.50	
	TOTAL ALL FUNDS	22,805,907	

INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE	2,874,428	
1139	SALARIES AND BENEFITS	POSITIONS	59.50
	FROM GENERAL REVENUE FUND	3,542,991	
1140	EXPENSES		
	FROM GENERAL REVENUE FUND	1,782,574	
1141	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	684,726	
1142	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	421,377	
1143	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	239,032	

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1144	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	13,315	
1145	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	20,336	
1146	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	1,017,418	
TOTAL: INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND	7,721,769	
	TOTAL POSITIONS	59.50	
	TOTAL ALL FUNDS	7,721,769	

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1147 through 1161, the Department of Juvenile Justice shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth awaiting placement, and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, chair of the Senate Appropriations Committee, and chair of the House Appropriations Committee prior to implementing any change.

From the funds in Specific Appropriations 1147 through 1161, in selecting a private provider for operation of secure and non-secure residential programs, the Department of Juvenile Justice must consider the provider's history of performance of services in other jurisdictions as well as its performance of services in Florida. The department must also provide a report of serious incidents to the Governor, President of the Senate, and Speaker of the House of Representatives on no less than a quarterly basis. The report must include, at a minimum: the number of incidents and allegations of staff abuse or abuse by another child, including whether or not an allegation was substantiated; descriptions of incidents or allegations of such abuse that resulted in physical injury or significant psychological trauma, or that involved deprivation of food, water, or medical care; and the failure of a provider to report incidents or allegations within required timeframes established by the department. In addition, the department must conduct an independent review of each out-of-state provider before issuing a new contract. The report must be organized so that the incidents and allegations relating to a particular facility and to a particular provider can be readily ascertained. The department must also immediately report the death or serious bodily injury of a youth in a secure or non-secure residential program to the Governor, President of the Senate, and Speaker of the House of Representatives, and may make any additional reports that it determines to be appropriate based upon the seriousness of an incident or allegation.

NON-SECURE RESIDENTIAL COMMITMENT			
1147	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	117,183	
1148	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	103,591,782	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND	5,500,174	
1149	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	132,250	

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1150	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES		
	FROM GENERAL REVENUE FUND	2,405,536	
TOTAL: NON-SECURE RESIDENTIAL COMMITMENT			
	FROM GENERAL REVENUE FUND	106,246,751	
	FROM TRUST FUNDS		5,500,174
	TOTAL ALL FUNDS		111,746,925
SECURE RESIDENTIAL COMMITMENT			
	APPROVED SALARY RATE	8,971,318	
1152	SALARIES AND BENEFITS POSITIONS	121.00	
	FROM GENERAL REVENUE FUND	9,528,221	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,235,371
1153	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	74,602	
1154	EXPENSES		
	FROM GENERAL REVENUE FUND	1,274,079	
1155	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	644,906	
1156	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	23,772,667	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		33,491,859
1157	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	277,314	
1158	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	44,966	
1159	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	66,167	
1161	FIXED CAPITAL OUTLAY		
	JUVENILE FACILITIES - LEASE PURCHASE		
	FROM GENERAL REVENUE FUND	1,806,244	
TOTAL: SECURE RESIDENTIAL COMMITMENT			
	FROM GENERAL REVENUE FUND	37,489,166	
	FROM TRUST FUNDS		35,727,230
	TOTAL POSITIONS	121.00	
	TOTAL ALL FUNDS		73,216,396

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

	APPROVED SALARY RATE	1,147,036	
1162	SALARIES AND BENEFITS POSITIONS	24.00	
	FROM GENERAL REVENUE FUND	955,343	
	FROM FEDERAL GRANTS TRUST FUND		197,217
	FROM GRANTS AND DONATIONS TRUST FUND		486,112
1163	OTHER PERSONAL SERVICES		

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	FROM GENERAL REVENUE FUND	287,192	
	FROM FEDERAL GRANTS TRUST FUND		223,622
	FROM GRANTS AND DONATIONS TRUST FUND		152,969
1164	EXPENSES		
	FROM GENERAL REVENUE FUND	233,083	
	FROM FEDERAL GRANTS TRUST FUND		82,696
	FROM GRANTS AND DONATIONS TRUST FUND		282,180
1165	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - INVEST IN CHILDREN		
	FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND		412,903
1166	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		12,450
	FROM GRANTS AND DONATIONS TRUST FUND		12,450
1167	SPECIAL CATEGORIES		
	PACE CENTERS		
	FROM GENERAL REVENUE FUND	15,765,585	
	FROM GRANTS AND DONATIONS TRUST FUND		3,290,514
1168	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	827,920	

From the funds in Specific Appropriation 1168, \$650,415 in recurring general revenue funds is provided to the PAR Adolescent Intervention Center (PAIC) in Pasco County.

1169	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	33,720	
1170	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,169,398	
	FROM FEDERAL GRANTS TRUST FUND		10,609,653
	FROM GRANTS AND DONATIONS TRUST FUND		2,320,115
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,639

For all appropriations specifically identified in proviso in Specific Appropriation 1170, the Department of Juvenile Justice shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

From the funds in Specific Appropriation 1170, \$36,000 in recurring general revenue funds is provided for Pasco Association of Challenged Kids Summer Camp.

From the funds in Specific Appropriation 1170, \$100,000 in nonrecurring general revenue funds is provided to the Corporation to Develop Communities of Tampa, Inc. (CDC of Tampa) to provide work readiness training, skills training, job placement, and mentoring for youth in the Tampa Bay area.

From the funds in Specific Appropriation 1170, \$1,500,000 in nonrecurring general revenue funds is provided to the Brevard C.A.R.E.S. program to provide front end diversion interventions for at risk youth, children, and families in Brevard County.

From the funds in Specific Appropriation 1170, \$200,000 in nonrecurring general revenue funds is provided to the City of West Park

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to provide services to school-aged youth in order to reduce truancy and involvement in criminal activity. The services must include academic assistance and enhancement activities as well as opportunities for positive engagement in the community.

From the funds in Specific Appropriation 1170, \$400,000 in nonrecurring general revenue funds is provided to the Hillsborough County Public Schools to work with Justice Works YouthCare in implementing an Alternative School Pilot Program at two underachieving alternative schools. The program is designed to reduce truancy rates, negative incidents, arrests, suspensions, and expulsions, and to improve graduation rates and success after high school.

From the funds in Specific Appropriation 1170, \$150,000 in nonrecurring general revenue funds is provided to The Greatest Save Program to empower teens through education and raise awareness to prevent exploitation.

From the funds in Specific Appropriation 1170, \$100,000 in nonrecurring general revenue funds is provided for the Wayman Community Development At-Risk Services Program. The program will serve at-risk youth and their families in the highest juvenile crime areas in Duval County.

From the funds in Specific Appropriation 1170, \$250,000 in nonrecurring general revenue is provided to the Clay County Youth Alternative SWEAT Program to provide supervised community service opportunities to Clay County youth on probation and conditional release.

From the funds in Specific Appropriation 1170, \$444,876 in nonrecurring general revenue funds is provided to Crosswinds Youth Services, Inc. in Brevard County to improve youth services by replacing aging equipment and repair facilities in facilities operated by Crosswinds Youth Services, Inc. The requested funds are to be spent on IT infrastructure and communication, vehicles, and shelter furniture.

From the funds in Specific Appropriation 1170, \$250,000 in nonrecurring general revenue funds is provided to the Breaking the Cycle - Child to Parent Domestic Violence Program. The 10 week psychoeducational family group pilot program within Seminole County addresses teenage assault and battery toward a parent or caregiver. The funding is to be used for three full time program staff, four part time independent contractors, office supplies, and equipment.

From the funds in Specific Appropriation 1170, \$375,000 in nonrecurring general revenue funds is provided to the Delores Barr Weaver Policy Center for the Continuity of Care Model delinquency prevention program to prevent girls who do not pose a public safety risk from being committed to costly residential programs.

From the funds in Specific Appropriation 1170, \$250,000 in nonrecurring general revenue funds is provided to My Children's Keeper to target fatherlessness and youth gun violence in St. Petersburg.

Table with 2 columns: Description and Amount. Includes items like RISK MANAGEMENT INSURANCE (7,440), GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES (26,310,305), and TRUST FUND (383,858).

From the funds in Specific Appropriation 1172, the Department of Juvenile Justice shall not expend more than \$150,000 in recurring general revenue funds for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

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Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith-based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapter 984 and section 1003.27, Florida Statutes, to include areas with high ratios of juvenile arrests per youth 10 to 17 years of age. Such services may be offered throughout the judicial circuit served by the CINS/FINS provider.

From the funds in Specific Appropriation 1172, \$2,000,000 shall be used for the CINS/FINS program to provide non-residential services to the following rural counties: Gadsden, Hamilton, Highlands, Jefferson, Madison, Taylor, Franklin, Sumter, Levy, Citrus and Bradford.

Table with 2 columns: Description and Amount. Includes items like SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT (3,000) and SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES (5,693).

Table with 2 columns: Description and Amount. Includes item 1174A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY (175,124).

From the funds in Specific Appropriation 1174A, \$175,124 in nonrecurring general revenue funds is provided to Crosswinds Youth Services, Inc. in Brevard County for HVAC systems and flooring replacement.

Table with 2 columns: Description and Amount. Includes totals for DELINQUENCY PREVENTION AND DIVERSION (29,752,804) and JUVENILE JUSTICE, DEPARTMENT OF (150,064,662).

Table with 2 columns: Description and Amount. Includes LAW ENFORCEMENT, DEPARTMENT OF PROGRAM: EXECUTIVE DIRECTION AND SUPPORT (6,658,307) and SALARIES AND BENEFITS (2,361,749).

Table with 2 columns: Description and Amount. Includes item 1176 OTHER PERSONAL SERVICES (26,838).

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1177	EXPENSES		
	FROM GENERAL REVENUE FUND	754,010	
	FROM ADMINISTRATIVE TRUST FUND		64,548
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		9,557
	FROM FEDERAL GRANTS TRUST FUND		173,285
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		287,414
	FROM OPERATING TRUST FUND		605,510
1178	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES		
	FROM FEDERAL GRANTS TRUST FUND	4,910,162	
1179	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS		
	FROM FEDERAL GRANTS TRUST FUND	1,529,434	
1180	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS		
	FROM FEDERAL GRANTS TRUST FUND	1,263,483	
1181	AID TO LOCAL GOVERNMENTS BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND	18,868,106	
1182	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	12,616	
	FROM FEDERAL GRANTS TRUST FUND		3,242
	FROM OPERATING TRUST FUND		250
1183	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	9,650	
1184	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL DOMESTIC SECURITY GRANTS		
	FROM FEDERAL GRANTS TRUST FUND	1,938,981	
1185	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	67,480	
	FROM ADMINISTRATIVE TRUST FUND		15,000
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,203
	FROM FEDERAL GRANTS TRUST FUND		218,573
	FROM OPERATING TRUST FUND		152,372
1186	SPECIAL CATEGORIES DOMESTIC SECURITY		
	FROM OPERATING TRUST FUND		500
1187	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	13,395	
	FROM ADMINISTRATIVE TRUST FUND		19,145
	FROM OPERATING TRUST FUND		29,094
1188	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS		
	FROM OPERATING TRUST FUND		52,700
1189	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	98,000	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,000

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	FROM FEDERAL GRANTS TRUST FUND			3,000
1190	SPECIAL CATEGORIES BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM			
	FROM FEDERAL GRANTS TRUST FUND			10,412,678
1191	SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT			
	FROM FEDERAL GRANTS TRUST FUND			1,247,724
1192	SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY			
	FROM FEDERAL GRANTS TRUST FUND			3,675,511
1193	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		20,418	
	FROM ADMINISTRATIVE TRUST FUND			2,679
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND			2,643
	FROM FEDERAL GRANTS TRUST FUND			120
	FROM OPERATING TRUST FUND			18,006
1194	FIXED CAPITAL OUTLAY FLORIDA DEPARTMENT OF LAW ENFORCEMENT REGIONAL FACILITY - NORTHWEST FLORIDA - DMS MGD			
	FROM GENERAL REVENUE FUND		3,000,000	
	TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND		6,364,156	
	FROM TRUST FUNDS			52,558,756
	TOTAL POSITIONS		131.50	
	TOTAL ALL FUNDS			58,922,912
	PROGRAM: FLORIDA CAPITOL POLICE PROGRAM			
	CAPITOL POLICE SERVICES			
	APPROVED SALARY RATE		3,838,870	
1195	SALARIES AND BENEFITS			88.00
	POSITIONS			2,439
	FROM GENERAL REVENUE FUND			
	FROM OPERATING TRUST FUND			5,722,551
1196	OTHER PERSONAL SERVICES			
	FROM OPERATING TRUST FUND			28,778
1197	EXPENSES			
	FROM OPERATING TRUST FUND			532,837
1198	OPERATING CAPITAL OUTLAY			
	FROM OPERATING TRUST FUND			242,369
1199	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES			
	FROM OPERATING TRUST FUND			30,500
1200	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM OPERATING TRUST FUND			84,084
1201	SPECIAL CATEGORIES CAPITOL COMPLEX SECURITY			
	FROM GENERAL REVENUE FUND		7,360	
	FROM OPERATING TRUST FUND			20,000

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1202	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND	61,840	
1203	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM OPERATING TRUST FUND	68,064	
1204	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND	5,000	
1205	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	338	
	FROM OPERATING TRUST FUND	25,668	
TOTAL: CAPITOL POLICE SERVICES			
	FROM GENERAL REVENUE FUND	10,137	
	FROM TRUST FUNDS	6,821,691	
	TOTAL POSITIONS	88.00	
	TOTAL ALL FUNDS	6,831,828	
PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE			
PROGRAM			
PROVIDE CRIME LAB SERVICES			
	APPROVED SALARY RATE	20,987,845	
1206	SALARIES AND BENEFITS	POSITIONS	436.00
	FROM GENERAL REVENUE FUND	29,982,507	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND	21,469	
	FROM FEDERAL GRANTS TRUST FUND	11,036	
	FROM OPERATING TRUST FUND	662,435	
1207	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	59,352	
	FROM FEDERAL GRANTS TRUST FUND	167,875	
1208	EXPENSES		
	FROM GENERAL REVENUE FUND	6,522,451	
	FROM FEDERAL GRANTS TRUST FUND	2,952,624	
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND	510,531	
	FROM OPERATING TRUST FUND	3,621,606	
From the funds in Specific Appropriation 1208, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the department is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1208 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.			
1209	AID TO LOCAL GOVERNMENTS		
	CRIMINAL INVESTIGATIONS		
	FROM FEDERAL GRANTS TRUST FUND	741,091	
	FROM OPERATING TRUST FUND	2,379,702	
1210	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	643,183	
	FROM ADMINISTRATIVE TRUST FUND	5,000	
	FROM FEDERAL GRANTS TRUST FUND	1,327,000	
	FROM OPERATING TRUST FUND	597,000	
1211	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	168,960	
	FROM OPERATING TRUST FUND	690,000	

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SPECIFIC			
APPROPRIATION			
1212	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	3,558,433	
	FROM FEDERAL GRANTS TRUST FUND		1,690,200
	FROM GRANTS AND DONATIONS TRUST		
	FUND		925,000
	FROM OPERATING TRUST FUND		598,000
1213	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	444,300	
	FROM FEDERAL GRANTS TRUST FUND		404,976
	FROM GRANTS AND DONATIONS TRUST		
	FUND		8,000
	FROM OPERATING TRUST FUND		400,000
1214	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND		10,000
	FROM OPERATING TRUST FUND		107,681
1215	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	50,000	
1216	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	136,965	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		179
	FROM FEDERAL GRANTS TRUST FUND		1,678
	FROM OPERATING TRUST FUND		2,550
TOTAL: PROVIDE CRIME LAB SERVICES			
	FROM GENERAL REVENUE FUND	41,566,151	
	FROM TRUST FUNDS		17,835,633
	TOTAL POSITIONS	436.00	
	TOTAL ALL FUNDS		59,401,784
PROVIDE INVESTIGATIVE SERVICES			
From the funds in Specific Appropriations 1217 through 1229, the Department of Law Enforcement shall investigate all deaths of inmates who are in the custody of the Department of Corrections.			
From the funds in Specific Appropriations 1217 through 1229, within existing and any new resources, the Department of Law Enforcement shall, with the agreement of the head of the local law enforcement agency, investigate all use of force incidents that occur within the state and that result in death or serious bodily injury. This requirement applies to uses of force by a law enforcement officer or a correctional officer as those terms are defined in s. 943.10, F.S.			
	APPROVED SALARY RATE	36,942,596	
1217	SALARIES AND BENEFITS	POSITIONS	599.00
	FROM GENERAL REVENUE FUND	41,103,817	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		31,984
	FROM FEDERAL GRANTS TRUST FUND		601,413
	FROM OPERATING TRUST FUND		9,327,100
1218	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	307,983	
	FROM ADMINISTRATIVE TRUST FUND		25,276
	FROM FEDERAL GRANTS TRUST FUND		194,832
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND		42,360
	FROM OPERATING TRUST FUND		38,120
1219	EXPENSES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
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FROM GENERAL REVENUE FUND	7,304,806	
FROM ADMINISTRATIVE TRUST FUND . . .		132,670
FROM FEDERAL GRANTS TRUST FUND . . .		235,647
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		833,472
FROM GRANTS AND DONATIONS TRUST FUND		4,500
FROM OPERATING TRUST FUND		2,800,816
FROM REVOLVING TRUST FUND		1,000,000
FROM FEDERAL LAW ENFORCEMENT TRUST FUND		550,000

From the funds provided in Specific Appropriation 1219 from the Forfeiture and Investigative Support Trust Fund, up to \$25,000 per case, but not exceeding \$150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.

1220 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	117,494	
FROM ADMINISTRATIVE TRUST FUND . . .		5,000
FROM FEDERAL GRANTS TRUST FUND . . .		159,509
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		190,574

1221 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	237,091	
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		580,000

1222 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	534,741	
FROM ADMINISTRATIVE TRUST FUND . . .		5,000
FROM FEDERAL GRANTS TRUST FUND . . .		147,441
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		34,624
FROM OPERATING TRUST FUND		121,896
FROM FEDERAL LAW ENFORCEMENT TRUST FUND		50,000

1223 SPECIAL CATEGORIES		
DOMESTIC SECURITY		
FROM GENERAL REVENUE FUND	1,350,267	
FROM FEDERAL GRANTS TRUST FUND . . .		3,520,740

1223A SPECIAL CATEGORIES		
GRANTS AND AIDS - A CHILD IS MISSING PROGRAM		
FROM GENERAL REVENUE FUND	232,461	

1224 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPECIAL PROJECTS		
FROM GENERAL REVENUE FUND	5,350,000	
FROM FEDERAL LAW ENFORCEMENT TRUST FUND		300,000

For all appropriations specifically identified in proviso in Specific Appropriation 1224, the Department of Law Enforcement shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

From the funds in Specific Appropriation 1224, \$250,000 in nonrecurring general revenue funds is provided to the Jacksonville Sheriff's Office for Community Oriented Policing Services for the purpose of deploying new law enforcement officers in areas where gangs and other criminals have created the most serious spikes in violence and murder.

From the funds in Specific Appropriation 1224, \$1,000,000 in

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

nonrecurring general revenue funds is provided to Florida State University Panama City to support participation of the Underwater Crime Scene Investigation program in the Joint Agency In-Water Strike (JAWS) Team initiative.

From the funds in Specific Appropriation 1224, \$50,000 in nonrecurring general revenue funds is provided to the Department of Law Enforcement to support the Florida Cold Case Task Force.

From the funds in Specific Appropriation 1224, \$100,000 in nonrecurring general revenue funds is provided to the City of Lauderdale Lakes for installation of emergency phone towers with fixed cameras in public places as part of the city's Virtual Policing Innovation Project.

From the funds in Specific Appropriation 1224, \$400,000 in nonrecurring general revenue funds is provided to the Broward Sheriff's Office for enhancement of its Violence Intervention Pro-Active Enforcement Response Team (V.I.P.E.R.). This program will implement new intelligence-led policing approaches through additional staff, equipment, and analytical resources to specifically target activities of known violent felons. The gauge of the effectiveness of the new approaches will be whether there is a significant, measurable decrease in violent crime rates in Broward County. The Broward Sheriff's Office shall provide a report on the effectiveness of the program to the Department of Law Enforcement, chair of the Senate Appropriations Committee, and chair of the House Appropriations Committee by February 1, 2017.

From the funds in Specific Appropriation 1224, \$500,000 in nonrecurring general revenue funds is provided to DeSoto County for acquisition of property and design of a new county jail.

From the funds in Specific Appropriation 1224, \$1,500,000 in nonrecurring general revenue funds is provided to the City of Clewiston for design, engineering, and construction of a new police station.

From the funds in Specific Appropriation 1224, \$150,000 in nonrecurring general revenue funds is provided to the City of Hollywood to install, operate, and maintain street lights in the Liberia neighborhood to enhance security and reduce criminal activity.

From the funds in Specific Appropriation 1224, \$100,000 in nonrecurring general revenue funds is provided to the Hollywood Police Department for the purpose of teaching seniors how to avoid identity theft and to protect seniors from victimization by identity thieves through enforcement.

From the funds in Specific Appropriation 1224, \$50,000 in nonrecurring general revenue funds is provided for the construction of the Central Florida Multi-Jurisdictional Law Enforcement Training Facility.

From the funds in Specific Appropriation 1224, \$1,000,000 in nonrecurring general revenue funds is provided to the Palm Beach County Sheriff's Office for an Unmanned Aircraft System (UAS) pilot program. The program will use a UAS in emergency and law enforcement activities (including search and rescue, disaster assessment and assistance, interdiction of drug and human trafficking activities, and situational awareness of a person whose life is in imminent danger) with these operational activities limited to navigable bodies of water within 25 miles of the jurisdiction of the Palm Beach County Sheriff's Office.

From the funds in Specific Appropriation 1224, \$250,000 in nonrecurring general revenue funds is provided to provide grants for county sheriff's offices to purchase body-worn cameras for deputies. The sheriff's office or other entity on behalf of the sheriff's office must make an in-kind or cash match equal to the amount of the grant. The in-kind or cash match may be from federal, state, local, or private sources. Preference shall be given to sheriff's offices that employ more than 500 deputies in counties that have a population density of at least 1,000 persons per square mile. For purposes of determining preference for a grant, population density must be calculated by dividing the total population of the county from the 2010 Census by the total land area of the county.

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SPECIFIC			
APPROPRIATION			
1225	SPECIAL CATEGORIES		
	OVERTIME		
	FROM ADMINISTRATIVE TRUST FUND . . .	3,013	
	FROM FEDERAL GRANTS TRUST FUND . . .	314,125	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	4,250	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	1,018,486	
1226	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	369,689	
	FROM ADMINISTRATIVE TRUST FUND . . .	57,739	
	FROM OPERATING TRUST FUND	509,425	
1227	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	526,961	
	FROM OPERATING TRUST FUND	21,312	
1228	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	72,000	
1229	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	219,284	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND	1,059	
	FROM FEDERAL GRANTS TRUST FUND . . .	3,237	
	FROM OPERATING TRUST FUND	10,334	
TOTAL:	PROVIDE INVESTIGATIVE SERVICES		
	FROM GENERAL REVENUE FUND	57,726,594	
	FROM TRUST FUNDS		22,875,954
	TOTAL POSITIONS	599.00	
	TOTAL ALL FUNDS		80,602,548
MUTUAL AID AND PREVENTION SERVICES			
	APPROVED SALARY RATE	1,140,220	
1230	SALARIES AND BENEFITS POSITIONS	17.00	
	FROM GENERAL REVENUE FUND	1,544,246	
	FROM OPERATING TRUST FUND		35,274
1231	EXPENSES		
	FROM GENERAL REVENUE FUND	127,251	
1232	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	9,441	
1233	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	2,252	
1234	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	6,411	
	FROM OPERATING TRUST FUND		122
TOTAL:	MUTUAL AID AND PREVENTION SERVICES		
	FROM GENERAL REVENUE FUND	1,689,601	
	FROM TRUST FUNDS		35,396
	TOTAL POSITIONS	17.00	
	TOTAL ALL FUNDS		1,724,997

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SPECIFIC			
APPROPRIATION			
PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM			
PROVIDE INFORMATION NETWORK SERVICES TO THE LAW			
ENFORCEMENT COMMUNITY			
From the funds in Specific Appropriation 1235 through 1256, the			
Department of Law Enforcement shall serve as the lead Criminal Justice			
Information Systems coordinator and shall perform the functions			
necessary to allow governmental entities to use a fully isolated cloud			
platform that complies with the Federal Bureau of Investigation's			
Criminal Justice Information Services Security Policy.			
	APPROVED SALARY RATE	6,596,058	
1235	SALARIES AND BENEFITS POSITIONS	124.00	
	FROM GENERAL REVENUE FUND	258,208	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		14,701
	FROM FEDERAL GRANTS TRUST FUND . . .		65,721
	FROM OPERATING TRUST FUND		8,411,695
1236	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		5,838
	FROM FEDERAL GRANTS TRUST FUND . . .		176,735
	FROM OPERATING TRUST FUND		191,126
1237	EXPENSES		
	FROM GENERAL REVENUE FUND	32,750	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,202
	FROM FEDERAL GRANTS TRUST FUND . . .		370,423
	FROM OPERATING TRUST FUND		9,060,167
1238	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		5,000
	FROM FEDERAL GRANTS TRUST FUND . . .		489,099
	FROM OPERATING TRUST FUND		1,666,018
1239	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	599	
	FROM ADMINISTRATIVE TRUST FUND . . .		113,100
	FROM FEDERAL GRANTS TRUST FUND . . .		1,965,523
	FROM OPERATING TRUST FUND		10,443,504
1240	SPECIAL CATEGORIES		
	OVERTIME		
	FROM OPERATING TRUST FUND		46,200
1241	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND		21,672
1242	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM OPERATING TRUST FUND		1,051,070
1243	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND		4,500
1244	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	6,465	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		1,405
	FROM FEDERAL GRANTS TRUST FUND . . .		316
	FROM OPERATING TRUST FUND		33,065
1245	QUALIFIED EXPENDITURE CATEGORY		
	REPLACE COMPUTERIZED CRIMINAL HISTORY		
	SYSTEM (CCH)		
	FROM OPERATING TRUST FUND		3,156,541

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
 SPECIFIC
 APPROPRIATION
 TOTAL: PROVIDE INFORMATION NETWORK SERVICES TO THE LAW
 ENFORCEMENT COMMUNITY
 FROM GENERAL REVENUE FUND 298,022
 FROM TRUST FUNDS 37,295,621
 TOTAL POSITIONS 124.00
 TOTAL ALL FUNDS 37,593,643

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES
 APPROVED SALARY RATE 12,418,662
 1246 SALARIES AND BENEFITS POSITIONS 332.00
 FROM GENERAL REVENUE FUND 792,513
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 19,478
 FROM FEDERAL GRANTS TRUST FUND 495,271
 FROM OPERATING TRUST FUND 16,334,161
 1247 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 10,000
 FROM ADMINISTRATIVE TRUST FUND 5,000
 FROM FEDERAL GRANTS TRUST FUND 700,928
 FROM OPERATING TRUST FUND 241,182
 1248 EXPENSES
 FROM GENERAL REVENUE FUND 167,930
 FROM ADMINISTRATIVE TRUST FUND 85,781
 FROM FEDERAL GRANTS TRUST FUND 358,539
 FROM OPERATING TRUST FUND 2,156,695
 1249 OPERATING CAPITAL OUTLAY
 FROM GENERAL REVENUE FUND 2,600
 FROM FEDERAL GRANTS TRUST FUND 1,640,000
 FROM OPERATING TRUST FUND 309,792
 1250 SPECIAL CATEGORIES
 ACQUISITION OF MOTOR VEHICLES
 FROM OPERATING TRUST FUND 93,168
 1251 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND 202,478
 FROM ADMINISTRATIVE TRUST FUND 2,000
 FROM FEDERAL GRANTS TRUST FUND 145,340
 FROM OPERATING TRUST FUND 2,152,640
 1252 SPECIAL CATEGORIES
 OVERTIME
 FROM OPERATING TRUST FUND 218,946
 1253 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM ADMINISTRATIVE TRUST FUND 14,283
 FROM OPERATING TRUST FUND 111,068
 1254 SPECIAL CATEGORIES
 SALARY INCENTIVE PAYMENTS
 FROM OPERATING TRUST FUND 5,160
 1255 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 2,000
 FROM OPERATING TRUST FUND 18,000
 1256 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 5,545
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 1,278
 FROM FEDERAL GRANTS TRUST FUND 2,913
 FROM OPERATING TRUST FUND 100,873

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
 SPECIFIC
 APPROPRIATION
 TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES
 FROM GENERAL REVENUE FUND 1,183,066
 FROM TRUST FUNDS 25,212,496
 TOTAL POSITIONS 332.00
 TOTAL ALL FUNDS 26,395,562
 PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM
 LAW ENFORCEMENT STANDARDS COMPLIANCE
 APPROVED SALARY RATE 2,610,019
 1257 SALARIES AND BENEFITS POSITIONS 50.00
 FROM GENERAL REVENUE FUND 191,911
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 3,088,048
 FROM FEDERAL GRANTS TRUST FUND 81,250
 FROM OPERATING TRUST FUND 165,656
 1258 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 53,142
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 205,380
 1259 EXPENSES
 FROM GENERAL REVENUE FUND 10,000
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 418,662
 FROM FEDERAL GRANTS TRUST FUND 64,300
 1260 OPERATING CAPITAL OUTLAY
 FROM FEDERAL GRANTS TRUST FUND 47,000
 1261 SPECIAL CATEGORIES
 TRANSFER TO DIVISION OF ADMINISTRATIVE
 HEARINGS
 FROM OPERATING TRUST FUND 7,632
 1262 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 175,741
 FROM FEDERAL GRANTS TRUST FUND 35,000
 FROM OPERATING TRUST FUND 100,000
 1263 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM OPERATING TRUST FUND 10,351
 1264 SPECIAL CATEGORIES
 GRANTS AND AIDS - SPECIAL EDUCATION AND
 TECHNICAL TRAINING
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 5,401,252
 1265 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 6,800
 1266 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 191
 FROM CRIMINAL JUSTICE STANDARDS
 AND TRAINING TRUST FUND 16,799
 TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE
 FROM GENERAL REVENUE FUND 255,244
 FROM TRUST FUNDS 9,823,871
 TOTAL POSITIONS 50.00

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TOTAL ALL FUNDS 10,079,115

LAW ENFORCEMENT TRAINING AND CERTIFICATION
SERVICES

From the funds in Specific Appropriations 1267 through 1276, the Department of Law Enforcement shall report on the status of development of the basic abilities test for all applicants for basic recruit training in law enforcement and corrections. The report shall include recommendations regarding statutory language necessary for implementation of the basic abilities test, including establishment of a standardized fee structure that does not deter low-income and middle-income persons from taking the test. The report and recommendations shall be provided to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2017.

APPROVED SALARY RATE 2,835,564

1267	SALARIES AND BENEFITS	POSITIONS	52.50
	FROM GENERAL REVENUE FUND		517,064
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,253,109
	FROM OPERATING TRUST FUND		216,658
1268	OTHER PERSONAL SERVICES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		460,798
	FROM OPERATING TRUST FUND		3,000
1269	EXPENSES		
	FROM GENERAL REVENUE FUND	18,174	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,313,640
	FROM OPERATING TRUST FUND		61,178
1270	OPERATING CAPITAL OUTLAY		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		153,819
1271	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,000	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		668,202
	FROM OPERATING TRUST FUND		36,579
1272	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .		628
	FROM OPERATING TRUST FUND		8,951
1273	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	4,290	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		5,070
1274	SPECIAL CATEGORIES		
	TRANSFER TO CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		
	FROM GENERAL REVENUE FUND	4,800,000	
1275	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		9,000
1276	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	1,738	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		14,988

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FROM OPERATING TRUST FUND 1,043

TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION
SERVICES

FROM GENERAL REVENUE FUND 5,342,266
FROM TRUST FUNDS 6,206,663

TOTAL POSITIONS 52.50
TOTAL ALL FUNDS 11,548,929

TOTAL: LAW ENFORCEMENT, DEPARTMENT OF

FROM GENERAL REVENUE FUND 114,435,237
FROM TRUST FUNDS 178,666,081

TOTAL POSITIONS 1,830.00
TOTAL ALL FUNDS 293,101,318
TOTAL APPROVED SALARY RATE 94,028,141

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

VICTIM SERVICES

For all appropriations specifically identified in proviso in Specific Appropriations 1282 and 1283, the Department of Legal Affairs shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

APPROVED SALARY RATE 5,217,572

1277	SALARIES AND BENEFITS	POSITIONS	129.00
	FROM GENERAL REVENUE FUND		146,822
	FROM CRIMES COMPENSATION TRUST FUND		5,243,484
	FROM CRIME STOPPERS TRUST FUND . . .		139,060
	FROM FEDERAL GRANTS TRUST FUND . . .		1,486,486
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		338,933
1278	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	21,400	
	FROM CRIMES COMPENSATION TRUST FUND		68,383
	FROM CRIME STOPPERS TRUST FUND . . .		5,100
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		55,796
1279	EXPENSES		
	FROM GENERAL REVENUE FUND	10,878	
	FROM CRIMES COMPENSATION TRUST FUND		915,451
	FROM CRIME STOPPERS TRUST FUND . . .		68,706
	FROM FEDERAL GRANTS TRUST FUND . . .		217,892
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		99,547
1280	OPERATING CAPITAL OUTLAY		
	FROM CRIMES COMPENSATION TRUST FUND		123,407
	FROM CRIME STOPPERS TRUST FUND . . .		2,380
	FROM FEDERAL GRANTS TRUST FUND . . .		2,286
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		7,695
1281	SPECIAL CATEGORIES		
	AWARDS TO CLAIMANTS		

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FROM CRIMES COMPENSATION TRUST	
FUND	24,842,082
FROM FEDERAL GRANTS TRUST FUND	13,192,000

1282 SPECIAL CATEGORIES	
VICTIM SERVICES	
FROM GENERAL REVENUE FUND	700,000

From the funds in Specific Appropriation 1282, \$200,000 in recurring general revenue funds is provided for Quigley House to provide services to victims of sexual and domestic violence.

From the funds in Specific Appropriation 1282, \$500,000 in recurring general revenue funds is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

1283 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	5,350,192
FROM CRIMES COMPENSATION TRUST	
FUND	45,243
FROM CRIME STOPPERS TRUST FUND	1,000
FROM FEDERAL GRANTS TRUST FUND	4,297,306
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND	208,408

From the funds in Specific Appropriation 1283, \$1,660,000 in recurring general revenue funds is provided to the Child Safety Matters program for a research-based prevention education curriculum to protect children from bullying, cyberbullying, and sexual abuse in Florida's public elementary schools.

From the funds in Specific Appropriation 1283, \$800,000 in recurring general revenue funds shall be distributed to the Florida Sheriffs Association for the purpose of enhancing Crisis Intervention Team (CIT) training for law enforcement and correctional officers in local sheriff's offices and police departments. The training must include evidence-based approaches designed to improve the outcomes of law enforcement interactions with persons who have mental health issues. Agencies who have conducted minimal or no CIT training must be given priority for training. Local law enforcement agencies may use the funds to pay necessary expenditures resulting from a demonstrated financial hardship that currently prevents officers from receiving CIT training. Funds can also be provided to local community mental health providers to provide additional CIT training in partnership with local law enforcement agencies. A maximum of \$50,000 of these funds may be used by the Florida Sheriffs Association to hire a contract coordinator.

From funds in Specific Appropriation 1283, \$700,000 in recurring general revenue funds and \$500,000 from the Federal Grants Trust Fund are provided for the Bridging Freedom program in Pasco County to provide individualized, holistic, therapeutic safe homes for children traumatized by child sex trafficking.

From the funds in Specific Appropriation 1283, \$1,000,000 in nonrecurring general revenue funds is provided for Selah Freedom Residential Housing for Human Trafficking Survivors program comprised of residential safe housing and case management for street and jail outreach programming.

From the funds in Specific Appropriation 1283, \$500,000 in nonrecurring general revenue funds and \$2,567,306 from the Federal Grants Trust Fund are provided to Voices for Florida for establishment and operation of the Open Doors: Statewide Network of Commercially Sexually Exploited Children program (CSEC). The program must use survivor mentors, regional navigators, and clinicians to provide trauma-focused crisis intervention and therapeutic services for recovered child victims of sex trafficking. These services are to be initially provided in the Northeast, Big Bend-Panhandle, Central, Suncoast-Tampa Bay, and Southwest areas of the state.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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1284 SPECIAL CATEGORIES	
GRANTS AND AIDS - MINORITY COMMUNITIES	
CRIME PREVENTION PROGRAMS	
FROM GENERAL REVENUE FUND	4,389,055

1285 SPECIAL CATEGORIES	
GRANTS AND AIDS - CRIME STOPPERS	
FROM CRIME STOPPERS TRUST FUND	4,500,000

1286 SPECIAL CATEGORIES	
GRANTS AND AIDS - JUSTICE COALITION	
FROM GENERAL REVENUE FUND	300,000

1287 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM CRIMES COMPENSATION TRUST	
FUND	47,620
FROM CRIME STOPPERS TRUST FUND	279
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND	3,870

1288 SPECIAL CATEGORIES	
GRANTS AND AIDS - VICTIM ASSISTANCE	
SERVICES	
FROM FEDERAL GRANTS TRUST FUND	117,701,332

Funds in Specific Appropriation 1288 shall be held in reserve contingent upon the submission of a project plan to the Governor's Office of Policy and Budget, chair of the Senate Appropriations Committee, and chair of the House of Representatives Appropriations Committee detailing each request for funding from the Victims of Crime Act, Victim Assistance Grant Program. Such detail must include for each request the services provided, the number of persons served, use of funds above previous funding level, proposed outcomes from increased funding levels and detail of local funding commitment. The Department of Legal Affairs shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

By February 15, 2017, the Department of Legal Affairs shall report to the chair of the Senate Appropriations Committee and the chair of the House of Representatives Appropriations Committee: the contract execution date for each funding recipient; number of persons served as of February 1, 2017; documentation of improvement in quantity and quality of services provided; and performance measures and outcomes.

1289 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	688
FROM CRIMES COMPENSATION TRUST	
FUND	39,289
FROM CRIME STOPPERS TRUST FUND	593
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND	1,863

TOTAL: VICTIM SERVICES	
FROM GENERAL REVENUE FUND	10,919,035
FROM TRUST FUNDS	173,655,491
TOTAL POSITIONS	129.00
TOTAL ALL FUNDS	184,574,526

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	6,794,648
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1290 SALARIES AND BENEFITS	POSITIONS	137.00
FROM GENERAL REVENUE FUND		6,295,745
FROM ADMINISTRATIVE TRUST FUND		3,359,716
FROM CRIMES COMPENSATION TRUST		
FUND		2,077

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS		
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	FROM OPERATING TRUST FUND	10,390
1291	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	77,055
	FROM ADMINISTRATIVE TRUST FUND	160,828
1292	EXPENSES	
	FROM GENERAL REVENUE FUND	659,176
	FROM ADMINISTRATIVE TRUST FUND	911,258
1293	OPERATING CAPITAL OUTLAY	
	FROM GENERAL REVENUE FUND	173,006
	FROM ADMINISTRATIVE TRUST FUND	472,801
1294	SPECIAL CATEGORIES	
	ATTORNEY GENERAL'S LAW LIBRARY	
	FROM GENERAL REVENUE FUND	438,976
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND	2,800
1295	SPECIAL CATEGORIES	
	COMMISSION ON THE STATUS OF WOMEN	
	FROM GENERAL REVENUE FUND	105,827
1296	SPECIAL CATEGORIES	
	LAW ENFORCEMENT OFFICER OF THE YEAR PROGRAM AND VICTIM SERVICES RECOGNITION AWARDS PROGRAM	
	FROM ADMINISTRATIVE TRUST FUND	20,000
1297	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	853,240
	FROM ADMINISTRATIVE TRUST FUND	55,268
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND	73,200

From the funds in Specific Appropriation 1297, \$150,000 in nonrecurring general revenue funds is provided to the Virgil Hawkins Justice Foundation to fund court costs, filing fees, litigation expenses, and direct administrative support as provided for by contract with the Department of Legal Affairs to: (1) promote volunteer legal services to indigent and homeless persons; and (2) provide legal representation to assist traditionally underserved clients in matters related to, but not limited to, family law, housing, and domestic violence issues through the Foundation's work in Central Florida with the Florida Agricultural and Mechanical University College of Law's Legal Clinic Program.

From the funds in Specific Appropriation 1297, \$150,000 in nonrecurring general revenue funds is provided to the Cuban American Bar Association Pro Bono Project, Inc. to fund court costs, filing fees, litigation expenses, and direct administrative support for the free legal representation provided by the project throughout the state to individuals and families whose household income is within 125 percent of the Federal Poverty Guidelines on matters related to, but not limited to, human trafficking, domestic violence, guardianship, probate, consumer finance, and landlord tenant disputes. These funds may not be used to pay attorney fees or salaries or benefits.

1298	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND	37,326
	FROM ADMINISTRATIVE TRUST FUND	77,889
1299	SPECIAL CATEGORIES	
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM GENERAL REVENUE FUND	292
	FROM ADMINISTRATIVE TRUST FUND	3,696
1300	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS		
SPECIFIC		
APPROPRIATION		
	FROM GENERAL REVENUE FUND	36,333
	FROM ADMINISTRATIVE TRUST FUND	13,336
1301	DATA PROCESSING SERVICES	
	OTHER DATA PROCESSING SERVICES	
	FROM GENERAL REVENUE FUND	135,441
	FROM ADMINISTRATIVE TRUST FUND	157,876
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	8,812,417
	FROM TRUST FUNDS	5,321,135
	TOTAL POSITIONS	137.00
	TOTAL ALL FUNDS	14,133,552

CRIMINAL AND CIVIL LITIGATION		
	APPROVED SALARY RATE	49,050,458
1302	SALARIES AND BENEFITS	987.00
	POSITIONS	
	FROM GENERAL REVENUE FUND	23,041,240
	FROM CRIMES COMPENSATION TRUST FUND	6,589
	FROM FEDERAL GRANTS TRUST FUND	12,599,234
	FROM LEGAL SERVICES TRUST FUND	23,756,204
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND	9,159,213
	FROM MOTOR VEHICLE WARRANTY TRUST FUND	1,587,922
	FROM OPERATING TRUST FUND	1,102,352

1303	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	157,215
	FROM FEDERAL GRANTS TRUST FUND	125,709
	FROM GRANTS AND DONATIONS TRUST FUND	100,000
	FROM LEGAL SERVICES TRUST FUND	1,056,326
	FROM MOTOR VEHICLE WARRANTY TRUST FUND	85,512

1304	EXPENSES	
	FROM GENERAL REVENUE FUND	2,603,165
	FROM FEDERAL GRANTS TRUST FUND	2,529,266
	FROM GRANTS AND DONATIONS TRUST FUND	250,000
	FROM LEGAL SERVICES TRUST FUND	2,624,729
	FROM MOTOR VEHICLE WARRANTY TRUST FUND	427,086
	FROM OPERATING TRUST FUND	132,830

1305	OPERATING CAPITAL OUTLAY	
	FROM GENERAL REVENUE FUND	448,745
	FROM FEDERAL GRANTS TRUST FUND	303,530
	FROM GRANTS AND DONATIONS TRUST FUND	150,000
	FROM LEGAL SERVICES TRUST FUND	883,391
	FROM MOTOR VEHICLE WARRANTY TRUST FUND	44,114

1306	LUMP SUM	
	ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS	
	POSITIONS	50.00

The positions in Specific Appropriation 1306 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.

1307	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM GENERAL REVENUE FUND	53,927
	FROM FEDERAL GRANTS TRUST FUND	203,551

1308	SPECIAL CATEGORIES	
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SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

	MEDICAID FRAUD INFORMANT REWARDS		
	FROM OPERATING TRUST FUND	2,000,000	
1309	SPECIAL CATEGORIES		
	ANTITRUST INVESTIGATIONS		
	FROM LEGAL AFFAIRS REVOLVING TRUST		
	FUND	1,485,697	
1310	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	262,884	
	FROM FEDERAL GRANTS TRUST FUND	2,769,731	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	1,500,000	
	FROM LEGAL SERVICES TRUST FUND	1,993,399	
	FROM MOTOR VEHICLE WARRANTY TRUST		
	FUND	74,281	
	FROM OPERATING TRUST FUND	875,000	
1311	SPECIAL CATEGORIES		
	ECONOMIC CRIME LITIGATION		
	FROM LEGAL AFFAIRS REVOLVING TRUST		
	FUND	4,889,048	
1312	SPECIAL CATEGORIES		
	LITIGATION EXPENSES		
	FROM LEGAL SERVICES TRUST FUND	46,500	
1313	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	203,273	
	FROM FEDERAL GRANTS TRUST FUND	435,857	
	FROM LEGAL SERVICES TRUST FUND	100,698	
	FROM LEGAL AFFAIRS REVOLVING TRUST		
	FUND	67,739	
	FROM MOTOR VEHICLE WARRANTY TRUST		
	FUND	6,364	
1314	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	62,376	
	FROM FEDERAL GRANTS TRUST FUND	97,661	
1315	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,053	
	FROM FEDERAL GRANTS TRUST FUND	351	
	FROM LEGAL SERVICES TRUST FUND	1,068	
1316	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	119,284	
	FROM FEDERAL GRANTS TRUST FUND	64,793	
	FROM LEGAL SERVICES TRUST FUND	113,765	
	FROM LEGAL AFFAIRS REVOLVING TRUST		
	FUND	40,733	
	FROM MOTOR VEHICLE WARRANTY TRUST		
	FUND	8,101	
	FROM OPERATING TRUST FUND	392	
1317	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	12,483	
	FROM FEDERAL GRANTS TRUST FUND	35,000	
	FROM LEGAL SERVICES TRUST FUND	223,053	
1318	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM GENERAL REVENUE FUND	549	
TOTAL:	CRIMINAL AND CIVIL LITIGATION		
	FROM GENERAL REVENUE FUND	26,966,194	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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	FROM TRUST FUNDS		73,956,789
	TOTAL POSITIONS	1,037.00	
	TOTAL ALL FUNDS		100,922,983
	PROGRAM: OFFICE OF STATEWIDE PROSECUTION		
	PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME		
	APPROVED SALARY RATE	4,636,475	
1319	SALARIES AND BENEFITS	POSITIONS	72.50
	FROM GENERAL REVENUE FUND		5,601,722
	FROM CRIMES COMPENSATION TRUST		
	FUND		1,379
	FROM FEDERAL GRANTS TRUST FUND		277,784
	FROM OPERATING TRUST FUND		163,587
1320	SPECIAL CATEGORIES		
	STATEWIDE PROSECUTION		
	FROM GENERAL REVENUE FUND	897,733	
	FROM FEDERAL GRANTS TRUST FUND		39,602
	FROM OPERATING TRUST FUND		367,204
1321	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	57,889	
	FROM OPERATING TRUST FUND		13,466
1322	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	936	
1323	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	25,640	
	FROM OPERATING TRUST FUND		2,340
	TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME		
	FROM GENERAL REVENUE FUND	6,583,920	
	FROM TRUST FUNDS		865,362
	TOTAL POSITIONS	72.50	
	TOTAL ALL FUNDS		7,449,282
	PROGRAM: FLORIDA ELECTIONS COMMISSION		
	CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT		
	APPROVED SALARY RATE	797,439	
1324	SALARIES AND BENEFITS	POSITIONS	15.00
	FROM ELECTIONS COMMISSION TRUST		
	FUND		1,097,969
1325	OTHER PERSONAL SERVICES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		76,354
1326	EXPENSES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		294,735
1327	OPERATING CAPITAL OUTLAY		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		10,000
1328	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		22,533

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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Table with 3 columns: Item ID, Description, Amount. Includes items 1329 and 1330.

TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT
FROM TRUST FUNDS 1,518,975
TOTAL POSITIONS 15.00
TOTAL ALL FUNDS 1,518,975

TOTAL: LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL
FROM GENERAL REVENUE FUND 53,281,566
FROM TRUST FUNDS 255,317,752
TOTAL POSITIONS 1,390.50
TOTAL ALL FUNDS 308,599,318
TOTAL APPROVED SALARY RATE 66,496,592

TOTAL OF SECTION 4
FROM GENERAL REVENUE FUND 3,650,499,075
FROM TRUST FUNDS 800,120,616
TOTAL POSITIONS 41,265.00
TOTAL ALL FUNDS 4,450,619,691

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
The moneys contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
PROGRAM: OFFICE OF THE COMMISSIONER AND ADMINISTRATION
AGRICULTURAL LAW ENFORCEMENT
APPROVED SALARY RATE 14,019,744
1331 SALARIES AND BENEFITS POSITIONS 305.00
FROM GENERAL REVENUE FUND 16,171,267
FROM DIVISION OF LICENSING TRUST FUND 1,194,732
FROM GENERAL INSPECTION TRUST FUND 1,646,545
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 922,533
1332 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 50,039
1333 EXPENSES
FROM GENERAL REVENUE FUND 1,190,918
FROM DIVISION OF LICENSING TRUST FUND 209,425
FROM FEDERAL GRANTS TRUST FUND 110,000
FROM GENERAL INSPECTION TRUST FUND 258,371
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 50,820

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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1334 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,747
FROM DIVISION OF LICENSING TRUST FUND 18,687
1334A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL INSPECTION TRUST FUND 588,406
1335 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 131,408
FROM DIVISION OF LICENSING TRUST FUND 11,500
FROM FEDERAL GRANTS TRUST FUND 390,000
FROM GENERAL INSPECTION TRUST FUND 25,000

1336 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 211,923
1337 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 106,242
FROM GENERAL INSPECTION TRUST FUND 23,916

1338 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 79,972
FROM DIVISION OF LICENSING TRUST FUND 7,912
FROM GENERAL INSPECTION TRUST FUND 5,874
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 559

TOTAL: AGRICULTURAL LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 17,947,516
FROM TRUST FUNDS 5,464,280
TOTAL POSITIONS 305.00
TOTAL ALL FUNDS 23,411,796

AGRICULTURAL WATER POLICY COORDINATION
APPROVED SALARY RATE 2,771,192
1339 SALARIES AND BENEFITS POSITIONS 51.00
FROM GENERAL REVENUE FUND 365,852
FROM GENERAL INSPECTION TRUST FUND 102,117
FROM LAND ACQUISITION TRUST FUND 3,421,492

1340 EXPENSES
FROM LAND ACQUISITION TRUST FUND 514,955
1341 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM LAND ACQUISITION TRUST FUND 225,123

From the funds provided in Specific Appropriation 1341, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

1342 SPECIAL CATEGORIES
NITRATE RESEARCH AND REMEDIATION
FROM GENERAL INSPECTION TRUST FUND 930,000
1343 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
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FROM LAND ACQUISITION TRUST FUND	6,559	
1344 SPECIAL CATEGORIES		
AGRICULTURAL NONPOINT SOURCES BEST MANAGEMENT PRACTICES IMPLEMENTATION		
FROM GENERAL REVENUE FUND	10,400,000	
FROM GENERAL INSPECTION TRUST FUND	1,400,000	
FROM LAND ACQUISITION TRUST FUND	24,197,449	
1344A SPECIAL CATEGORIES		
PASSIVE DISPERSED WATER STORAGE		
FROM LAND ACQUISITION TRUST FUND	4,000,000	
1345 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	688	
FROM GENERAL INSPECTION TRUST FUND	345	
FROM LAND ACQUISITION TRUST FUND	14,321	
1345A FIXED CAPITAL OUTLAY		
OKECHOBEE RESTORATION AGRICULTURAL PROJECTS		
FROM LAND ACQUISITION TRUST FUND	15,000,000	
1345B FIXED CAPITAL OUTLAY		
RESTORE ACT - DEEPWATER HORIZON OIL SPILL		
FROM FEDERAL GRANTS TRUST FUND	5,103,856	
TOTAL: AGRICULTURAL WATER POLICY COORDINATION		
FROM GENERAL REVENUE FUND	10,766,540	
FROM TRUST FUNDS	54,916,217	
TOTAL POSITIONS	51.00	
TOTAL ALL FUNDS	65,682,757	
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
APPROVED SALARY RATE	9,919,050	
1346 SALARIES AND BENEFITS POSITIONS	186.25	
FROM GENERAL REVENUE FUND	5,422,531	
FROM ADMINISTRATIVE TRUST FUND	6,288,092	
FROM FEDERAL GRANTS TRUST FUND	3,698	
FROM GENERAL INSPECTION TRUST FUND	740,202	
FROM LAND ACQUISITION TRUST FUND	1,259,751	
1347 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	242,600	
FROM ADMINISTRATIVE TRUST FUND	45,352	
1348 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND	1,464,188	
FROM GENERAL INSPECTION TRUST FUND	157,532	
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	81,881	
1349 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	3,614	
1350 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND	83,953	
1351 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	101,000	
FROM ADMINISTRATIVE TRUST FUND	618,000	
FROM GENERAL INSPECTION TRUST FUND	499,574	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

training and placement services, completed in coordination with the Department of Children and Families and the Department of Economic Opportunity, for foster youth participating in the Fostering Success Project within the Department of Agriculture and Consumer Services.

1352 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	24,369	
FROM ADMINISTRATIVE TRUST FUND		98,038
1353 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	7,500	
1354 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	36,225	
FROM ADMINISTRATIVE TRUST FUND		19,831
FROM LAND ACQUISITION TRUST FUND		3,765
1354A SPECIAL CATEGORIES		
FOSTER CARE YOUTH EQUINE ACTIVITIES		
FROM GENERAL REVENUE FUND	400,000	
1354B FIXED CAPITAL OUTLAY		
REPAIRS AND IMPROVEMENTS - HEATING, VENTILATION, AND AIR-CONDITIONING - DOYLE CONNOR BUILDING		
FROM GENERAL REVENUE FUND	900,000	
1354C FIXED CAPITAL OUTLAY		
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE		
FROM GENERAL INSPECTION TRUST FUND		3,712,872
1354D FIXED CAPITAL OUTLAY		
REPAIRS AND RENOVATIONS - LABORATORY COMPLEX - LEON COUNTY		
FROM GENERAL REVENUE FUND	536,450	
1354E FIXED CAPITAL OUTLAY		
REPAIR/REPLACEMENT/RENOVATIONS - DIAGNOSTIC LABS		
FROM GENERAL REVENUE FUND	300,000	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	7,974,289	
FROM TRUST FUNDS		15,076,729
TOTAL POSITIONS	186.25	
TOTAL ALL FUNDS		23,051,018
DIVISION OF LICENSING		
APPROVED SALARY RATE	7,831,855	
1355 SALARIES AND BENEFITS POSITIONS	231.00	
FROM DIVISION OF LICENSING TRUST FUND		11,668,716
1356 OTHER PERSONAL SERVICES		
FROM DIVISION OF LICENSING TRUST FUND		1,040,992
1357 EXPENSES		
FROM DIVISION OF LICENSING TRUST FUND		3,473,817
1358 OPERATING CAPITAL OUTLAY		
FROM DIVISION OF LICENSING TRUST FUND		349,130

From the funds in Specific Appropriation 1351, \$100,000 in recurring funds from the General Revenue Fund is provided for employment readiness

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
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1359	SPECIAL CATEGORIES CONTRACTED SERVICES FROM DIVISION OF LICENSING TRUST FUND		8,365,178
1360	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM DIVISION OF LICENSING TRUST FUND		74,343
1361	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM DIVISION OF LICENSING TRUST FUND		69,026
TOTAL:	DIVISION OF LICENSING FROM TRUST FUNDS		25,041,202
	TOTAL POSITIONS	231.00	
	TOTAL ALL FUNDS		25,041,202
OFFICE OF ENERGY			
	APPROVED SALARY RATE	854,918	
1362	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . .	15.00	1,393,480
1363	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		371,113
1364	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	47,212	380,000
1365	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .		2,500
1366	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		52,687
1366A	SPECIAL CATEGORIES GRANTS AND AIDS - BIO-FUEL INFRASTRUCTURE PARTNERSHIP (BIP) - UNITED STATES DEPARTMENT OF AGRICULTURE FROM FEDERAL GRANTS TRUST FUND . . .		13,997,368
1367	SPECIAL CATEGORIES NATURAL GAS FUEL FLEET VEHICLE REBATE PROGRAM FROM GENERAL REVENUE FUND		6,000,000
1368	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FEDERAL GRANTS TRUST FUND . . .		2,392
1369	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .		3,187
1369A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - FLORIDA ENERGY SYSTEMS CONSORTIUM (FESC) FROM GENERAL REVENUE FUND		500,000
1369B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY UNITED STATES DEPARTMENT OF ENERGY SPECIAL		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
	PROJECTS FROM FEDERAL GRANTS TRUST FUND . . .		1,350,000
TOTAL:	OFFICE OF ENERGY FROM GENERAL REVENUE FUND FROM TRUST FUNDS		6,547,212 17,552,727
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		24,099,939
PROGRAM: FOREST AND RESOURCE PROTECTION			
FLORIDA FOREST SERVICE			
	APPROVED SALARY RATE	42,619,788	
1370	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .	1,178.50 10,970,348	2,555,513 1,026,802 6,075,106 43,106,318
1371	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .		502,204 466,036 878,821
1372	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .		1,437,263 4,974,124 8,041,674
1373	AID TO LOCAL GOVERNMENTS AMERICA THE BEAUTIFUL PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		1,747,538
1374	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - VOLUNTEER FIRE ASSISTANCE FROM FEDERAL GRANTS TRUST FUND . . .		275,763
1375	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - RURAL COMMUNITY FIRE PROTECTION FROM FEDERAL GRANTS TRUST FUND . . .		72,589
1376	AID TO LOCAL GOVERNMENTS STATE FOREST RECEIPT DISTRIBUTION FROM INCIDENTAL TRUST FUND		595,000
1377	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .		601,920 617,775 232,299
1378	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .		100,000
1379	SPECIAL CATEGORIES FORESTRY WILDFIRE PROTECTION/SUPPRESSION EQUIPMENT FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .		3,000,000 156,868 838,570
1379A	SPECIAL CATEGORIES TRANSFER TO AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM GENERAL REVENUE FUND		3,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
 SPECIFIC
 APPROPRIATION
 1379B SPECIAL CATEGORIES
 PRIVATE LAND OWNER COST SHARE ASSISTANCE
 PROGRAM
 FROM LAND ACQUISITION TRUST FUND 5,000,000

From the funds in Specific Appropriation 1379B, \$2,000,000 in nonrecurring funds from the Land Acquisition Trust Fund is provided for pine reforestation directed at converting high nutrient or water intensive agricultural operations to pine forest land within priority focus areas for "Outstanding Florida Springs" as defined in section 24 of chapter 2016-1, Laws of Florida. The Department of Agriculture and Consumer Services shall consult with the Department of Environmental Protection and the water management districts on identifying conversion opportunities with the highest water resource benefit.

1380 SPECIAL CATEGORIES
 OFF-HIGHWAY VEHICLE RECREATION PROGRAM
 FROM INCIDENTAL TRUST FUND 645,000

1381 SPECIAL CATEGORIES
 LAND MANAGEMENT
 FROM LAND ACQUISITION TRUST FUND 6,886,703

1382 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM FEDERAL GRANTS TRUST FUND 1,905,903
 FROM INCIDENTAL TRUST FUND 477,107
 FROM LAND ACQUISITION TRUST FUND 802,137

1383 SPECIAL CATEGORIES
 ON-CALL FEES
 FROM AGRICULTURAL EMERGENCY
 ERADICATION TRUST FUND 333,296
 FROM INCIDENTAL TRUST FUND 10,000

1384 SPECIAL CATEGORIES
 OVERTIME
 FROM LAND ACQUISITION TRUST FUND 135,172

1385 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 1,589,637
 FROM INCIDENTAL TRUST FUND 364,392
 FROM LAND ACQUISITION TRUST FUND 161,735

1385A SPECIAL CATEGORIES
 AIRCRAFT PURCHASE
 FROM GENERAL REVENUE FUND 671,000

1386 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 190,382
 FROM INCIDENTAL TRUST FUND 35,013
 FROM LAND ACQUISITION TRUST FUND 161,002

1386A FIXED CAPITAL OUTLAY
 CONSERVATION AND RURAL LAND PROTECTION
 EASEMENTS AND AGREEMENTS
 FROM FLORIDA FOREVER PROGRAM TRUST
 FUND 35,000,000

1386B FIXED CAPITAL OUTLAY
 ROADS, BRIDGES, AND STREAM CROSSING
 MAINTENANCE - DIVISION OF FORESTRY
 FROM LAND ACQUISITION TRUST FUND 2,820,065

1386C FIXED CAPITAL OUTLAY
 MAINTENANCE, REPAIRS AND CONSTRUCTION -
 STATEWIDE
 FROM LAND ACQUISITION TRUST FUND 3,000,000

1386D FIXED CAPITAL OUTLAY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
 SPECIFIC
 APPROPRIATION
 RESTORE ACT - DEEPWATER HORIZON OIL SPILL
 FROM FEDERAL GRANTS TRUST FUND 4,050,000

TOTAL: FLORIDA FOREST SERVICE
 FROM GENERAL REVENUE FUND 17,023,287
 FROM TRUST FUNDS 138,487,788

TOTAL POSITIONS 1,178.50
 TOTAL ALL FUNDS 155,511,075

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

OFFICE OF AGRICULTURE TECHNOLOGY SERVICES

APPROVED SALARY RATE 2,866,243

1387 SALARIES AND BENEFITS POSITIONS 52.00
 FROM GENERAL REVENUE FUND 791,309
 FROM DIVISION OF LICENSING TRUST
 FUND 58,423
 FROM GENERAL INSPECTION TRUST FUND 1,614,183
 FROM LAND ACQUISITION TRUST FUND 1,435,376

1388 OTHER PERSONAL SERVICES
 FROM GENERAL INSPECTION TRUST FUND 47,348

1389 EXPENSES
 FROM GENERAL REVENUE FUND 755,000
 FROM DIVISION OF LICENSING TRUST
 FUND 263,632
 FROM GENERAL INSPECTION TRUST FUND 2,599,287

1390 OPERATING CAPITAL OUTLAY
 FROM GENERAL INSPECTION TRUST FUND 179,000

1391 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL INSPECTION TRUST FUND 785,505

1392 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL INSPECTION TRUST FUND 7,060

1393 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM DIVISION OF LICENSING TRUST
 FUND 344
 FROM GENERAL INSPECTION TRUST FUND 8,971
 FROM LAND ACQUISITION TRUST FUND 6,567

1393A SPECIAL CATEGORIES
 REGULATORY LIFECYCLE MANAGEMENT SYSTEM
 FROM DIVISION OF LICENSING TRUST
 FUND 4,313,927

From the funds in Specific Appropriation 1393A, \$4,313,927 of nonrecurring funds from the Division of Licensing Trust Fund is provided for the Regulatory Lifecycle Management System project. Of these funds, \$3,292,647 shall be placed in reserve. The Department of Agriculture and Consumer Services is authorized to submit quarterly budget amendments to request release of the funds being held in reserve pursuant to the provisions in chapter 216, Florida Statutes.

The Department of Agriculture and Consumer Services shall submit a detailed project management plan that includes the project's scope, schedule, and spending plan to the Executive Office of the Governor's Office of Policy and Budget, the chair of the Senate Committee on Appropriations, and the chair of the House of Representatives Appropriations Committee by July 15, 2016. The department shall submit quarterly project status reports on the progress made to date for each project milestone, actual costs incurred, and any current project issues and risks being managed.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL: OFFICE OF AGRICULTURE TECHNOLOGY SERVICES

FROM GENERAL REVENUE FUND	1,546,309	
FROM TRUST FUNDS		11,319,623
TOTAL POSITIONS	52.00	
TOTAL ALL FUNDS		12,865,932

PROGRAM: FOOD SAFETY AND QUALITY

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE	12,082,306	
1394 SALARIES AND BENEFITS POSITIONS	300.00	
FROM GENERAL REVENUE FUND	2,136,682	
FROM FEDERAL GRANTS TRUST FUND		1,555,862
FROM GENERAL INSPECTION TRUST FUND		13,336,537
1395 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	50,000	
FROM FEDERAL GRANTS TRUST FUND		123,441
FROM GENERAL INSPECTION TRUST FUND		324,152
1396 EXPENSES		
FROM GENERAL REVENUE FUND	512,347	
FROM FEDERAL GRANTS TRUST FUND		732,195
FROM GENERAL INSPECTION TRUST FUND		1,542,027
1397 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	20,500	
FROM FEDERAL GRANTS TRUST FUND		250,747
FROM GENERAL INSPECTION TRUST FUND		37,333
1398 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND		27,635
FROM GENERAL INSPECTION TRUST FUND		246,080

From the funds provided in Specific Appropriation 1398, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

1399 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	254,960	
FROM FEDERAL GRANTS TRUST FUND		370,707
FROM GENERAL INSPECTION TRUST FUND		305,000
1400 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	36,095	
FROM GENERAL INSPECTION TRUST FUND		71,159
1401 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	14,261	
FROM GENERAL INSPECTION TRUST FUND		74,486
TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT		
FROM GENERAL REVENUE FUND	3,024,845	
FROM TRUST FUNDS		18,997,361
TOTAL POSITIONS	300.00	
TOTAL ALL FUNDS		22,022,206

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE	7,945,841	
1402 SALARIES AND BENEFITS POSITIONS	184.00	
FROM GENERAL REVENUE FUND		737,354
FROM FEDERAL GRANTS TRUST FUND		433,242
FROM GENERAL INSPECTION TRUST FUND		6,993,536
FROM PEST CONTROL TRUST FUND		3,193,560
1403 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		152,037
FROM GENERAL INSPECTION TRUST FUND		33,100
FROM PEST CONTROL TRUST FUND		41,530
1404 EXPENSES		
FROM GENERAL REVENUE FUND	14,551	
FROM FEDERAL GRANTS TRUST FUND		338,295
FROM GENERAL INSPECTION TRUST FUND		1,014,839
FROM PEST CONTROL TRUST FUND		394,514
1405 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - OPERATION CLEAN SWEEP		
FROM GENERAL INSPECTION TRUST FUND		100,000
1406 AID TO LOCAL GOVERNMENTS		
MOSQUITO CONTROL PROGRAM		
FROM GENERAL REVENUE FUND	150,000	
FROM GENERAL INSPECTION TRUST FUND		2,660,000

Of the funds provided in Specific Appropriation 1406, \$500,000 from the General Inspection Trust Fund shall be used to support personnel at the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory to perform applied research to develop and test formulations, application techniques, and procedures of pesticides and biological control agents for the control of arthropods, and in particular, biting arthropods of public health or nuisance importance.

Of the funds provided in Specific Appropriation 1406, \$500,000 from the General Inspection Trust Fund shall be used for competitive grants as approved by the department for applied and basic research into the practical methods of control to be used by local mosquito control agencies, including research into the prevention of mosquito-borne illnesses. The research may be conducted by any public university or college in Florida.

From the funds in Specific Appropriation 1406, \$150,000 in nonrecurring funds from the General Revenue Fund is provided for Mulberry Mosquito Control.

1407 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,513	
FROM FEDERAL GRANTS TRUST FUND		102,500
1408 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND		115,400
FROM PEST CONTROL TRUST FUND		115,400
From the funds provided in Specific Appropriation 1408, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1409 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	107,372	
FROM FEDERAL GRANTS TRUST FUND		296,278
FROM GENERAL INSPECTION TRUST FUND		200,124
FROM PEST CONTROL TRUST FUND		206,425
1410 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	28,046	
FROM GENERAL INSPECTION TRUST FUND		17,898
1411 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	17,976	
FROM GENERAL INSPECTION TRUST FUND		29,910
FROM PEST CONTROL TRUST FUND		15,203
TOTAL: AGRICULTURAL ENVIRONMENTAL SERVICES		
FROM GENERAL REVENUE FUND	1,056,812	
FROM TRUST FUNDS		16,453,791
TOTAL POSITIONS	184.00	
TOTAL ALL FUNDS		17,510,603

CONSUMER PROTECTION

APPROVED SALARY RATE	10,616,717	
1412 SALARIES AND BENEFITS POSITIONS	285.00	
FROM GENERAL REVENUE FUND	48,894	
FROM GENERAL INSPECTION TRUST FUND		14,791,104
1413 OTHER PERSONAL SERVICES		
FROM GENERAL INSPECTION TRUST FUND		221,917
1414 EXPENSES		
FROM GENERAL REVENUE FUND	6,261	
FROM GENERAL INSPECTION TRUST FUND		2,798,984
1415 OPERATING CAPITAL OUTLAY		
FROM GENERAL INSPECTION TRUST FUND		75,437
1416 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL INSPECTION TRUST FUND		497,095
From the funds provided in Specific Appropriation 1416, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1417 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL INSPECTION TRUST FUND		799,533
1418 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL INSPECTION TRUST FUND		274,450
1419 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	344	
FROM GENERAL INSPECTION TRUST FUND		91,154
TOTAL: CONSUMER PROTECTION		
FROM GENERAL REVENUE FUND	55,499	
FROM TRUST FUNDS		19,549,674
TOTAL POSITIONS	285.00	
TOTAL ALL FUNDS		19,605,173

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT
FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE	5,068,920	
1420 SALARIES AND BENEFITS POSITIONS	130.00	
FROM CITRUS INSPECTION TRUST FUND		5,274,037
FROM GENERAL INSPECTION TRUST FUND		2,085,710
1421 OTHER PERSONAL SERVICES		
FROM CITRUS INSPECTION TRUST FUND		857,190
FROM GENERAL INSPECTION TRUST FUND		807,037
1422 EXPENSES		
FROM CITRUS INSPECTION TRUST FUND		883,880
FROM GENERAL INSPECTION TRUST FUND		567,529
1423 OPERATING CAPITAL OUTLAY		
FROM CITRUS INSPECTION TRUST FUND		33,710
1423A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL INSPECTION TRUST FUND		318,030
From the funds provided in Specific Appropriation 1423A, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1424 SPECIAL CATEGORIES		
AUTOMATED TESTING EQUIPMENT		
FROM CITRUS INSPECTION TRUST FUND		216,041
1424A SPECIAL CATEGORIES		
TRANSFER TO AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		
FROM GENERAL REVENUE FUND		8,180,000
1424B SPECIAL CATEGORIES		
TRANSFER GENERAL REVENUE TO CITRUS INSPECTION TRUST FUND		
FROM GENERAL REVENUE FUND		2,000,000
1424C SPECIAL CATEGORIES		
CITRUS RESEARCH		
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		8,000,000
From the funds in Specific Appropriation 1424C, \$8,000,000 in nonrecurring funds from the Agricultural Emergency Eradication Trust Fund shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct or cause to be conducted research projects on citrus disease.		
1425 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CITRUS INSPECTION TRUST FUND		123,428
FROM GENERAL INSPECTION TRUST FUND		53,762
1425A SPECIAL CATEGORIES		
GRANTS AND AIDS - MARKETING ORDERS		
FROM CITRUS INSPECTION TRUST FUND		6,692,237
FROM GENERAL INSPECTION TRUST FUND		565,082
1426 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM CITRUS INSPECTION TRUST FUND		100,858
FROM GENERAL INSPECTION TRUST FUND		140,750
1427 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM CITRUS INSPECTION TRUST FUND		67,145

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM GENERAL INSPECTION TRUST FUND	19,889
TOTAL: FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT	
FROM GENERAL REVENUE FUND	10,180,000
FROM TRUST FUNDS	26,806,315
TOTAL POSITIONS	130.00
TOTAL ALL FUNDS	36,986,315

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE	4,188,985
1428 SALARIES AND BENEFITS POSITIONS	107.00
FROM GENERAL REVENUE FUND	542,009
FROM GENERAL INSPECTION TRUST FUND	594,931
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	1,648,606
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	2,266,036
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND	898,654
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND	45,428
1429 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND	8,600
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	27,635
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	26,400
1430 EXPENSES	
FROM GENERAL REVENUE FUND	148,541
FROM GENERAL INSPECTION TRUST FUND	520,716
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	848,391
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND	200,959
FROM VITICULTURE TRUST FUND	9,580
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND	223,223
1431 OPERATING CAPITAL OUTLAY	
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	10,500
1432 SPECIAL CATEGORIES	
GRANTS AND AIDS - VITICULTURE PROGRAM	
FROM VITICULTURE TRUST FUND	650,000
1433 SPECIAL CATEGORIES	
FLORIDA AGRICULTURE PROMOTION CAMPAIGN	
FROM GENERAL REVENUE FUND	11,650,000
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	1,310,000

From the funds in Specific Appropriation 1433, \$2,000,000 in recurring funds from the General Revenue Fund shall be transferred to the Cattle Enhancement Board, Inc., to conduct programs and research designed to expand uses of beef and beef products and strengthen the market position of Florida's cattle industry in this state and in the nation.

1434 SPECIAL CATEGORIES	
FEDERAL VALUE OF PRODUCTION SPECIALTY CROP GRANT	
FROM FEDERAL GRANTS TRUST FUND	5,000,000
1435 SPECIAL CATEGORIES	
FEDERAL SUPPORT FOR FLORIDA AGRICULTURE PROMOTIONS	
FROM FEDERAL GRANTS TRUST FUND	206,586
1437 SPECIAL CATEGORIES	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	15,219
FROM GENERAL INSPECTION TRUST FUND	112,460
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	28,600
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND	150,000
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND	75,000

1438A SPECIAL CATEGORIES	
AGRICULTURAL LEADERSHIP AND EDUCATION	
FROM GENERAL INSPECTION TRUST FUND	300,000
1439 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	11,245
FROM GENERAL INSPECTION TRUST FUND	14,266
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	34,495
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND	7,201
1440 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	18,346
FROM GENERAL INSPECTION TRUST FUND	2,128
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	12,278
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND	4,739
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND	237
1441 FIXED CAPITAL OUTLAY	
MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE	
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	800,000
1442 FIXED CAPITAL OUTLAY	
CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE	
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	242,000
1442A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
FLORIDA HORSE PARK	
FROM GENERAL REVENUE FUND	5,000,000

From the funds provided in Specific Appropriation 1442A, up to 10 percent may be used for administrative costs for the Florida Horse Park.

1442B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
AGRICULTURAL PROMOTION AND EDUCATION FACILITIES	
FROM GENERAL REVENUE FUND	6,752,024

From the funds provided in Specific Appropriation 1442B, \$6,752,024 in nonrecurring funds from the General Revenue Fund shall be used for the following:

Central Florida Fair Livestock Pavilion.....	300,000
Hardee County Cattlemen's Arena.....	300,000
Hendry County Fair and Livestock Show, Inc.....	500,000
Hillsborough County Fair.....	500,000
Gadsden County Agricultural Multi-Purpose Facility.....	500,000
Madison County Agricultural & Exposition Center.....	500,000
Manatee River Fair-Exhibit Hall.....	450,000
Okeechobee County Agri-Civic Center.....	500,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

St. Petersburg Agriculture Education and Exhibit Building...	500,000	
Santa Rosa County Fair.....	643,000	
Southeastern Livestock Pavilion.....	999,024	
Union County Extension and Agriculture Education Center.....	280,000	
Wakulla County/UF-IPAS Extension Facility.....	80,000	
Walton County Fair and Agricultural Education Building.....	400,000	
Washington County Agricultural Facility.....	300,000	
TOTAL: AGRICULTURAL PRODUCTS MARKETING		
FROM GENERAL REVENUE FUND	24,145,984	
FROM TRUST FUNDS		16,271,049
TOTAL POSITIONS	107.00	
TOTAL ALL FUNDS		40,417,033

AQUACULTURE

APPROVED SALARY RATE	1,865,998	
1443 SALARIES AND BENEFITS POSITIONS	44.00	
FROM GENERAL REVENUE FUND	1,829,361	
FROM GENERAL INSPECTION TRUST FUND .		817,762
1444 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .	19,700	
FROM GENERAL INSPECTION TRUST FUND .		30,532
1445 EXPENSES		
FROM GENERAL REVENUE FUND	400,173	
FROM FEDERAL GRANTS TRUST FUND . . .	29,000	
FROM GENERAL INSPECTION TRUST FUND .		50,326
1446 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	20,000	
FROM GENERAL INSPECTION TRUST FUND .		12,600
1446A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL INSPECTION TRUST FUND .		235,640
From the funds provided in Specific Appropriation 1446A, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1447 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	330,000	
FROM FEDERAL GRANTS TRUST FUND . . .		700
FROM GENERAL INSPECTION TRUST FUND .		85,000
From the funds in Specific Appropriation 1447, \$250,000 in nonrecurring funds from the General Revenue Fund is provided for the Oyster Cultch Material Research at the Wakulla Environmental Institute to study various oyster cultch material to determine which material is most effective for spat set and oyster population revitalization.		
1448 SPECIAL CATEGORIES		
OYSTER PLANTING		
FROM GENERAL INSPECTION TRUST FUND .		560,000
1449 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	12,118	
FROM GENERAL INSPECTION TRUST FUND .		6,037
1449A SPECIAL CATEGORIES		
AQUACULTURE DEVELOPMENT		
FROM GENERAL REVENUE FUND	632,970	
1450 SPECIAL CATEGORIES		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	12,296	
FROM GENERAL INSPECTION TRUST FUND .		3,487
1450A FIXED CAPITAL OUTLAY		
RESTORE ACT - DEEPWATER HORIZON OIL SPILL		
FROM FEDERAL GRANTS TRUST FUND . . .		4,680,000
TOTAL: AQUACULTURE		
FROM GENERAL REVENUE FUND	3,236,918	
FROM TRUST FUNDS		6,530,784
TOTAL POSITIONS	44.00	
TOTAL ALL FUNDS		9,767,702
ANIMAL PEST AND DISEASE CONTROL		
APPROVED SALARY RATE	5,241,824	
1451 SALARIES AND BENEFITS POSITIONS	114.50	
FROM GENERAL REVENUE FUND	5,637,679	
FROM FEDERAL GRANTS TRUST FUND . . .		443,977
FROM GENERAL INSPECTION TRUST FUND .		493,952
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		450,215
1452 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	11,866	
FROM FEDERAL GRANTS TRUST FUND . . .		95,703
FROM GENERAL INSPECTION TRUST FUND .		61,642
1453 EXPENSES		
FROM GENERAL REVENUE FUND	365,981	
FROM FEDERAL GRANTS TRUST FUND . . .		413,164
FROM GENERAL INSPECTION TRUST FUND .		628,888
1454 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	50,949	
FROM FEDERAL GRANTS TRUST FUND . . .		25,000
FROM GENERAL INSPECTION TRUST FUND .		62,750
1456 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .		545,215
FROM GENERAL INSPECTION TRUST FUND .		323,958
1457 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	74,448	
FROM GENERAL INSPECTION TRUST FUND .		72,439
1458 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	39,658	
FROM GENERAL INSPECTION TRUST FUND .		5,303
1458A FIXED CAPITAL OUTLAY		
CONSTRUCTION - ADDITIONS KISSIMMEE DIAGNOSTIC LAB		
FROM GENERAL REVENUE FUND	7,358,016	
TOTAL: ANIMAL PEST AND DISEASE CONTROL		
FROM GENERAL REVENUE FUND	13,538,597	
FROM TRUST FUNDS		3,622,206
TOTAL POSITIONS	114.50	
TOTAL ALL FUNDS		17,160,803
PLANT PEST AND DISEASE CONTROL		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

	APPROVED SALARY RATE	14,471,506	
1459	SALARIES AND BENEFITS	POSITIONS 368.00	
	FROM GENERAL REVENUE FUND	8,825,452	
	FROM CITRUS INSPECTION TRUST FUND		894,126
	FROM FEDERAL GRANTS TRUST FUND		5,750,359
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		2,941,604
	FROM PLANT INDUSTRY TRUST FUND		2,582,169
1460	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	21,170	
	FROM CITRUS INSPECTION TRUST FUND		1,000
	FROM FEDERAL GRANTS TRUST FUND		1,625,492
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		515,142
	FROM PLANT INDUSTRY TRUST FUND		660,097
1461	EXPENSES		
	FROM GENERAL REVENUE FUND	860,617	
	FROM CITRUS INSPECTION TRUST FUND		79,832
	FROM FEDERAL GRANTS TRUST FUND		1,372,077
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		125,836
	FROM PLANT INDUSTRY TRUST FUND		724,622
1462	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		216,195
	FROM PLANT INDUSTRY TRUST FUND		5,006
1462A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL INSPECTION TRUST FUND		733,911
	From the funds provided in Specific Appropriation 1462A, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1463	SPECIAL CATEGORIES		
	AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM)		
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		1,214,177
1464	SPECIAL CATEGORIES		
	GRANTS AND AIDS - BOLL WEEVIL ERADICATION		
	FROM PLANT INDUSTRY TRUST FUND		150,000
1465	SPECIAL CATEGORIES		
	APIARIAN INDEMNITIES		
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		36,000
1466	SPECIAL CATEGORIES		
	ENDANGERED PLANT SPECIES		
	FROM LAND ACQUISITION TRUST FUND		240,000
1466A	SPECIAL CATEGORIES		
	TRANSFER TO AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		
	FROM GENERAL REVENUE FUND	500,000	
1467	SPECIAL CATEGORIES		
	CITRUS HEALTH RESPONSE PROGRAM		
	FROM GENERAL REVENUE FUND	6,022,159	
	FROM FEDERAL GRANTS TRUST FUND		8,180,773
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		500,000
1468	SPECIAL CATEGORIES		
	PLANT PEST AND DISEASE CONTROL		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

	FROM FEDERAL GRANTS TRUST FUND		1,000,000
1469	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	104,481	
	FROM CITRUS INSPECTION TRUST FUND		7,144
	FROM FEDERAL GRANTS TRUST FUND		487,452
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		328,563
	FROM PLANT INDUSTRY TRUST FUND		118,049
	From the funds in Specific Appropriation 1469, \$150,000 in nonrecurring funds from the Agricultural Emergency Eradication Trust Fund is provided for removal and destruction of infested avocado trees that are acting as hosts and breeding factories for pests and disease.		
1470	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	416,573	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		123,785
1470A	SPECIAL CATEGORIES		
	TRANSFER TO UNIVERSITY OF FLORIDA/INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FOR INVASIVE EXOTICS QUARANTINE FACILITY		
	FROM PLANT INDUSTRY TRUST FUND		720,000
1471	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	134,415	
	FROM CITRUS INSPECTION TRUST FUND		8,731
	FROM FEDERAL GRANTS TRUST FUND		11,476
	FROM GENERAL INSPECTION TRUST FUND		29
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		568
	FROM PLANT INDUSTRY TRUST FUND		65,599
1471A	FIXED CAPITAL OUTLAY		
	RENOVATIONS AND IMPROVEMENTS - IRRADIATOR FACILITY GAINESVILLE		
	FROM GENERAL REVENUE FUND	650,000	
1471B	FIXED CAPITAL OUTLAY		
	RELOCATION, REPAIR AND RENOVATION OF CITRUS BUDWOOD FACILITIES - STATEWIDE		
	FROM PLANT INDUSTRY TRUST FUND		510,000
1471C	FIXED CAPITAL OUTLAY		
	APIARY RESEARCH AND EXTENSION LABORATORY - DMS MGD		
	FROM GENERAL REVENUE FUND	2,000,000	
	Funds in Specific Appropriation 1471C are provided for the construction of an apiary research and extension laboratory at the University of Florida. Distribution of funds shall be contingent upon a 25 percent match from the University of Florida's Institute of Food and Agricultural Sciences and a 10 percent match from the Florida State Beekeepers Association.		
1471D	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FLORIDA SOUTHERN COLLEGE GREENHOUSE AND SCIENCE LABORATORIES		
	FROM GENERAL REVENUE FUND	750,000	
TOTAL:	PLANT PEST AND DISEASE CONTROL		
	FROM GENERAL REVENUE FUND	20,284,867	
	FROM TRUST FUNDS		31,929,814
	TOTAL POSITIONS	368.00	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS 52,214,681

FOOD, NUTRITION AND WELLNESS

APPROVED SALARY RATE 3,788,439
1472 SALARIES AND BENEFITS POSITIONS 83.00
FROM GENERAL REVENUE FUND 161,712
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 5,047,128
1473 OTHER PERSONAL SERVICES
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 282,020
1474 EXPENSES
FROM GENERAL REVENUE FUND 50,000
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 1,620,966
FROM GENERAL INSPECTION TRUST FUND . 174,160
1475 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 1,170,818,888
1476 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM -
STATE MATCH
FROM GENERAL REVENUE FUND 9,295,134
1477 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL BREAKFAST PROGRAM
FROM GENERAL REVENUE FUND 7,590,912
1478 OPERATING CAPITAL OUTLAY
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 57,438
1478A SPECIAL CATEGORIES
GRANTS AND AIDS - OUNCE OF PREVENTION
FROM GENERAL REVENUE FUND 250,000

From the funds in Specific Appropriation 1478A, \$250,000 in nonrecurring funds from the General Revenue Fund is provided to the Ounce of Prevention Fund of Florida for Florida Children's Initiative programs, including community gardens, healthy eating, fitness activities and 4-H clubs.

1478B SPECIAL CATEGORIES
SUPPORT FOR FOOD BANK
FROM GENERAL REVENUE FUND 1,757,000

From the funds in Specific Appropriation 1478B, \$450,000 in recurring funds and \$1,300,000 in nonrecurring funds are provided for the Florida Association of Food Banks, and the remainder is provided for the Cutting Edge Ministries Food Center.

1478C SPECIAL CATEGORIES
FOOD PANTRIES
FROM GENERAL REVENUE FUND 66,000

From the funds in Specific Appropriation 1478C, \$66,000 in nonrecurring funds from the General Revenue Fund is provided for the Healthy Plate Healthy Living Project for distribution of healthy foods to the unemployed, disabled, senior citizens, the underemployed and those living at or below poverty.

1479 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 7,645,665
FROM GENERAL INSPECTION TRUST FUND . 45,840

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1479A SPECIAL CATEGORIES
FARM SHARE PROGRAM
FROM GENERAL REVENUE FUND 2,234,909
1479B SPECIAL CATEGORIES
KINGDOM HARVEST COMMUNITY FOOD AND
OUTREACH CENTER
FROM GENERAL REVENUE FUND 200,000
1480 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY FEEDING
ORGANIZATIONS
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 4,321,184
1481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,241
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 11,584
1482 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 25,264
1482A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SECOND HARVEST FOOD BANK OF CENTRAL
FLORIDA
FROM GENERAL REVENUE FUND 1,000,000
TOTAL: FOOD, NUTRITION AND WELLNESS
FROM GENERAL REVENUE FUND 22,607,908
FROM TRUST FUNDS 1,190,050,137
TOTAL POSITIONS 83.00
TOTAL ALL FUNDS 1,212,658,045

TOTAL: AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE
FROM GENERAL REVENUE FUND 159,936,583
FROM TRUST FUNDS 1,598,069,697
TOTAL POSITIONS 3,634.25
TOTAL ALL FUNDS 1,758,006,280
TOTAL APPROVED SALARY RATE 146,153,326

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
PROGRAM: ADMINISTRATIVE SERVICES
EXECUTIVE DIRECTION AND SUPPORT SERVICES
APPROVED SALARY RATE 12,409,659

1483 SALARIES AND BENEFITS POSITIONS 231.00
FROM ADMINISTRATIVE TRUST FUND . . . 7,119,794
FROM INLAND PROTECTION TRUST FUND . 234,770
FROM FEDERAL GRANTS TRUST FUND . . . 74,477
FROM GRANTS AND DONATIONS TRUST
FUND 107,266
FROM INTERNAL IMPROVEMENT TRUST
FUND 401,076
FROM LAND ACQUISITION TRUST FUND . . 9,490,145
1484 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 480,856
FROM INLAND PROTECTION TRUST FUND . 204,814
FROM FEDERAL GRANTS TRUST FUND . . . 665,425
FROM INTERNAL IMPROVEMENT TRUST
FUND 498,332

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
1485	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .	2,490,721	
	FROM INLAND PROTECTION TRUST FUND .	70,461	
	FROM FEDERAL GRANTS TRUST FUND . . .	41,000	
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND	4,980	
	FROM LAND ACQUISITION TRUST FUND . .	16,018	
1486	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	16,275	
1487	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .	275,848	
1488	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	170,949	
	FROM FEDERAL GRANTS TRUST FUND . . .	483,794	
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND	18,108,200	
1489	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	102,559	
1490	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	40,868	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	1,319	
	FROM LAND ACQUISITION TRUST FUND . .	48,856	
1491	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	CLEAN MARINA		
	FROM FEDERAL GRANTS TRUST FUND . . .	3,000,000	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	300,000	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM TRUST FUNDS	44,448,803	
	TOTAL POSITIONS	231.00	
	TOTAL ALL FUNDS	44,448,803	
FLORIDA GEOLOGICAL SURVEY			
	APPROVED SALARY RATE	1,423,550	
1492	SALARIES AND BENEFITS		32.00
	POSITIONS		
	FROM FEDERAL GRANTS TRUST FUND . . .	129,996	
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND	636,317	
	FROM LAND ACQUISITION TRUST FUND . .	650,091	
	FROM MINERALS TRUST FUND	295,644	
	FROM WATER QUALITY ASSURANCE TRUST		
	FUND	493,385	
1493	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .	296,578	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	132,925	
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND	60,000	
	FROM WATER QUALITY ASSURANCE TRUST		
	FUND	6,778	
1494	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . .	79,965	
	FROM GRANTS AND DONATIONS TRUST		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
	FUND		60,905
	FROM WATER QUALITY ASSURANCE TRUST		
	FUND		298,810
1495	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		21,000
	FROM MINERALS TRUST FUND		37,195
	FROM WATER QUALITY ASSURANCE TRUST		
	FUND		19,838
1496	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		45,369
	FROM GRANTS AND DONATIONS TRUST		
	FUND		78,077
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND		200,000
	FROM MINERALS TRUST FUND		5,700
	FROM WATER QUALITY ASSURANCE TRUST		
	FUND		80,000
1497	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM MINERALS TRUST FUND		11,518
1498	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND		2,292
	FROM LAND ACQUISITION TRUST FUND . .		2,722
	FROM MINERALS TRUST FUND		3,962
TOTAL: FLORIDA GEOLOGICAL SURVEY			
	FROM TRUST FUNDS		3,649,067
	TOTAL POSITIONS	32.00	
	TOTAL ALL FUNDS		3,649,067
TECHNOLOGY AND INFORMATION SERVICES			
	APPROVED SALARY RATE	4,491,466	
1499	SALARIES AND BENEFITS		94.00
	POSITIONS		
	FROM LAND ACQUISITION TRUST FUND . .		6,517,848
1500	OTHER PERSONAL SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		1,638,410
1501	EXPENSES		
	FROM LAND ACQUISITION TRUST FUND . .		971,412
	FROM WORKING CAPITAL TRUST FUND . .		1,998,882
1502	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND . .		50,625
1503	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INTERNAL IMPROVEMENT TRUST		
	FUND		27,700
	FROM WORKING CAPITAL TRUST FUND . .		2,850,438
1504	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM LAND ACQUISITION TRUST FUND . .		69,071
1505	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM LAND ACQUISITION TRUST FUND . .		34,883

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1506	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM WORKING CAPITAL TRUST FUND . .	2,690,692	
TOTAL: TECHNOLOGY AND INFORMATION SERVICES			
	FROM TRUST FUNDS	16,849,961	
	TOTAL POSITIONS	94.00	
	TOTAL ALL FUNDS	16,849,961	
OFFICE OF EMERGENCY RESPONSE			
	APPROVED SALARY RATE	578,212	
1507	SALARIES AND BENEFITS POSITIONS	7.00	
	FROM COASTAL PROTECTION TRUST FUND .	397,812	
	FROM INLAND PROTECTION TRUST FUND .	145,358	
1508	OTHER PERSONAL SERVICES		
	FROM COASTAL PROTECTION TRUST FUND .	61,443	
1509	EXPENSES		
	FROM COASTAL PROTECTION TRUST FUND .	110,921	
	FROM INLAND PROTECTION TRUST FUND .	33,762	
1510	OPERATING CAPITAL OUTLAY		
	FROM COASTAL PROTECTION TRUST FUND .	7,818	
1511	SPECIAL CATEGORIES		
	ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
	FROM COASTAL PROTECTION TRUST FUND .	63,594	
1512	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM COASTAL PROTECTION TRUST FUND .	751,549	
1513	SPECIAL CATEGORIES		
	ON-CALL FEES		
	FROM COASTAL PROTECTION TRUST FUND .	17,902	
1514	SPECIAL CATEGORIES		
	PAYMENTS FOR RESTORATION AND DAMAGE		
	FROM COASTAL PROTECTION TRUST FUND .	25,000	
1515	SPECIAL CATEGORIES		
	ABANDONED DRUM REMOVAL AND DISPOSAL		
	FROM COASTAL PROTECTION TRUST FUND .	70,000	
1516	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INLAND PROTECTION TRUST FUND .	9,877	
1517	SPECIAL CATEGORIES		
	UNDERGROUND STORAGE TANK CLEANUP		
	FROM INLAND PROTECTION TRUST FUND .	80,759	
1518	SPECIAL CATEGORIES		
	TRANSFER TO THE MARINE RESOURCES CONSERVATION TRUST FUND OR STATE GAME TRUST FUND IN THE FWCC FOR LAW ENFORCEMENT		
	FROM COASTAL PROTECTION TRUST FUND .	11,310,256	
	FROM INLAND PROTECTION TRUST FUND .	1,991,722	
	FROM SOLID WASTE MANAGEMENT TRUST FUND	2,822,599	
1519	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM COASTAL PROTECTION TRUST FUND .	1,806	
TOTAL: OFFICE OF EMERGENCY RESPONSE			

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

	FROM TRUST FUNDS		17,902,178
	TOTAL POSITIONS	7.00	
	TOTAL ALL FUNDS		17,902,178
PROGRAM: STATE LANDS			
LAND ADMINISTRATION AND MANAGEMENT			
	APPROVED SALARY RATE	4,807,532	
1520	SALARIES AND BENEFITS POSITIONS	95.00	
	FROM INTERNAL IMPROVEMENT TRUST FUND		5,471,730
	FROM LAND ACQUISITION TRUST FUND . .		1,074,559
1521	OTHER PERSONAL SERVICES		
	FROM GRANTS AND DONATIONS TRUST FUND		344,006
	FROM INTERNAL IMPROVEMENT TRUST FUND		350,000
	FROM LAND ACQUISITION TRUST FUND . .		190,178
1522	EXPENSES		
	FROM GRANTS AND DONATIONS TRUST FUND		300,000
	FROM INTERNAL IMPROVEMENT TRUST FUND		553,887
	FROM LAND ACQUISITION TRUST FUND . .		251,758
1523	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND		50,000
	FROM INTERNAL IMPROVEMENT TRUST FUND		15,000
	FROM LAND ACQUISITION TRUST FUND . .		1,920
1524	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INTERNAL IMPROVEMENT TRUST FUND		135,000
From the funds provided in Specific Appropriation 1524, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1525	SPECIAL CATEGORIES		
	LAND MANAGEMENT		
	FROM LAND ACQUISITION TRUST FUND . .		3,634,992
Funds from Specific Appropriation 1525 may be used for resource stewardship, including program management, inventory management, administration, and planning.			
1526	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INTERNAL IMPROVEMENT TRUST FUND		469,563
	FROM LAND ACQUISITION TRUST FUND . .		277,941
1527	SPECIAL CATEGORIES		
	STATE LANDS STEWARDSHIP		
	FROM INTERNAL IMPROVEMENT TRUST FUND		200,000
	FROM LAND ACQUISITION TRUST FUND . .		250,000
1528	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INTERNAL IMPROVEMENT TRUST FUND		83,564
	FROM LAND ACQUISITION TRUST FUND . .		16,297

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

Table with columns for item number, description, and amount. Includes items 1529, 1529A, 1530, 1531, 1532, 1533, and 1534.

Funds in Specific Appropriation 1529A are provided to the Bureau of Surveying and Mapping to be used to fulfill its statutory responsibilities under chapter 177, parts II and III, Florida Statutes.

Funds from Specific Appropriation 1532 may be used for resource stewardship, including program management, inventory management, administration, and planning.

From the funds in Specific Appropriation 1533, \$35,000,000 in nonrecurring funds from the Florida Forever Trust Fund is provided to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and section 570.71, Florida Statutes.

Funds in Specific Appropriation 1533 are also provided for land acquisition for projects on the approved Acquisition and Restoration Council's priority list pursuant to section 259.105, Florida Statutes. Prior to the approval of the Board of Trustees of the Internal Improvement Trust Fund for land acquisition projects, the transaction history of the most recent three transactions or ten years of the transaction history, whichever is longer, of the proposed acquisition, must be made available to the public thirty days before the Board of Trustees of the Internal Improvement Trust Fund may acquire such property.

Funds from Specific Appropriation 1533 may also be provided to the water management districts as provided in section 259.105(12), Florida Statutes, to fund water resource development projects intended to achieve the goal of ensuring that sufficient quantities of water are available to meet current and future needs of natural systems and the citizens of the state as specified in section 259.105(2)(a)5., Florida Statutes.

Funds provided in Specific Appropriation 1535 are for Fiscal Year

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

Table with columns for item number, description, and amount. Includes items 1535A, 1535B, and totals for Land Administration and Management, Land and Recreation Operation Services, and Land and Recreation Operation Services.

2016-2017 debt service on bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	68.00	
TOTAL ALL FUNDS		8,486,401

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE	15,267,477	
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1543 SALARIES AND BENEFITS POSITIONS	317.00	
FROM FEDERAL GRANTS TRUST FUND . . .		691,192
FROM INTERNAL IMPROVEMENT TRUST FUND		766,132
FROM LAND ACQUISITION TRUST FUND . . .		11,983,843
FROM PERMIT FEE TRUST FUND		6,757,534
FROM WATER QUALITY ASSURANCE TRUST FUND		310,929
1544 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .		259,035
FROM PERMIT FEE TRUST FUND		12,879
FROM WATER QUALITY ASSURANCE TRUST FUND		203,468
1545 EXPENSES		
FROM FEDERAL GRANTS TRUST FUND . . .		31,244
FROM LAND ACQUISITION TRUST FUND . . .		1,207,852
FROM PERMIT FEE TRUST FUND		661,841
FROM WATER QUALITY ASSURANCE TRUST FUND		18,196
1546 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	500,000	
FROM LAND ACQUISITION TRUST FUND . . .		9,325
FROM PERMIT FEE TRUST FUND		8,070

From the funds in Specific Appropriation 1546, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for a mobile vessel pumpout service to assist Monroe County with alternative funding for the Monroe County marine sewage pilot program.

1547 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM INTERNAL IMPROVEMENT TRUST FUND		9,320
FROM LAND ACQUISITION TRUST FUND . . .		153,741
FROM PERMIT FEE TRUST FUND		83,626
FROM WATER QUALITY ASSURANCE TRUST FUND		3,751
1548 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM FEDERAL GRANTS TRUST FUND . . .		3,777
FROM LAND ACQUISITION TRUST FUND . . .		76,536
FROM PERMIT FEE TRUST FUND		51,774
FROM WATER QUALITY ASSURANCE TRUST FUND		1,323

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION		
FROM GENERAL REVENUE FUND	500,000	
FROM TRUST FUNDS		23,305,388
TOTAL POSITIONS	317.00	
TOTAL ALL FUNDS		23,805,388

AIR POLLUTION PREVENTION

APPROVED SALARY RATE	3,213,940
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1549 SALARIES AND BENEFITS POSITIONS	57.00
FROM AIR POLLUTION CONTROL TRUST	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FUND		3,990,508
1550 OTHER PERSONAL SERVICES		
FROM AIR POLLUTION CONTROL TRUST FUND		109,229
1551 EXPENSES		
FROM AIR POLLUTION CONTROL TRUST FUND		477,906
1552 OPERATING CAPITAL OUTLAY		
FROM AIR POLLUTION CONTROL TRUST FUND		81,740
1553 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM AIR POLLUTION CONTROL TRUST FUND		12,750
1554 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM AIR POLLUTION CONTROL TRUST FUND		24,161
TOTAL: AIR POLLUTION PREVENTION		
FROM TRUST FUNDS		4,696,294
TOTAL POSITIONS	57.00	
TOTAL ALL FUNDS		4,696,294

WASTE CONTROL

APPROVED SALARY RATE	6,927,927
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1555 SALARIES AND BENEFITS POSITIONS	136.00	
FROM COASTAL PROTECTION TRUST FUND . . .		869,642
FROM INLAND PROTECTION TRUST FUND . . .		2,749,180
FROM FEDERAL GRANTS TRUST FUND		1,041,205
FROM PERMIT FEE TRUST FUND		765,585
FROM SOLID WASTE MANAGEMENT TRUST FUND		1,311,588
FROM WATER QUALITY ASSURANCE TRUST FUND		2,870,095
1556 OTHER PERSONAL SERVICES		
FROM INLAND PROTECTION TRUST FUND . . .		72,455
FROM WATER QUALITY ASSURANCE TRUST FUND		72,901
1557 EXPENSES		
FROM COASTAL PROTECTION TRUST FUND . . .		18,949
FROM INLAND PROTECTION TRUST FUND . . .		396,688
FROM FEDERAL GRANTS TRUST FUND		44,016
FROM PERMIT FEE TRUST FUND		32,721
FROM SOLID WASTE MANAGEMENT TRUST FUND		137,675
FROM WATER QUALITY ASSURANCE TRUST FUND		302,987
1558 OPERATING CAPITAL OUTLAY		
FROM SOLID WASTE MANAGEMENT TRUST FUND		60,919
1559 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM INLAND PROTECTION TRUST FUND . . .		1,860
FROM SOLID WASTE MANAGEMENT TRUST FUND		6,550
FROM WATER QUALITY ASSURANCE TRUST FUND		14,145
1560 SPECIAL CATEGORIES		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
	HAZARDOUS WASTE CLEANUP		
	FROM COASTAL PROTECTION TRUST FUND	120,000	
1561	SPECIAL CATEGORIES		
	ON-CALL FEES		
	FROM COASTAL PROTECTION TRUST FUND	149,625	
1562	SPECIAL CATEGORIES		
	ABANDONED DRUM REMOVAL AND DISPOSAL		
	FROM COASTAL PROTECTION TRUST FUND	30,000	
1563	SPECIAL CATEGORIES		
	UNDERGROUND STORAGE TANK CLEANUP		
	FROM INLAND PROTECTION TRUST FUND	34,000	
1564	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM COASTAL PROTECTION TRUST FUND	4,339	
	FROM INLAND PROTECTION TRUST FUND	15,200	
	FROM FEDERAL GRANTS TRUST FUND	6,273	
	FROM PERMIT FEE TRUST FUND	3,805	
	FROM SOLID WASTE MANAGEMENT TRUST		
	FUND	8,094	
	FROM WATER QUALITY ASSURANCE TRUST		
	FUND	16,172	
TOTAL:	WASTE CONTROL		
	FROM TRUST FUNDS	11,156,669	
	TOTAL POSITIONS	136.00	
	TOTAL ALL FUNDS	11,156,669	

EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	3,547,952	
1565	SALARIES AND BENEFITS		62.00
	POSITIONS		
	FROM GENERAL REVENUE FUND	796,881	
	FROM ADMINISTRATIVE TRUST FUND	1,247,821	
	FROM AIR POLLUTION CONTROL TRUST		
	FUND	988,992	
	FROM LAND ACQUISITION TRUST FUND	1,577,670	
	FROM SOLID WASTE MANAGEMENT TRUST		
	FUND	326,049	
1566	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND	62,750	
1567	EXPENSES		
	FROM GENERAL REVENUE FUND	736,342	
	FROM ADMINISTRATIVE TRUST FUND	436,757	
	FROM AIR POLLUTION CONTROL TRUST		
	FUND	202,094	
	FROM LAND ACQUISITION TRUST FUND	20,678	
	FROM SOLID WASTE MANAGEMENT TRUST		
	FUND	54,196	
1568	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND	2,876	
1569	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PERMIT FEE TRUST FUND	26,000	

From the funds provided in Specific Appropriation 1569, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1570	SPECIAL CATEGORIES		
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SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	32,327	
	FROM ADMINISTRATIVE TRUST FUND		87,585
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		8,894
1571	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	12,815	
	FROM ADMINISTRATIVE TRUST FUND		3,387
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		4,517
	FROM LAND ACQUISITION TRUST FUND		4,048
	FROM SOLID WASTE MANAGEMENT TRUST		
	FUND		1,607
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	1,578,365	
	FROM TRUST FUNDS		5,055,921
	TOTAL POSITIONS	62.00	
	TOTAL ALL FUNDS		6,634,286
PROGRAM: WATER POLICY AND ECOSYSTEMS RESTORATION			
WATER POLICY AND ECOSYSTEMS RESTORATION			
	APPROVED SALARY RATE	1,492,153	
1572	SALARIES AND BENEFITS		26.00
	POSITIONS		
	FROM ADMINISTRATIVE TRUST FUND		346,550
	FROM FEDERAL GRANTS TRUST FUND		507,458
	FROM LAND ACQUISITION TRUST FUND		1,400,768
1573	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		280,782
	FROM LAND ACQUISITION TRUST FUND		15,000
1574	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND		75,392
	FROM FEDERAL GRANTS TRUST FUND		2,000
	FROM LAND ACQUISITION TRUST FUND		143,427
1575	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - NORTHWEST FLORIDA WATER		
	MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE		
	PERMITTING PROGRAM		
	FROM GENERAL REVENUE FUND	1,851,231	
1576	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - NORTHWEST FLORIDA WATER		
	MANAGEMENT DISTRICT - OPERATIONS		
	FROM GENERAL REVENUE FUND	3,360,000	
1577	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SUWANNEE RIVER WATER		
	MANAGEMENT DISTRICT - OPERATIONS		
	FROM GENERAL REVENUE FUND	2,287,000	
1578	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SUWANNEE RIVER WATER		
	MANAGEMENT DISTRICT - ENVIRONMENTAL		
	RESOURCE PERMITTING		
	FROM GENERAL REVENUE FUND	453,000	
1579	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SUWANNEE RIVER WATER		
	MANAGEMENT DISTRICT - PAYMENT IN LIEU OF		
	TAXES		
	FROM GENERAL REVENUE FUND	352,909	
1580	AID TO LOCAL GOVERNMENTS		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

GRANTS AND AIDS - WATER MANAGEMENT
DISTRICTS - LAND MANAGEMENT
FROM LAND ACQUISITION TRUST FUND 12,737,210

From the funds in Specific Appropriation 1580, \$1,610,000 is provided to the Northwest Florida Water Management District, \$1,777,210 is provided to the Suwannee River Water Management District, \$2,750,000 is provided to the St. Johns Water Management District, \$2,750,000 is provided to the Southwest Florida Water Management District, and \$3,850,000 is provided to the South Florida Water Management District.

1581 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT
DISTRICTS - MPLS
FROM LAND ACQUISITION TRUST FUND 1,500,000

Funds in Specific Appropriation 1581 are provided to the Northwest Florida Water Management District for activities related to establishing minimum flows and levels.

1582 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 5,000

1583 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM LAND ACQUISITION TRUST FUND 3,000

1584 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND 4,239

1584A SPECIAL CATEGORIES
GRANTS AND AIDS - OCEAN RESEARCH AND
CONSERVATION ASSOCIATION - KILROY
MONITORING SYSTEMS
FROM LAND ACQUISITION TRUST FUND 250,000

1585 SPECIAL CATEGORIES
GRANTS AND AIDS - INDIAN RIVER LAGOON AND
LAKE OKEECHOBEE BASIN - OPERATIONS
FROM LAND ACQUISITION TRUST FUND 350,000

1586 SPECIAL CATEGORIES
TRANSFER TO THE SOUTH FLORIDA WATER
MANAGEMENT DISTRICT - DISPERSED WATER
STORAGE
FROM LAND ACQUISITION TRUST FUND 5,000,000

1586A SPECIAL CATEGORIES
TRANSFER TO THE SOUTH FLORIDA WATER
MANAGEMENT DISTRICT - CITY OF LAUDERHILL
PARKWAY PARK / NORTH FORK OF NEW RIVER
FROM GENERAL REVENUE FUND 850,000

The funds in Specific Appropriation 1586A are provided to the South Florida Water Management District for the design of a new linear parkway park along the North Fork of the New River to connect the greenway system in the City of Lauderhill. The South Florida Water Management District shall begin project design no later than October 1, 2016.

1587 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 998
FROM LAND ACQUISITION TRUST FUND 4,397

1587A SPECIAL CATEGORIES
TRANSFER TO SAVE OUR EVERGLADES TRUST FUND
FROM LAND ACQUISITION TRUST FUND 100,000,000

1588 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM LAND ACQUISITION TRUST FUND 27,700,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

Funds in Specific Appropriation 1588 are provided to the Department of Environmental Protection to be transferred to the South Florida Water Management District for land acquisition necessary for the construction of the Lake Hicpochee North Hydrologic Enhancement Project, the Picayune Strand Restoration Project, and the Biscayne Bay Coastal Wetlands Project.

1589 FIXED CAPITAL OUTLAY
DEBT SERVICE - SAVE OUR EVERGLADES BONDS
FROM LAND ACQUISITION TRUST FUND 25,750,078

Funds provided in Specific Appropriation 1589 are for Fiscal Year 2016-2017 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

1589A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AID TO WATER MANAGEMENT DISTRICTS-LAND
ACQUISITION
FROM GENERAL REVENUE FUND 1,500,000

The funds in Specific Appropriation 1589A are provided to the Southwest Florida Water Management District for the Heritage Lake Estates Conservation Easement in Pasco County for flood protection.

1590 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EVERGLADES RESTORATION
FROM SAVE OUR EVERGLADES TRUST
FUND 100,000,000
FROM LAND ACQUISITION TRUST FUND 32,000,000

From the funds in Specific Appropriation 1590, \$32,000,000 from the Land Acquisition Trust Fund is provided for the Restoration Strategies Regional Water Quality Plan.

From the funds in Specific Appropriation 1590, \$73,340,213 in nonrecurring funds and \$26,659,787 in recurring funds from the Save Our Everglades Trust Fund are provided for the planning, design, engineering and construction of the Comprehensive Everglades Restoration Plan (CERP).

From the Save Our Everglades Trust Fund in Specific Appropriation 1590, by December 1, 2016, the South Florida Water Management District shall provide a written report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing a recommended implementation plan addressing the objectives of CERP. The plan shall include a recommended schedule for sequencing projects through Fiscal Year 2034-2035 based on the assumption that the district will receive an annual appropriation equal to the amount provided in Specific Appropriation 1590 for Everglades Restoration from the Land Acquisition Trust Fund. The plan shall be consistent with CERP and based on the best available scientific, technical, funding, contracting, and project interdependencies. The plan must also comply with the scheduling and sequencing factors required to develop the Master Implementation Sequencing Plan required under 33 CFR 385.30 when identifying project components, including but not limited to, projects that involve water conveyance, treatment, and storage. In developing the plan, the district must comply with the provisions of sections 373.1501 and 373.026(8), Florida Statutes. The plan shall not recommend non-CERP projects or the use of eminent domain for any projects that may require land acquisition.

1590A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NORTHERN EVERGLADES AND ESTUARIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
 SPECIFIC
 APPROPRIATION
 PROTECTION
 FROM GENERAL REVENUE FUND 1,706,131
 FROM LAND ACQUISITION TRUST FUND 55,131,903

From the funds in Specific Appropriation 1590A, \$55,131,903 from the Land Acquisition Trust Fund and \$1,706,131 from the General Revenue Fund shall be used to implement the Northern Everglades and Estuaries Protection Program, as set forth in section 373.4595, Florida Statutes. No less than \$47,838,034 of the funds provided in Specific Appropriation 1590A shall be used to implement the Northern Everglades and Estuaries Protection Program, as set forth in section 373.4595, Florida Statutes, through public-private partnerships as provided in section 373.4591, Florida Statutes.

From the funds in Specific Appropriation 1590A, to address the state of emergency for Lee, Martin, and St. Lucie counties declared by Governor Rick Scott in Executive Order Number 16-59 issued on February 26, 2016, first consideration shall be given to projects that will efficiently and effectively provide relief from discharges to the St. Lucie and Caloosahatchee Rivers and estuaries. Public-private partnerships for water storage and water quality improvements that can be implemented expeditiously shall receive priority consideration for funding.

1590B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
 GRANTS AND AIDS - C-51 RESERVOIR IMPLEMENTATION
 FROM GENERAL REVENUE FUND 2,000,000

1590C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
 GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - LOCAL GOVERNMENT FIXED CAPITAL OUTLAY RELOCATION ASSISTANCE
 FROM GENERAL REVENUE FUND 350,000

From the funds in Specific Appropriation 1590C, \$350,000 in nonrecurring funds from the General Revenue Fund is provided for engineering and design assistance for local governments that are required to relocate roads, bridges, or other access structures as a result of the implementation of the South Florida Water Management District 50-year capital improvement plan. Priority funding shall be given to access relocation projects that are part of the rehabilitation of Central and South Florida Flood Control Project structures that have been evaluated and determined to no longer provide sufficient levels of service for either flood protection or water supply, and are deemed to be well past their life expectancy.

TOTAL: WATER POLICY AND ECOSYSTEMS RESTORATION
 FROM GENERAL REVENUE FUND 14,710,271
 FROM TRUST FUNDS 363,208,202

TOTAL POSITIONS 26.00
 TOTAL ALL FUNDS 377,918,473

PROGRAM: WATER RESTORATION ASSISTANCE

WATER RESTORATION ASSISTANCE

APPROVED SALARY RATE 2,519,500

1592 SALARIES AND BENEFITS POSITIONS 51.00
 FROM FEDERAL GRANTS TRUST FUND 2,437,280
 FROM LAND ACQUISITION TRUST FUND 958,946
 FROM MINERALS TRUST FUND 250,942
 FROM WATER QUALITY ASSURANCE TRUST FUND 185,093

1593 OTHER PERSONAL SERVICES
 FROM WATER QUALITY ASSURANCE TRUST FUND 10,000

1594 EXPENSES
 FROM LAND ACQUISITION TRUST FUND 248,773

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
 SPECIFIC
 APPROPRIATION
 FROM MINERALS TRUST FUND 5,000
 FROM WATER QUALITY ASSURANCE TRUST FUND 66,700

1595 OPERATING CAPITAL OUTLAY
 FROM LAND ACQUISITION TRUST FUND 4,597

1596 SPECIAL CATEGORIES
 WATER QUALITY MANAGEMENT/PLANNING GRANTS
 FROM FEDERAL GRANTS TRUST FUND 382,000

1597 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
 FROM FEDERAL GRANTS TRUST FUND 11,696
 FROM LAND ACQUISITION TRUST FUND 3,784
 FROM MINERALS TRUST FUND 1,032
 FROM WATER QUALITY ASSURANCE TRUST FUND 1,032

1597A FIXED CAPITAL OUTLAY
 LAKE APOPKA RESTORATION
 FROM LAND ACQUISITION TRUST FUND 5,082,846
 FROM WATER QUALITY ASSURANCE TRUST FUND 2,000,000

Funds in Specific Appropriation 1597A are provided to the Department of Environmental Protection and may be transferred to the Fish and Wildlife Conservation Commission and/or the St. Johns River Water Management District for Lake Apopka restoration.

Funds in Specific Appropriation 1597A from the Water Quality Assurance Trust Fund are supported from interest earnings transferred from the Inland Protection Trust Fund as authorized in s. 376.3071(9), F.S.

1598 FIXED CAPITAL OUTLAY
 NON-MANDATORY LAND RECLAMATION PROJECTS
 FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 3,184,000

1599 FIXED CAPITAL OUTLAY
 RESTORE ACT - DEEPWATER HORIZON OIL SPILL
 FROM FEDERAL GRANTS TRUST FUND 8,704,800

1599A FIXED CAPITAL OUTLAY
 NATIONAL FISH AND WILDLIFE FOUNDATION - DEEPWATER HORIZON OIL SPILL
 FROM GRANTS AND DONATIONS TRUST FUND 500,000

1599B FIXED CAPITAL OUTLAY
 NATURAL RESOURCE DAMAGE RESTORATION - FINAL RESTORATION - DEEPWATER HORIZON OIL SPILL
 FROM COASTAL PROTECTION TRUST FUND 500,000

1600 FIXED CAPITAL OUTLAY
 SPRINGS RESTORATION
 FROM LAND ACQUISITION TRUST FUND 50,000,000

Funds in Specific Appropriation 1600 may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs. The department, in conjunction with the water management districts and the Department of Agriculture and Consumer Services, shall submit an annual progress report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2016, on the status of each total maximum daily load, basin management action plan, minimum flow or minimum water level, recovery or prevention strategy and implementation of best management practices for all first magnitude springs and additional springs the department determines to be of statewide or regional significance.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

1600A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - WATER PROJECTS FROM GENERAL REVENUE FUND 81,764,005

From the funds in Specific Appropriation 1600A, \$81,764,005 in nonrecurring funds from the General Revenue Fund is provided for the following water projects:

Table listing water projects and their costs, including Alachua County Newmans Lake Improvement Project (456,000), ALICO Dispersed Water (250,000), Altamonte Springs Advanced Wastewater Treatment (750,000), Apollo Beach Waterway Improvement (100,000), Apopka Orange County Potable Water Service Installations (250,000), Archer Collection and Treatment System (650,000), Aventura NE 191st Street Stormwater Retrofits (300,000), Bal Harbour Village Stormwater System Improvements (500,000), Bartow Water Reclamation Facility Phase 3 SBR 4th Tank Design and Construction Expansion (400,000), Belle Glade NW 3rd Street Corridor Stormwater Conveyance Improvements (350,000), Belleview SE 132nd St. Rd. Water & Sewer Extension (250,000), Blountstown Wastewater Effluent (700,000), Bowling Green Wastewater Plant Effluent Disposal Improvements (385,000), Brevard County Groundwater Remediation (1,000,000), Brevard County Johnson Jr. High School Stormwater Pond Denitrification and Phosphorus Reduction (122,350), Brevard County Merritt Island Inflow and Infiltration (272,500), Brevard County Pines Industrial Stormwater Pond Denitrification and Phosphorus Reduction (71,200), Brevard County Scottsmoor Denitrification System (437,000), Brevard County South Beaches Inflow & Infiltration (300,000), Brevard County Treatment of Fresh Water Discharges to the Indian River Lagoon (700,000), Brevard County-Brevard Zoo-Florida Institute of Technology - Restoring Natural Filtration Systems (700,000), Brooksville Saxon Brook Drainage Corrections Phase II (125,000), Cape Coral Catch Basin Replacement (350,000), Cedar Key Water and Sewer District Water Plant (450,000), Charlotte County East and West Spring Lakes Central Sewer Expansion (500,000), Charlotte County Sunshine Lake Floating Treatment Wetlands (125,000), Chatahochee Waterline Replacement (400,000), Clearwater Sewer System Expansion Project (250,000), Clermont Alternative Water Supply Sunburst LFA Wells (500,000), Clermont West Lake Stormwater (500,000), Coconut Creek Wastewater Pipe Rehabilitation Project (100,000), Columbia County Ellisville WWTP Collection System Expansion (500,000), Coral Gables Miracle Mile and Giralda Avenue Drainage (200,000), Coral Springs Stormwater Improvements at Corporate Park (100,000), Coral Springs Water Quality Improvements (75,000), Cutler Bay Point Royal Water Quality Improvement (200,000), Dade City Stormwater Retrofit (400,000), Dania Beach Water Main Replacement (200,000), Delray Beach Reclaimed Water System Expansion Area 12-C (300,000), Deltona Lower Floridan Aquifer Water Treatment Plant - Final Design (300,000), DeSoto County Water-Sewer Extension US 17 (500,000), Doral Stormwater Improvements at Sub-Basin H-8 (750,000), East Palatka Drainage Cleaning Project (300,000), El Portal Septic to Sewer Project (200,000), Englewood Water District Sewer Expansion Project (350,000), Eustis East Wastewater Plant Expansion (750,000), Fanning Springs Wastewater System Extensions Phase II & III (300,000), Fernandina Beach North Fletcher Basin Area Stormwater Treatment (900,000), Flagler Beach Ocean Palm Stormwater Improvement Plan Project (200,000), Flagler County Malacompra Basin (300,000), Flagler County Utility Water and Wastewater Project (2,000,000), Florida City Krome Avenue Water Line (113,425), Fort Lauderdale River Oaks Preserve (500,000), Fort Lauderdale Stormwater Drainage Program (500,000), Fort Walton Beach Stormwater Improvements on

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Table listing water projects and their costs, including Anchors Street NW (200,000), Frostproof Polk Regional Water Supply Development - Frostproof Water CIP Implementation (275,000), Fruitland Park Capital Lift Station and Force Main (250,000), Fruitland Park Lady Lake Wastewater Interconnection (500,000), Green Cove Springs Historic Spring Park (250,000), Groveland Eagle Ridge Phase 3 Reclaim Water Project (500,000), Groveland PD&E (3,000,000), Hallandale Beach Reuse Irrigation Project (200,000), Hardee County Regional Wastewater Service Improvements Phase 4 (755,000), Hawthorne Downtown Water Main Replacement Phase II (250,000), Hendry County Wastewater Infrastructure on US27-SR80 - Phase Two (250,000), Hernando County Hunter's Lake Clean-up (200,000), Holley By the Sea Camden Road Outfall Improvements (650,000), Hollywood Water Main Replacement (200,000), Homestead Racetrack Water Tower Pump Station (500,000), Howey-in-the-Hills Development and Wastewater (400,000), Indian River County Pilot Aquatic Plant-Based Pollutant Removal System Project (150,000), J.W. Corbett Levee (500,000), Jacksonville Arboretum Stormwater Improvement (250,000), Jacksonville Jullington/Cormorant Stormwater Improvement (202,450), Jay Water Well Maintenance and Stormwater System (275,000), Key Biscayne K-8 Stormwater Improvement Phase 1 (525,000), Kings Bay Restoration (1,400,000), LaBelle Ft. Thompson Water Quality Improvement Project (200,000), Lafayette County CR 300 Flood and Stormwater (425,000), Lake County Magnolia Lane Water Quality Retrofit Lake Harris Basin (350,000), Lake Manatee Water Supply and Water Quality Improvement Phase 2 (345,000), Lake Region Lakes Water Control Structures (500,000), Lake Wales West SR 60 Expansion (250,000), Lake Worth Lagoon Initiative (2,000,000), Lakeland Seven Wetlands Wastewater Treatment Facility (450,000), Lantana ICW Subaqueous Water Main Crossing Replacement Project (350,000), Lantana Lift Stations 1, 3, 4, & 9 Electrical Upgrades (150,000), Lauderdale Lakes Stormwater Conveyance and Water Quality Improvement Project (500,000), Lauderdale Lakes Water Pollutant Reduction Tactics Project (200,000), Lauderdale Lift Station 2 Rehabilitation Project (250,000), Lee County Hendry Creek West Branch Restoration (475,000), Lee County Lakes Park Littoral Zone Project (200,000), Lee County Sunniland/Nine Mile Run Drainage Improvement Project (300,000), Loxahatchee River Preservation Initiative (1,050,000), Lynn Haven Reuse Improvements (250,000), Lynn Haven Water System Improvements (287,500), Mangrove Park Water Quality and Access Improvements (800,000), Marco Island Stormwater Master Plan Drainage Improvements (299,140), Marco Shores Alternative Water Solution (750,000), Margate Lemon Tree Lake Water Quality Improvement Project (100,000), Margate Sewer Piping Rehabilitation Phase II (200,000), Martin County All American Ditch Stormwater Quality Retrofit Project (700,000), Mary Esther Masterlift Station (1,000,000), Medley Seawall Repair & Expansion (600,000), Merritt Island High School Sykes Creek Drainage Project (1,240,000), Miami Beach Water Line Replacement on Alton Road from Michigan Ave to North Bay Rd (250,000), Miami Beach Water Line Replacement on Alton Road From 43rd St. to 63rd St. (250,000), Miami Gardens NW 34 Court and NW 203 Street Drainage Project (150,000), Miami Gardens Vista Verde Drainage Improvement Project (250,000), Miami Lakes West Lakes Drainage Improvements Phase B, C, and D (400,000), Miami Springs Study, Erosion Control and Stabilization of Drainage Canals (700,000), Miami Wagner Creek-Seybold Canal Dredging Restoration Project (250,000)

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Miami-Dade County NW 12 Street & NW 117 Ave Flood Control Structures Improvements.....	33,750
Miami-Dade County NW 58 Street and NW 117 Ave Flood Control Structures Improvements.....	225,000
Miami-Dade Water Service Connections.....	452,977
Midway Sewer Phase 1 Design.....	150,000
Miramar Flamingo Road Reclaimed Water Distribution System Expansion.....	500,000
Monticello Water Losses Project.....	270,000
Moore Haven Avenue R Caloosahatchee River Stormwater Conveyance and Improvements.....	500,000
Mount Dora Britt Road Reclaimed Water Extension.....	500,000
Naples Park Area/Basin Infrastructure Phase II.....	750,000
New Smyrna Beach - Isleboro Stormwater Master Plan.....	250,000
Noma Elevated Water Storage Tank Renovation.....	112,000
North Bay Village Phase II Stormwater Retrofit.....	225,000
North Bay Wastewater Reuse.....	1,000,000
North Lauderdale Automatic Meter Reading System.....	250,000
North Miami Arch Creek North/South Drainage Improvements - Basin C.....	696,750
North Miami Beach 19th Avenue Business District Sewering....	350,000
North Miami Tressler Street Drainage Improvement.....	225,000
North Port Inflow & Infiltration Program.....	420,000
North Port Lift Station Rehabilitation.....	272,000
Oakland Park Mainstreet Drainage Improvement.....	225,000
Oakland Wastewater Collection System.....	1,000,000
Okeechobee Utility Authority Pine Ridge Park Wastewater System Improvements.....	350,000
Orange City Blue Spring Nutrient Reduction.....	750,000
Orange County Central Florida Regional Water Supply Booster Pump Station.....	150,000
Orange County Lake Lawne C-6 Reuse Pond.....	250,000
Ormond Beach Laurel Creek and Wilmette Ave. Stormwater Pump Station Improvements.....	351,000
Ormond Beach S. Peninsula Reclaimed Water Main Extension....	500,000
Osceola County Lake Toho - Northern Everglades Restoration..	750,000
Palm Bay Stormwater Treatment at City Marina in High-Tech Corridor.....	400,000
Palm Beach County Lake Region Water Infrastructure Improvement Project.....	1,500,000
Palm Beach Gardens Stormwater Maintenance Repairs And Operations Program.....	300,000
Palm Coast WTP#2 Wellfield Expansion.....	200,000
Palmetto Bay Drainage Sub-Basin 59-60.....	250,000
Peace River Manasota Regional Pipelines/Integrated Loop System.....	500,000
Pembroke Park John P. Lyons Lane Stormwater Pumping Station Project.....	200,000
Penney Farms Sewer Update.....	328,200
Pensacola IHMC Stormwater Retention Treatment and Detention..	750,000
Pinellas Park 98th Avenue Pond Improvements.....	100,000
Pinellas Park Technical Services Pond Improvements.....	100,000
Plant City Stormwater Asset Management Plan.....	500,000
Polk County Peace River MFL Augmentation.....	50,000
Port St. Joe Jones Homestead Sewer Project.....	250,000
Royal Palm Beach Canal System Rehabilitation Project.....	200,000
Sanford Nutrient Reduction Lake Jessup & Lake Monroe Watersheds.....	300,000
Sanibel Donax Wastewater Reclamation Facility Denitrification Modifications.....	450,000
Sanibel Donax Wastewater Reclamation Facility Plant 1 Upgrades Project.....	375,000
Sarasota County Dona Bay Watershed Restoration Project Phase III.....	225,000
Sarasota County Siesta Key Master Pump Station and Force Main.....	225,000
Silver Springs Stormwater Nutrient Reduction.....	250,000
South Daytona Jones Street Stormwater Project.....	200,000
South Miami Twin Lakes Sanitary Sewer Expansion.....	200,000
Southwest Ranches Country Estates Drainage Improvement Project.....	145,000
St. Augustine Port, Waterway, and Beach District Summerhaven River Restoration Project.....	2,885,005
St. Augustine West Augustine Sewer Expansion.....	200,000

St. Lucie County Paradise Park Stormwater Improvements Phase 5A.....	225,000
St. Petersburg Beach Blind Pass Road Stormwater Redesign....	500,000
Sunny Isles Beach Central Island-Golden Shores Drainage.....	400,000
Sunrise Stormwater Master Plan.....	450,000
Surfside 92nd St. Seawall Replacement.....	100,000
Sweetwater Phase IIB North Stormwater Improvements.....	186,598
Sweetwater Stormwater Improvements NW 108th Avenue (North) - Phase 1.....	200,000
Tallahassee Lower Central Drainage Ditch Erosion Control Phase I.....	500,000
Tamarac Culvert and Headwall Improvement Project.....	400,000
Titusville Eliminating Nutrients from Knox McRae Watershed for a Healthier Indian River Lagoon.....	105,000
Umatilla Stormwater Master Plan.....	125,000
Umatilla Water System Rehabilitation.....	250,000
Valparaiso Manhole Rehabilitation.....	100,000
Venice Eastgate Water Distribution Improvement & Relocation Phase 1.....	500,000
Volusia County Water Supply for the Protection of Blue Spring.....	200,000
Walton County Stormwater Improvements on Scenic Highway 30-A (Phase I Design).....	400,000
Wauchula Stormwater Conveyance and Improvements.....	450,000
Webster NW 8th Avenue Gravity Collection System.....	750,000
Wekiva Basin Bear Lake Chain of Lakes.....	500,000
West Miami Potable Phase 1.....	300,000
West Palm Beach Currie Park Water Quality and Low Impact Development Retrofits.....	175,000
West Park Stormwater Upgrades.....	500,000
Wildwood North Well Water Treatment and Storage.....	724,160
Winter Haven Stormwater Assessment and Improvement.....	400,000
Zolfo Springs Water Improvement.....	395,000

1601 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS		
FROM GENERAL REVENUE FUND	5,000,000	
FROM FEDERAL GRANTS TRUST FUND		8,500,000

1602 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY BEACH PROJECTS - STATEWIDE		
FROM GENERAL REVENUE FUND	11,402,500	
FROM LAND ACQUISITION TRUST FUND		21,159,924

Funds in Specific Appropriation 1602 are provided to the Department of Environmental Protection's Beach Management Funding Assistance Program (BMFAP) Local Government Funding Requests for Fiscal Year 2016-2017, from the Beach Restoration and Nourishment Projects List for projects one through seventeen, excluding project number ten, which has not secured a local cost share pursuant to section 161.101(15) Florida Statutes, and is not ready to proceed. In order to maximize time sensitive 2016 federal dollars, funds in Specific Appropriation 1602 are provided to project number twenty-seven.

From the funds in Specific Appropriation 1602, \$932,976 is provided for post-construction monitoring projects identified in the Department of Environmental Protection's Beach Management Funding Assistance Program for Fiscal Year 2016-2017 monitoring costs and activities, and no funds are provided for post-construction monitoring costs beyond year three or for projects receiving construction funds in Fiscal Year 2016-2017.

Funds in Specific Appropriation 1602 shall not be provided for any activities related to beach renourishment utilizing offshore sand sources from Martin and St. Lucie counties for the Miami Beach Segment/Dade County Shore Protection Project. Any funds in Specific Appropriation 1602 to the Miami Beach Segment/Dade County Shore Protection Project included in the Department of Environmental Protection's Beach Management Funding Assistance Program Fiscal Year 2016-2017 Local Government Funding Requests may only utilize upland sand sources.

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From the funds in Specific Appropriation 1602, \$492,500 is provided for the Port Everglades Inlet Management Plan Implementation project included in the Department of Environmental Protection's Beach Management Funding Assistance Program Local Government Funding Requests for Fiscal Year 2016-2017.

Table with 3 columns: Line Item, Description, Amount. Includes items 1603, 1604, 1604A, and 1605 with various grant and revenue fund details.

From the funds in Specific Appropriation 1605, \$2,000,000 is provided to publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than 3 MGD and must remain in operation during cleaning to avoid the discharge of untreated wastewater.

Table with 3 columns: Line Item, Description, Amount. Includes item 1605A: BREVARD COUNTY MUCK DREDGING.

Funds in Specific Appropriation 1605A are provided to Brevard County for removal of muck from the Central and Northern Indian River Lagoon and the Banana River.

Summary table for Section 5 with 3 columns: Description, Amount, Total. Includes 'TOTAL: WATER RESTORATION ASSISTANCE' and 'TOTAL POSITIONS'.

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

Table with 2 columns: Description, Amount. Includes 'APPROVED SALARY RATE'.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

Table with 3 columns: Line Item, Description, Amount. Includes items 1607, 1608, 1609, 1610, and 1611 with various salary, service, and category details.

From the funds provided in Specific Appropriation 1611, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

Table with 3 columns: Line Item, Description, Amount. Includes item 1612: SPECIAL CATEGORIES GROUND WATER QUALITY MONITORING NETWORK.

Table with 3 columns: Line Item, Description, Amount. Includes item 1613: SPECIAL CATEGORIES WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT.

Table with 3 columns: Line Item, Description, Amount. Includes item 1614: SPECIAL CATEGORIES EVERGLADES LAB SUPPORT.

Table with 3 columns: Line Item, Description, Amount. Includes item 1615: SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS.

Table with 3 columns: Line Item, Description, Amount. Includes item 1616: SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS.

Table with 3 columns: Line Item, Description, Amount. Includes item 1617: SPECIAL CATEGORIES LABORATORY SERVICES.

Table with 3 columns: Line Item, Description, Amount. Includes item 1618: SPECIAL CATEGORIES.

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CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	250,000	
FROM INLAND PROTECTION TRUST FUND		207,353
FROM SOLID WASTE MANAGEMENT TRUST FUND		207,354
FROM WATER QUALITY ASSURANCE TRUST FUND		31,852
From the funds in Specific Appropriation 1618, \$250,000 in nonrecurring funds from the General Revenue Fund shall be used for National Estuary Program activities necessary to achieve the total maximum daily load adopted by the Department of Environmental Protection for the Indian River and Banana River Lagoons. The Indian River Lagoon National Estuary Program will report to the department annually on use of these funds.		
1619	SPECIAL CATEGORIES	
	HAZARDOUS WASTE CLEANUP	
	FROM SOLID WASTE MANAGEMENT TRUST FUND	312,710
1620	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM FEDERAL GRANTS TRUST FUND	5,000
	FROM LAND ACQUISITION TRUST FUND	64,216
	FROM WATER QUALITY ASSURANCE TRUST FUND	28,114
1621	SPECIAL CATEGORIES	
	U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT	
	FROM WATER QUALITY ASSURANCE TRUST FUND	214,897
1622	SPECIAL CATEGORIES	
	TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH	
	FROM INTERNAL IMPROVEMENT TRUST FUND	500,000
From the funds in Specific Appropriation 1622, the administrative overhead assessment for the University of Florida shall not exceed 10 percent of the appropriation.		
1623	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM FEDERAL GRANTS TRUST FUND	12,417
	FROM INTERNAL IMPROVEMENT TRUST FUND	667
	FROM LAND ACQUISITION TRUST FUND	40,375
	FROM WATER QUALITY ASSURANCE TRUST FUND	13,306
1623A	SPECIAL CATEGORIES	
	TOTAL MAXIMUM DAILY LOADS	
	FROM LAND ACQUISITION TRUST FUND	1,210,000
1624	FIXED CAPITAL OUTLAY	
	TOTAL MAXIMUM DAILY LOADS	
	FROM GENERAL REVENUE FUND	7,435,000
1625	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
	GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS	
	FROM FEDERAL GRANTS TRUST FUND	1,500,000
TOTAL:	WATER SCIENCE AND LABORATORY SERVICES	
	FROM GENERAL REVENUE FUND	8,155,000
	FROM TRUST FUNDS	23,783,690
	TOTAL POSITIONS	201.00
	TOTAL ALL FUNDS	31,938,690

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PROGRAM: WATER RESOURCE MANAGEMENT		
BEACH MANAGEMENT		
	APPROVED SALARY RATE	2,225,763
1627	SALARIES AND BENEFITS POSITIONS	43.00
	FROM LAND ACQUISITION TRUST FUND	2,888,913
1628	OTHER PERSONAL SERVICES	
	FROM LAND ACQUISITION TRUST FUND	237,457
1629	EXPENSES	
	FROM LAND ACQUISITION TRUST FUND	262,329
1630	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM LAND ACQUISITION TRUST FUND	18,827
TOTAL:	BEACH MANAGEMENT	
	FROM TRUST FUNDS	3,407,526
	TOTAL POSITIONS	43.00
	TOTAL ALL FUNDS	3,407,526
WATER RESOURCE MANAGEMENT		
	APPROVED SALARY RATE	8,279,553
1631	SALARIES AND BENEFITS POSITIONS	168.00
	FROM FEDERAL GRANTS TRUST FUND	4,752,445
	FROM LAND ACQUISITION TRUST FUND	450,625
	FROM MINERALS TRUST FUND	1,944,099
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	1,299,900
	FROM PERMIT FEE TRUST FUND	1,639,593
	FROM WATER QUALITY ASSURANCE TRUST FUND	1,698,924
1632	OTHER PERSONAL SERVICES	
	FROM LAND ACQUISITION TRUST FUND	40,000
	FROM MINERALS TRUST FUND	56,565
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	66,716
	FROM WATER QUALITY ASSURANCE TRUST FUND	790,038
1633	EXPENSES	
	FROM FEDERAL GRANTS TRUST FUND	704,060
	FROM LAND ACQUISITION TRUST FUND	93,060
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	350,180
	FROM PERMIT FEE TRUST FUND	440,870
	FROM WATER QUALITY ASSURANCE TRUST FUND	163,228
1634	OPERATING CAPITAL OUTLAY	
	FROM MINERALS TRUST FUND	1,132
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	40,125
1635	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM PERMIT FEE TRUST FUND	104,000

From the funds provided in Specific Appropriation 1635, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

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1636	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND	622,930
1637	SPECIAL CATEGORIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM FROM PERMIT FEE TRUST FUND	139,251
1638	SPECIAL CATEGORIES CONTRACTED SERVICES FROM MINERALS TRUST FUND	20,000
1639	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	1,855,902
1640	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	2,747 13,378 7,922 52,903 10,354
1641	SPECIAL CATEGORIES HABITAT RESTORATION FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	145,610
1642	SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND	76,578
1643	SPECIAL CATEGORIES WATER WELL CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	969,350
1644	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	10,299 11,074 11,440 6,989 6,624 8,108
1645	SPECIAL CATEGORIES WETLANDS PROTECTION FROM FEDERAL GRANTS TRUST FUND	284,459
1645A	FIXED CAPITAL OUTLAY PROCESS WATER TREATMENT TECHNOLOGIES FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	1,000,000
<p>In order to implement Specific Appropriation 1645A, the Department of Environmental Protection shall utilize funds to develop and implement innovative or novel applied technologies for the long-term removal of ammoniated process water.</p>		
1646	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND	2,000,000

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TOTAL: WATER RESOURCE MANAGEMENT FROM TRUST FUNDS	21,891,478
TOTAL POSITIONS	168.00
TOTAL ALL FUNDS	21,891,478
PROGRAM: WASTE MANAGEMENT	
WASTE MANAGEMENT	
APPROVED SALARY RATE	9,242,641
1647 SALARIES AND BENEFITS POSITIONS	184.00
FROM INLAND PROTECTION TRUST FUND	5,093,001
FROM FEDERAL GRANTS TRUST FUND	2,416,161
FROM SOLID WASTE MANAGEMENT TRUST FUND	2,002,682
FROM WATER QUALITY ASSURANCE TRUST FUND	3,632,463
1648 OTHER PERSONAL SERVICES	
FROM INLAND PROTECTION TRUST FUND	23,780
FROM FEDERAL GRANTS TRUST FUND	214,193
FROM SOLID WASTE MANAGEMENT TRUST FUND	142,552
FROM WATER QUALITY ASSURANCE TRUST FUND	12,000
1649 EXPENSES	
FROM INLAND PROTECTION TRUST FUND	552,365
FROM FEDERAL GRANTS TRUST FUND	179,291
FROM SOLID WASTE MANAGEMENT TRUST FUND	277,094
FROM WATER QUALITY ASSURANCE TRUST FUND	436,166
1650 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SOUTHERN WASTE INFORMATION EXCHANGE CLEARING HOUSE FROM SOLID WASTE MANAGEMENT TRUST FUND	300,000
1651 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LOCAL HAZARDOUS WASTE COLLECTION FROM WATER QUALITY ASSURANCE TRUST FUND	509,994
1652 OPERATING CAPITAL OUTLAY	
FROM INLAND PROTECTION TRUST FUND	9,929
FROM SOLID WASTE MANAGEMENT TRUST FUND	44,094
FROM WATER QUALITY ASSURANCE TRUST FUND	11,023
1652A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INLAND PROTECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND	69,000 31,000
1653 SPECIAL CATEGORIES STORAGE TANK COMPLIANCE VERIFICATION FROM INLAND PROTECTION TRUST FUND	5,900,000
1654 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF HEALTH FOR BIOMEDICAL WASTE REGULATION FROM SOLID WASTE MANAGEMENT TRUST FUND	880,000
1655 SPECIAL CATEGORIES CONTRACTED SERVICES FROM INLAND PROTECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND	109,045 4,200

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FROM SOLID WASTE MANAGEMENT TRUST FUND	74,000
FROM WATER QUALITY ASSURANCE TRUST FUND	62,100
1656 SPECIAL CATEGORIES FEDERAL WASTE PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	954,153
1657 SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	1,719,108
1658 SPECIAL CATEGORIES HAZARDOUS WASTE SITES RESTORATION FROM FEDERAL GRANTS TRUST FUND . . .	1,710,385
1659 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - MOSQUITO CONTROL PROGRAM FROM SOLID WASTE MANAGEMENT TRUST FUND	2,660,000
1660 SPECIAL CATEGORIES DRYCLEANING CONTAMINATION CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	90,000
1661 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INLAND PROTECTION TRUST FUND FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	27,224 10,994 19,461
1662 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE - ADMINISTRATION OF LEAD ACID BATTERY FEE FROM WATER QUALITY ASSURANCE TRUST FUND	231,092
1663 SPECIAL CATEGORIES TRANSFER TO UNIVERSITY OF FLORIDA - RESEARCH AND TESTING FROM SOLID WASTE MANAGEMENT TRUST FUND	700,000
1664 SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	5,624,541 3,092,467
1665 SPECIAL CATEGORIES LOCAL GOVERNMENT CLEANUP CONTRACTING FROM INLAND PROTECTION TRUST FUND	14,000,000
1666 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INLAND PROTECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	29,960 10,170 10,197 20,818
1667 SPECIAL CATEGORIES TRANSFER TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - OPERATION CLEAN SWEEP	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM SOLID WASTE MANAGEMENT TRUST FUND	100,000
1668 FIXED CAPITAL OUTLAY DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	8,500,000
1669 FIXED CAPITAL OUTLAY CLEANUP OF STATE OWNED LANDS FROM INLAND PROTECTION TRUST FUND	1,000,000
1669A FIXED CAPITAL OUTLAY WASTE TIRE ABATEMENT FROM SOLID WASTE MANAGEMENT TRUST FUND	750,000
1670 FIXED CAPITAL OUTLAY SOLID WASTE LANDFILL CLOSURES FROM SOLID WASTE MANAGEMENT TRUST FUND	1,000,000
1671 FIXED CAPITAL OUTLAY PETROLEUM TANKS CLEANUP FROM INLAND PROTECTION TRUST FUND	118,000,000
<p>From the funds in Specific Appropriation 1671, up to \$5,000,000 in nonrecurring funds from the Inland Protection Trust Fund may be used by the Department of Environmental Protection for cleanup of petroleum contamination sites using contractors that employ non-traditional or innovative technologies approved by the department. During Fiscal Year 2016-2017, the department shall identify at least one petroleum contamination site that is conducive to rehabilitation using such non-traditional or innovative petroleum cleanup technologies. The department shall select contractors that employ such non-traditional or innovative technologies, using a competitive solicitation process, to perform the site rehabilitation. Within 180 days after completion of the site rehabilitation work for the site(s) selected by the department as required above, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing each site selected for rehabilitation using such non-traditional or innovative technology and the result of the rehabilitation. Specifically, the report shall detail the level of cleanup achieved, the length of time that it took to achieve a no further action order or to meet an established cleanup target level, and the overall cost of the rehabilitation.</p>	
1672 FIXED CAPITAL OUTLAY HAZARDOUS WASTE CONTAMINATED SITE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	4,500,000
1673 FIXED CAPITAL OUTLAY DEBT SERVICE - INLAND PROTECTION FINANCING CORPORATION FROM INLAND PROTECTION TRUST FUND	9,782,850
<p>Funds in Specific Appropriation 1673 are for Fiscal Year 2016-2017 debt service on bonds pursuant to Specific Appropriation 1733, chapter 2009-81, Laws of Florida, and any administrative expenses of the Inland Protection Financing Corporation for the purpose of rehabilitation of petroleum contamination sites pursuant to sections 376.30 through 376.317, Florida Statutes.</p>	
1674 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SOLID WASTE MANAGEMENT FROM SOLID WASTE MANAGEMENT TRUST FUND	3,000,000
1674A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - MOUNT DORA BIOSOLIDS	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

DRYING PROJECT		
FROM GENERAL REVENUE FUND	600,000	
1674B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - OSBORNE REEF WASTE TIRE REMOVAL - BROWARD COUNTY FROM SOLID WASTE MANAGEMENT TRUST FUND		1,800,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FUND	206,714
FROM STATE PARK TRUST FUND	250,000
1682 SPECIAL CATEGORIES LAND MANAGEMENT FROM LAND ACQUISITION TRUST FUND	1,625,876
1683 SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE PARK TRUST FUND	950,000

From the funds in Specific Appropriation 1674B, \$1,800,000 in nonrecurring funds from the Solid Waste Management Trust Fund is provided for the removal of tires from Osborne Reef in Broward County through the deployment of technologies that will minimize the long-term costs to the state of completing this project while ensuring the protection of the reef system. Priority consideration shall be given to "source control" by complementing the ongoing hand removal of tires from the reef with technologies capable of efficiently and significantly reducing the risk of migration of tires into areas already restored. By December 31, 2016, the department, in consultation with Broward County, shall provide an assessment to determine environmental benefits from the tire removal program and recommendations going forward to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

From the funds in Specific Appropriation 1683, \$950,000 of nonrecurring funds from the State Parks Trust Fund is provided to the Department of Environmental Protection for the State Parks Point of Sale System project. These funds shall be placed in reserve. Contingent upon the submission of an approved implementation plan that identifies and recommends a point of sale solution that will (1) standardize the various methods of processing payments, (2) interface with the current reservation system, and (3) provide statewide management reporting, and pursuant to the provisions of chapter 216, Florida Statutes, the department is authorized to submit a budget amendment(s) for release of the funds being held in reserve. At a minimum, the implementation plan shall include a cost summary, deployment plan, technology plan, risk assessment, project milestones and schedule.

TOTAL: WASTE MANAGEMENT

FROM GENERAL REVENUE FUND	600,000	
FROM TRUST FUNDS		202,329,553
TOTAL POSITIONS	184.00	
TOTAL ALL FUNDS		202,929,553

The Department of Environmental Protection shall submit an operational work plan updated on a biannual basis to the Executive Office of the Governor's Office of Policy and Budget, the chair of the Senate Committee on Appropriations, and the chair of the House of Representatives Appropriations Committee. The department shall submit biannual project status reports reporting progress made to date for each project milestone, actual costs incurred, and any current project issues and risks being managed.

PROGRAM: RECREATION AND PARKS

STATE PARK OPERATIONS

APPROVED SALARY RATE	33,415,077	
1675 SALARIES AND BENEFITS POSITIONS 992.50		
FROM INTERNAL IMPROVEMENT TRUST FUND	72,500	
FROM LAND ACQUISITION TRUST FUND	27,949,782	
FROM STATE PARK TRUST FUND	19,346,960	
1676 OTHER PERSONAL SERVICES		
FROM STATE PARK TRUST FUND	4,320,637	
1677 EXPENSES		
FROM INTERNAL IMPROVEMENT TRUST FUND	10,048	
FROM LAND ACQUISITION TRUST FUND	84,550	
FROM STATE PARK TRUST FUND	13,569,600	
1678 OPERATING CAPITAL OUTLAY		
FROM STATE PARK TRUST FUND	80,986	
1679 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE PARK TRUST FUND	1,770,000	

1684 SPECIAL CATEGORIES AMERICORPS PROGRAM FROM FEDERAL GRANTS TRUST FUND	621,926
1685 SPECIAL CATEGORIES OUTSOURCING/PRIVATIZATION FROM STATE PARK TRUST FUND	5,438,591
1686 SPECIAL CATEGORIES MANAGEMENT OF WATER CONTROL STRUCTURES FROM STATE PARK TRUST FUND	150,000
1687 SPECIAL CATEGORIES CONTROL OF INVASIVE EXOTICS FROM STATE PARK TRUST FUND	314,854
1688 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND FROM STATE PARK TRUST FUND	1,761,518 1,215,025
1689 SPECIAL CATEGORIES GREENWAYS CARL MANAGEMENT FUNDING FROM LAND ACQUISITION TRUST FUND	2,207,436
1690 SPECIAL CATEGORIES LAND USE PROCEEDS DISBURSEMENTS FROM STATE PARK TRUST FUND	800,000

From the funds provided in Specific Appropriation 1679, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1680 SPECIAL CATEGORIES DISTRIBUTION OF SURCHARGE FEES FROM STATE PARK TRUST FUND	800,000
1681 SPECIAL CATEGORIES DISBURSE DONATIONS FROM GRANTS AND DONATIONS TRUST	

1691 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND FROM STATE PARK TRUST FUND	344 225,422 161,451
1692 FIXED CAPITAL OUTLAY STATE PARK FACILITY IMPROVEMENTS	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

FROM GENERAL REVENUE FUND 450,000
FROM LAND ACQUISITION TRUST FUND 15,000,000

From the funds in Specific Appropriation 1692, \$450,000 in nonrecurring funds from the General Revenue Fund is provided for the Lovers Key State Park Environmental Education Center.

1694 FIXED CAPITAL OUTLAY
LONG KEY STATE PARK
FROM STATE PARK TRUST FUND 1,000,000

1695 FIXED CAPITAL OUTLAY
BAHIA HONDA STATE PARK
FROM STATE PARK TRUST FUND 3,500,000

1696 FIXED CAPITAL OUTLAY
REMOVE ACCESSIBILITY BARRIERS - STATEWIDE
FROM GENERAL REVENUE FUND 4,000,000

1697 FIXED CAPITAL OUTLAY
GRANTS AND DONATIONS SPENDING AUTHORITY
FROM FEDERAL GRANTS TRUST FUND 4,000,000
FROM GRANTS AND DONATIONS TRUST FUND 2,000,000

1698 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FEDERAL LAND AND WATER CONSERVATION FUND GRANTS
FROM FEDERAL GRANTS TRUST FUND 3,000,000

1698A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS
FROM GENERAL REVENUE FUND 10,000,000
FROM LAND ACQUISITION TRUST FUND 400,000

From the funds in Specific Appropriation 1698A, \$3,000,000 of nonrecurring funds from the General Revenue Fund is provided to fund projects that provide recreational enhancements and opportunities for individuals with disabilities; \$7,000,000 of nonrecurring funds in the General Revenue Fund is provided for all of the small development projects, and the remainder of that amount is provided for the first two large development projects on the Florida Recreation Development Assistance Program (FRDAP) 2016-17 Combined Applicant Priority List; and \$400,000 of nonrecurring funds from the Land Acquisition Trust Fund is provided for the following four large development projects on the Florida Recreation Development Assistance Program (FRDAP) 2016-17 Combined Applicant Priority List:

Clearwater McMullen Tennis Foundation..... 100,000
Eustis Sunset Park Phase I..... 100,000
Seminole Waterfront Park..... 100,000
Clearwater Countryside Sports Complex Renovation Expansion.. 100,000

1699 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATIONAL RECREATIONAL TRAIL GRANTS
FROM FEDERAL GRANTS TRUST FUND 2,500,000

1699A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LOCAL PARKS
FROM GENERAL REVENUE FUND 2,550,000
FROM LAND ACQUISITION TRUST FUND 130,000

From the funds in Specific Appropriation 1699A, \$2,250,000 in nonrecurring funds from the General Revenue Fund is provided for the following local parks:

Belleview Sportsplex Irrigation..... 500,000
Friends of Island Parks Discovery Center..... 350,000
Palmetto Bay Park Girls Softball Fields..... 125,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

West Melbourne Community Park Improvements..... 1,050,000
West Park Water Tower Park..... 150,000
Veterans Memorial at Fountain Park..... 75,000

From the funds in Specific Appropriation 1699A, \$300,000 in nonrecurring funds from the General Revenue Fund and \$130,000 in nonrecurring funds from the Land Acquisition Trust fund are provided for Clay County - Moody Avenue Park.

TOTAL: STATE PARK OPERATIONS
FROM GENERAL REVENUE FUND 17,000,000
FROM TRUST FUNDS 115,464,220

TOTAL POSITIONS 992.50
TOTAL ALL FUNDS 132,464,220

COASTAL AND AQUATIC MANAGED AREAS

APPROVED SALARY RATE 4,703,808

1700 SALARIES AND BENEFITS POSITIONS 98.00
FROM FEDERAL GRANTS TRUST FUND 2,579,117
FROM LAND ACQUISITION TRUST FUND 3,466,612

1701 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 6,957
FROM FEDERAL GRANTS TRUST FUND 104,656
FROM LAND ACQUISITION TRUST FUND 570,939

1702 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 144,600
FROM LAND ACQUISITION TRUST FUND 992,690

1703 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 29,292

1704 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 300,000
FROM FEDERAL GRANTS TRUST FUND 141,135

From the funds provided in Specific Appropriation 1704, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1705 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM GENERAL REVENUE FUND 150,000

1706 SPECIAL CATEGORIES
SUBMERGED RESOURCE DAMAGED RESTORATIONS
FROM WATER QUALITY ASSURANCE TRUST FUND 257,834

1707 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM LAND ACQUISITION TRUST FUND 319,443

1708 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND 4,419,138
FROM GRANTS AND DONATIONS TRUST FUND 862,799

1709 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND 96,283

1710 SPECIAL CATEGORIES
COASTAL AND AQUATIC MANAGED AREAS (CAMA) -

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
	CARL MANAGEMENT FUNDS		
	FROM LAND ACQUISITION TRUST FUND . . .	861,233	
1711	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .	11,224	
	FROM LAND ACQUISITION TRUST FUND . . .	25,733	
1712	FIXED CAPITAL OUTLAY		
	MAINTENANCE, REPAIRS AND CONSTRUCTION -		
	STATEWIDE		
	FROM LAND ACQUISITION TRUST FUND . . .	590,000	
1713	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FLORIDA COASTAL ZONE MANAGEMENT PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .	958,000	
TOTAL:	COASTAL AND AQUATIC MANAGED AREAS		
	FROM GENERAL REVENUE FUND	450,000	
	FROM TRUST FUNDS	16,437,685	
	TOTAL POSITIONS	98.00	
	TOTAL ALL FUNDS	16,887,685	
PROGRAM: AIR RESOURCES MANAGEMENT			
UTILITIES SITING AND COORDINATION			
	APPROVED SALARY RATE	280,144	
1714	SALARIES AND BENEFITS POSITIONS	4.00	
	FROM PERMIT FEE TRUST FUND	343,310	
1715	EXPENSES		
	FROM PERMIT FEE TRUST FUND	18,055	
1716	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM PERMIT FEE TRUST FUND	6,136	
1717	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PERMIT FEE TRUST FUND	697	
1718	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PERMIT FEE TRUST FUND	2,357	
TOTAL:	UTILITIES SITING AND COORDINATION		
	FROM TRUST FUNDS	370,555	
	TOTAL POSITIONS	4.00	
	TOTAL ALL FUNDS	370,555	
AIR RESOURCES MANAGEMENT			
	APPROVED SALARY RATE	3,716,142	
1719	SALARIES AND BENEFITS POSITIONS	67.00	
	FROM AIR POLLUTION CONTROL TRUST		
	FUND	5,200,870	
1720	OTHER PERSONAL SERVICES		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND	4,058,784	
1721	EXPENSES		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND	879,634	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
1722	OPERATING CAPITAL OUTLAY		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		387,680
1723	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		46,630
From the funds provided in Specific Appropriation 1723, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1724	SPECIAL CATEGORIES		
	DISTRIBUTION TO COUNTIES - MOTOR VEHICLE		
	REGISTRATION PROCEEDS		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		8,705,936
1725	SPECIAL CATEGORIES		
	ASBESTOS REMOVAL PROGRAM FEES		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		20,000
1726	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		22,000
1727	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		21,414
1728	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM AIR POLLUTION CONTROL TRUST		
	FUND		27,381
TOTAL:	AIR RESOURCES MANAGEMENT		
	FROM TRUST FUNDS		19,370,329
	TOTAL POSITIONS	67.00	
	TOTAL ALL FUNDS		19,370,329
TOTAL:	ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	186,638,303	
	FROM TRUST FUNDS		1,554,589,728
	TOTAL POSITIONS	2,933.50	
	TOTAL ALL FUNDS		1,741,228,031
	TOTAL APPROVED SALARY RATE	131,366,260	
FISH AND WILDLIFE CONSERVATION COMMISSION			
PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES			
OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES			
	APPROVED SALARY RATE	10,550,449	
1729	SALARIES AND BENEFITS POSITIONS	227.00	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,221,054
	FROM LAND ACQUISITION TRUST FUND . .		6,347,342
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		913,251
	FROM NON-GAME WILDLIFE TRUST FUND .		297,665

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION		
SPECIFIC		
APPROPRIATION		
	FROM STATE GAME TRUST FUND	1,782,828
1730	OTHER PERSONAL SERVICES	
	FROM ADMINISTRATIVE TRUST FUND . . .	1,164,856
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	22,029
	FROM NON-GAME WILDLIFE TRUST FUND .	58,939
	FROM STATE GAME TRUST FUND	102,067
1731	EXPENSES	
	FROM GENERAL REVENUE FUND	55,000
	FROM ADMINISTRATIVE TRUST FUND . . .	2,950,997
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	563,817
	FROM NON-GAME WILDLIFE TRUST FUND .	54,156
	FROM STATE GAME TRUST FUND	479,360
1732	OPERATING CAPITAL OUTLAY	
	FROM ADMINISTRATIVE TRUST FUND . . .	238,687
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	4,704
	FROM STATE GAME TRUST FUND	16,557
1732A	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM ADMINISTRATIVE TRUST FUND . . .	137,145

From the funds provided in Specific Appropriation 1732A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1733	SPECIAL CATEGORIES	
	FISH AND WILDLIFE CONSERVATION COMMISSION	
	YOUTH HUNTING AND FISHING PROGRAMS	
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	134,000
	FROM STATE GAME TRUST FUND	801,255
1734	SPECIAL CATEGORIES	
	ENHANCED WILDLIFE MANAGEMENT	
	FROM LAND ACQUISITION TRUST FUND . .	492,640
1735	SPECIAL CATEGORIES	
	NON-CARL WILDLIFE MANAGEMENT	
	FROM LAND ACQUISITION TRUST FUND . .	123,205
1736	SPECIAL CATEGORIES	
	TRANSFER TO DIVISION OF ADMINISTRATIVE	
	HEARINGS	
	FROM ADMINISTRATIVE TRUST FUND . . .	4,361
1737	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	100,000
	FROM ADMINISTRATIVE TRUST FUND . . .	1,260,024
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	214,514
	FROM NON-GAME WILDLIFE TRUST FUND .	3,630
	FROM STATE GAME TRUST FUND	2,882,652

From the funds in Specific Appropriation 1737, \$100,000 in recurring funds from the General Revenue Fund is provided for the Fostering Success Pilot Project, in coordination with the Department of Children and Families and the Department of Economic Opportunity, to develop and implement internships, employment readiness training, and placement services for foster youth.

1739	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM ADMINISTRATIVE TRUST FUND . . .	94,727
	FROM LAND ACQUISITION TRUST FUND . .	5,632

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION		
SPECIFIC		
APPROPRIATION		
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	12,801
	FROM STATE GAME TRUST FUND	32,693
1740	SPECIAL CATEGORIES	
	SALARY INCENTIVE PAYMENTS	
	FROM ADMINISTRATIVE TRUST FUND . . .	6,828
1740A	SPECIAL CATEGORIES	
	FINAL NATURAL RESOURCE DAMAGE RESTORATION -	
	DEEPWATER HORIZON OIL SPILL	
	FROM FEDERAL GRANTS TRUST FUND . . .	500,000
1742	SPECIAL CATEGORIES	
	GULF COAST RESTORATION	
	FROM GRANTS AND DONATIONS TRUST	
	FUND	961,649
1743	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM ADMINISTRATIVE TRUST FUND . . .	67,845
	FROM LAND ACQUISITION TRUST FUND . .	2,492
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	7,230
	FROM NON-GAME WILDLIFE TRUST FUND .	1,536
	FROM STATE GAME TRUST FUND	6,984
1744	SPECIAL CATEGORIES	
	GRANTS AND AIDS - DEEPWATER HORIZON -	
	STATE OPERATIONS	
	FROM GRANTS AND DONATIONS TRUST	
	FUND	217,377
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	55,000
1745	SPECIAL CATEGORIES	
	CONTRACT AND GRANT REIMBURSED ACTIVITIES	
	FROM ADMINISTRATIVE TRUST FUND . . .	900,000
	FROM FEDERAL GRANTS TRUST FUND . . .	250,000
	FROM GRANTS AND DONATIONS TRUST	
	FUND	75,000
1746	DATA PROCESSING SERVICES	
	STATE DATA CENTER - AGENCY FOR STATE	
	TECHNOLOGY (AST)	
	FROM ADMINISTRATIVE TRUST FUND . . .	1,042,555
1747	FIXED CAPITAL OUTLAY	
	AMERICANS WITH DISABILITIES ACT -	
	STATEWIDE	
	FROM GENERAL REVENUE FUND	1,000,000
1748	FIXED CAPITAL OUTLAY	
	NATURAL RESOURCE DAMAGE RESTORATION -	
	DEEPWATER HORIZON OIL SPILL	
	FROM GRANTS AND DONATIONS TRUST	
	FUND	1,443,800
1748A	FIXED CAPITAL OUTLAY	
	SOUTHWEST REGIONAL OFFICE DRAINAGE AND	
	PARKING LOT REPAIR	
	FROM ADMINISTRATIVE TRUST FUND . . .	602,161
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE		
SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	1,155,000
	FROM TRUST FUNDS	32,558,045
	TOTAL POSITIONS	227.00
	TOTAL ALL FUNDS	33,713,045
PROGRAM: LAW ENFORCEMENT		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

APPROVED SALARY RATE	50,288,902		
1749 SALARIES AND BENEFITS	POSITIONS	1,051.00	
FROM GENERAL REVENUE FUND		22,883,172	
FROM FEDERAL GRANTS TRUST FUND			5,466,835
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND			348,938
FROM LAND ACQUISITION TRUST FUND			14,468,151
FROM MARINE RESOURCES CONSERVATION TRUST FUND			32,783,224
FROM NON-GAME WILDLIFE TRUST FUND			322,288
FROM STATE GAME TRUST FUND			897,879
1750 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	7,953		
FROM FEDERAL GRANTS TRUST FUND			70,313
FROM MARINE RESOURCES CONSERVATION TRUST FUND			381,425
FROM STATE GAME TRUST FUND			202,411
1751 EXPENSES			
FROM GENERAL REVENUE FUND	1,937,265		
FROM FEDERAL GRANTS TRUST FUND			6,351,541
FROM LAND ACQUISITION TRUST FUND			422,585
FROM MARINE RESOURCES CONSERVATION TRUST FUND			3,255,488
FROM STATE GAME TRUST FUND			1,239,717
1752 OPERATING CAPITAL OUTLAY			
FROM LAND ACQUISITION TRUST FUND			62,500
FROM MARINE RESOURCES CONSERVATION TRUST FUND			141,891
FROM STATE GAME TRUST FUND			74,257
1753 SPECIAL CATEGORIES			
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES			
FROM MARINE RESOURCES CONSERVATION TRUST FUND			1,472,271
FROM NON-GAME WILDLIFE TRUST FUND			1,256,802
FROM STATE GAME TRUST FUND			222,901
1754 SPECIAL CATEGORIES			
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS			
FROM MARINE RESOURCES CONSERVATION TRUST FUND			727,415
1755 SPECIAL CATEGORIES			
ENHANCED WILDLIFE MANAGEMENT			
FROM LAND ACQUISITION TRUST FUND			272,166
1756 SPECIAL CATEGORIES			
800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE			
FROM MARINE RESOURCES CONSERVATION TRUST FUND			44,760
1756A SPECIAL CATEGORIES			
NUISANCE WILDLIFE CONTROL			
FROM LAND ACQUISITION TRUST FUND			150,000
1757 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	439,548		
FROM LAND ACQUISITION TRUST FUND			1,500
FROM MARINE RESOURCES CONSERVATION TRUST FUND			628,663
1758 SPECIAL CATEGORIES			
BOAT RAMP MAINTENANCE CATEGORY			
FROM FEDERAL GRANTS TRUST FUND			431,250

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM LAND ACQUISITION TRUST FUND	750,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND	111,878
FROM STATE GAME TRUST FUND	143,750
From the funds in Specific Appropriation 1758, \$750,000 in nonrecurring funds from the Land Acquisition Trust Fund is allocated as follows:	
Lauderdale Lakes Water Pollutant Reduction Boat Ramp System.	250,000
Niceville Public Landing and Bayou Restoration Access Facility.....	500,000
1759 SPECIAL CATEGORIES	
OVERTIME	
FROM GENERAL REVENUE FUND	765,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,146,685
FROM STATE GAME TRUST FUND	193,997
1760 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	389,152
FROM FEDERAL GRANTS TRUST FUND	97,744
FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,215,236
FROM STATE GAME TRUST FUND	1,050,970
1761 SPECIAL CATEGORIES	
SALARY INCENTIVE PAYMENTS	
FROM GENERAL REVENUE FUND	142,168
FROM FEDERAL GRANTS TRUST FUND	14,926
FROM LAND ACQUISITION TRUST FUND	20,160
FROM MARINE RESOURCES CONSERVATION TRUST FUND	448,017
FROM STATE GAME TRUST FUND	154,562
1762 SPECIAL CATEGORIES	
BOATING AND WATERWAYS ACTIVITIES	
FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,926,025
1762A SPECIAL CATEGORIES	
DERELICT VESSEL REMOVAL PROGRAM	
FROM GENERAL REVENUE FUND	1,400,000
1763 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	58,968
FROM FEDERAL GRANTS TRUST FUND	8,033
FROM LAND ACQUISITION TRUST FUND	11,966
FROM MARINE RESOURCES CONSERVATION TRUST FUND	262,519
FROM STATE GAME TRUST FUND	46,881
1764 SPECIAL CATEGORIES	
GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS	
FROM MARINE RESOURCES CONSERVATION TRUST FUND	20,000
1765 SPECIAL CATEGORIES	
CONTRACT AND GRANT REIMBURSED ACTIVITIES	
FROM FEDERAL GRANTS TRUST FUND	8,928,808
FROM MARINE RESOURCES CONSERVATION TRUST FUND	136,450
FROM STATE GAME TRUST FUND	958,746
1766 SPECIAL CATEGORIES	
BOATING SAFETY EDUCATION PROGRAM	
FROM MARINE RESOURCES CONSERVATION TRUST FUND	850,650

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
1767	FIXED CAPITAL OUTLAY BOATING INFRASTRUCTURE		
	FROM FEDERAL GRANTS TRUST FUND . . .	3,900,000	
1768	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA BOATING IMPROVEMENT PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND	592,600	
	FROM STATE GAME TRUST FUND	1,250,000	
TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT			
	FROM GENERAL REVENUE FUND	28,023,226	
	FROM TRUST FUNDS	96,937,774	
	TOTAL POSITIONS	1,051.00	
	TOTAL ALL FUNDS	124,961,000	
PROGRAM: WILDLIFE			
HUNTING AND GAME MANAGEMENT			
	APPROVED SALARY RATE	2,075,874	
1769	SALARIES AND BENEFITS POSITIONS 45.00		
	FROM FEDERAL GRANTS TRUST FUND . . .	683,566	
	FROM LAND ACQUISITION TRUST FUND . .	516,810	
	FROM STATE GAME TRUST FUND	1,639,194	
1770	OTHER PERSONAL SERVICES		
	FROM STATE GAME TRUST FUND	283,579	
1771	EXPENSES		
	FROM STATE GAME TRUST FUND	534,633	
1772	OPERATING CAPITAL OUTLAY		
	FROM STATE GAME TRUST FUND	4,538	
1772A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE GAME TRUST FUND	112,562	
From the funds provided in Specific Appropriation 1772A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1773	SPECIAL CATEGORIES		
	ENHANCED WILDLIFE MANAGEMENT		
	FROM LAND ACQUISITION TRUST FUND . .	25,579	
1774	SPECIAL CATEGORIES		
	NON-CARL WILDLIFE MANAGEMENT		
	FROM LAND ACQUISITION TRUST FUND . .	115,595	
1775	SPECIAL CATEGORIES		
	DEER MANAGEMENT PROGRAM		
	FROM STATE GAME TRUST FUND	400,000	
1776	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM STATE GAME TRUST FUND	255,710	
1777	SPECIAL CATEGORIES		
	TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION		
	FROM STATE GAME TRUST FUND	150,000	
1778	SPECIAL CATEGORIES		
	PUBLIC DOVE FIELD DEVELOPMENT		
	FROM STATE GAME TRUST FUND	49,000	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
1779	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM LAND ACQUISITION TRUST FUND . .		7,776
	FROM STATE GAME TRUST FUND		163,367
1780	SPECIAL CATEGORIES		
	WILDLIFE MANAGEMENT AREA USER PAY		
	FROM STATE GAME TRUST FUND		638,266
1781	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM LAND ACQUISITION TRUST FUND . .		3,057
	FROM STATE GAME TRUST FUND		14,196
1782	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,476,384
	FROM GRANTS AND DONATIONS TRUST FUND		315,897
	FROM STATE GAME TRUST FUND		25,000
1783	SPECIAL CATEGORIES		
	WILD TURKEY PROJECTS		
	FROM STATE GAME TRUST FUND		500,000
1783A	FIXED CAPITAL OUTLAY		
	PALM BEACH COUNTY PUBLIC RECREATIONAL SHOOTING PARK		
	FROM FEDERAL GRANTS TRUST FUND . . .		3,090,000
TOTAL: HUNTING AND GAME MANAGEMENT			
	FROM TRUST FUNDS		11,004,709
	TOTAL POSITIONS	45.00	
	TOTAL ALL FUNDS		11,004,709
PROGRAM: HABITAT AND SPECIES CONSERVATION			
HABITAT AND SPECIES CONSERVATION			
	APPROVED SALARY RATE	15,808,393	
1784	SALARIES AND BENEFITS POSITIONS 363.50		
	FROM INVASIVE PLANT CONTROL TRUST FUND		2,326,237
	FROM FEDERAL GRANTS TRUST FUND . . .		4,004,004
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		233,878
	FROM GRANTS AND DONATIONS TRUST FUND		494,720
	FROM LAND ACQUISITION TRUST FUND . .		8,012,446
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		592,873
	FROM NON-GAME WILDLIFE TRUST FUND . .		1,830,481
	FROM SAVE THE MANATEE TRUST FUND . .		870,026
	FROM STATE GAME TRUST FUND		3,822,566
1785	OTHER PERSONAL SERVICES		
	FROM INVASIVE PLANT CONTROL TRUST FUND		554,116
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		215,903
	FROM GRANTS AND DONATIONS TRUST FUND		147,111
	FROM LAND ACQUISITION TRUST FUND . .		96,372
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		162,764
	FROM NON-GAME WILDLIFE TRUST FUND . .		891,929
	FROM SAVE THE MANATEE TRUST FUND . .		213,421
	FROM STATE GAME TRUST FUND		280,624
1786	EXPENSES		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM INVASIVE PLANT CONTROL TRUST FUND	817,822
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	139,912
FROM GRANTS AND DONATIONS TRUST FUND	89,831
FROM LAND ACQUISITION TRUST FUND	1,197,637
FROM MARINE RESOURCES CONSERVATION TRUST FUND	107,590
FROM NON-GAME WILDLIFE TRUST FUND	587,916
FROM SAVE THE MANATEE TRUST FUND	293,072
FROM STATE GAME TRUST FUND	1,148,989

1787 OPERATING CAPITAL OUTLAY

FROM INVASIVE PLANT CONTROL TRUST FUND	10,488
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,250
FROM LAND ACQUISITION TRUST FUND	10,625
FROM MARINE RESOURCES CONSERVATION TRUST FUND	6,250
FROM NON-GAME WILDLIFE TRUST FUND	18,278
FROM SAVE THE MANATEE TRUST FUND	8,625
FROM STATE GAME TRUST FUND	59,422

1788 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES

FROM NON-GAME WILDLIFE TRUST FUND	103,473
FROM STATE GAME TRUST FUND	54,858

From the funds provided in Specific Appropriation 1788, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1789 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS

FROM STATE GAME TRUST FUND	18,650
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1790 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT

FROM LAND ACQUISITION TRUST FUND	9,087,606
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1791 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT

FROM LAND ACQUISITION TRUST FUND	18,875,413
FROM STATE GAME TRUST FUND	411,412

1792 SPECIAL CATEGORIES
NUISANCE WILDLIFE CONTROL

FROM GENERAL REVENUE FUND	500,000
FROM LAND ACQUISITION TRUST FUND	1,509,928
FROM NON-GAME WILDLIFE TRUST FUND	400,000
FROM STATE GAME TRUST FUND	872,150

From the funds in Specific Appropriation 1792, \$500,000 in nonrecurring funds from the State Game Trust Fund may be distributed to counties or local governments to cost-share the purchase of bear-resistant garbage containers. At least 60 percent of those funds shall go to counties or local governments having an ordinance in place focused on resolving issues associated with bear attractants and garbage.

1793 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM INVASIVE PLANT CONTROL TRUST FUND	204,250
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	20,912
FROM GRANTS AND DONATIONS TRUST FUND	35,844

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM LAND ACQUISITION TRUST FUND	65,196
FROM NON-GAME WILDLIFE TRUST FUND	38,325
FROM SAVE THE MANATEE TRUST FUND	20,771
FROM STATE GAME TRUST FUND	45,367

1794 SPECIAL CATEGORIES
LAKE RESTORATION

FROM LAND ACQUISITION TRUST FUND	7,150,000
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1795 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6

FROM FEDERAL GRANTS TRUST FUND	1,430,819
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1796 SPECIAL CATEGORIES
LAND MANAGEMENT/SAVE OUR RIVERS

FROM STATE GAME TRUST FUND	298,412
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1797 SPECIAL CATEGORIES
DUCKS UNLIMITED MARSH PROJECT

FROM STATE GAME TRUST FUND	106,792
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1798 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS

FROM INVASIVE PLANT CONTROL TRUST FUND	3,626,353
FROM LAND ACQUISITION TRUST FUND	34,823,647

1799 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM INVASIVE PLANT CONTROL TRUST FUND	35,548
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	3,673
FROM GRANTS AND DONATIONS TRUST FUND	14,370
FROM LAND ACQUISITION TRUST FUND	120,880
FROM MARINE RESOURCES CONSERVATION TRUST FUND	9,131
FROM NON-GAME WILDLIFE TRUST FUND	46,568
FROM SAVE THE MANATEE TRUST FUND	10,477
FROM STATE GAME TRUST FUND	310,166

1800 SPECIAL CATEGORIES
TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM

FROM INVASIVE PLANT CONTROL TRUST FUND	25,000
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1801 SPECIAL CATEGORIES
HABITAT RESTORATION

FROM GRANTS AND DONATIONS TRUST FUND	2,979,857
FROM MARINE RESOURCES CONSERVATION TRUST FUND	300,000

1802 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH

FROM INVASIVE PLANT CONTROL TRUST FUND	844,171
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1803 SPECIAL CATEGORIES
GULF COAST RESTORATION

FROM GRANTS AND DONATIONS TRUST FUND	603,306
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1804 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM INVASIVE PLANT CONTROL TRUST FUND	
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SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
FUND			11,453
FROM FEDERAL GRANTS TRUST FUND . . .			5,082
FROM FLORIDA PANTHER RESEARCH AND			
MANAGEMENT TRUST FUND			1,684
FROM GRANTS AND DONATIONS TRUST			
FUND			2,794
FROM LAND ACQUISITION TRUST FUND . .			47,581
FROM MARINE RESOURCES CONSERVATION			
TRUST FUND			1,813
FROM NON-GAME WILDLIFE TRUST FUND . .			17,214
FROM SAVE THE MANATEE TRUST FUND . .			6,164
FROM STATE GAME TRUST FUND			56,667
1805 SPECIAL CATEGORIES			
HABITAT CONSERVATION PLAN LANDS			
ACQUISITION PROGRAM			
FROM FEDERAL GRANTS TRUST FUND . . .		4,474,973	
1806 SPECIAL CATEGORIES			
GRANTS AND AIDS - DEEPWATER HORIZON -			
STATE OPERATIONS			
FROM GRANTS AND DONATIONS TRUST			
FUND		135,000	
FROM MARINE RESOURCES CONSERVATION			
TRUST FUND		60,000	
1807 SPECIAL CATEGORIES			
CONTRACT AND GRANT REIMBURSED ACTIVITIES			
FROM FEDERAL GRANTS TRUST FUND . . .		14,388,315	
FROM GRANTS AND DONATIONS TRUST			
FUND		462,070	
FROM NON-GAME WILDLIFE TRUST FUND . .		11,652	
FROM STATE GAME TRUST FUND		10,201	
TOTAL: HABITAT AND SPECIES CONSERVATION			
FROM GENERAL REVENUE FUND	500,000		
FROM TRUST FUNDS		133,443,166	
TOTAL POSITIONS	363.50		
TOTAL ALL FUNDS		133,943,166	
PROGRAM: FRESHWATER FISHERIES			
FRESHWATER FISHERIES MANAGEMENT			
APPROVED SALARY RATE	2,577,411		
1808 SALARIES AND BENEFITS POSITIONS	60.00		
FROM FEDERAL GRANTS TRUST FUND . . .		2,372,435	
FROM LAND ACQUISITION TRUST FUND . .		78,009	
FROM STATE GAME TRUST FUND		1,354,498	
1809 OTHER PERSONAL SERVICES			
FROM FEDERAL GRANTS TRUST FUND . . .		48,655	
FROM STATE GAME TRUST FUND		31,563	
1810 EXPENSES			
FROM FEDERAL GRANTS TRUST FUND . . .		387,680	
FROM LAND ACQUISITION TRUST FUND . .		20,000	
FROM STATE GAME TRUST FUND		275,321	
1811 OPERATING CAPITAL OUTLAY			
FROM FEDERAL GRANTS TRUST FUND . . .		15,625	
FROM STATE GAME TRUST FUND		15,914	
1811A SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM STATE GAME TRUST FUND		219,072	

From the funds provided in Specific Appropriation 1811A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
circumstances as provided for in section 287.14(3), Florida Statutes.			
1812 SPECIAL CATEGORIES			
ACQUISITION AND REPLACEMENT OF BOATS,			
MOTORS, AND TRAILERS			
FROM FEDERAL GRANTS TRUST FUND . . .			5,571
1813 SPECIAL CATEGORIES			
ENHANCED WILDLIFE MANAGEMENT			
FROM LAND ACQUISITION TRUST FUND . .			40,800
1814 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM FEDERAL GRANTS TRUST FUND . . .			37,553
FROM STATE GAME TRUST FUND			31,996
1815 SPECIAL CATEGORIES			
LAKE RESTORATION			
FROM LAND ACQUISITION TRUST FUND . .			1,120,000
1816 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM LAND ACQUISITION TRUST FUND . .			19,209
FROM STATE GAME TRUST FUND			111,003
1817 SPECIAL CATEGORIES			
LAND USE PROCEEDS DISBURSEMENTS			
FROM STATE GAME TRUST FUND			350,000
1818 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM STATE GAME TRUST FUND			25,913
1819 SPECIAL CATEGORIES			
CONTRACT AND GRANT REIMBURSED ACTIVITIES			
FROM FEDERAL GRANTS TRUST FUND . . .			1,823,856
FROM GRANTS AND DONATIONS TRUST			
FUND			200,000
TOTAL: FRESHWATER FISHERIES MANAGEMENT			
FROM TRUST FUNDS			8,584,673
TOTAL POSITIONS	60.00		
TOTAL ALL FUNDS			8,584,673
PROGRAM: MARINE FISHERIES			
MARINE FISHERIES MANAGEMENT			
APPROVED SALARY RATE	1,636,776		
1820 SALARIES AND BENEFITS POSITIONS	33.00		
FROM FEDERAL GRANTS TRUST FUND . . .			592,848
FROM MARINE RESOURCES CONSERVATION			
TRUST FUND			1,670,488
1821 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	42,747		
FROM MARINE RESOURCES CONSERVATION			
TRUST FUND			66,978
1822 EXPENSES			
FROM GENERAL REVENUE FUND	40,094		
FROM MARINE RESOURCES CONSERVATION			
TRUST FUND			302,357
1823 SPECIAL CATEGORIES			
FISH AND WILDLIFE CONSERVATION COMMISSION			
YOUTH HUNTING AND FISHING PROGRAMS			
FROM MARINE RESOURCES CONSERVATION			
TRUST FUND			25,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
1824	SPECIAL CATEGORIES		
	AQUATIC RESOURCES EDUCATION		
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		592,014
1825	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	215,000	
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		170,987
1826	SPECIAL CATEGORIES		
	GULF STATES MARINE FISHERIES		
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		22,500
1827	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		112,416
1828	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,409
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		10,683
1829	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DEEPWATER HORIZON -		
	STATE OPERATIONS		
	FROM GRANTS AND DONATIONS TRUST		
	FUND		311,361
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		3,400
1830	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM FEDERAL GRANTS TRUST FUND . . .		829,912
	FROM GRANTS AND DONATIONS TRUST		
	FUND		10,000
1831	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	ARTIFICIAL FISHING REEF CONSTRUCTION		
	PROGRAM		
	FROM GENERAL REVENUE FUND	300,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		300,000
TOTAL:	MARINE FISHERIES MANAGEMENT		
	FROM GENERAL REVENUE FUND	597,841	
	FROM TRUST FUNDS		5,022,353
	TOTAL POSITIONS	33.00	
	TOTAL ALL FUNDS		5,620,194
PROGRAM: RESEARCH			
FISH AND WILDLIFE RESEARCH INSTITUTE			
	APPROVED SALARY RATE	15,551,906	
1832	SALARIES AND BENEFITS	POSITIONS	339.00
	FROM FEDERAL GRANTS TRUST FUND . . .		5,216,736
	FROM FLORIDA PANTHER RESEARCH AND		
	MANAGEMENT TRUST FUND		225,019
	FROM LAND ACQUISITION TRUST FUND . .		176,142
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		10,290,426
	FROM NON-GAME WILDLIFE TRUST FUND . .		1,140,216
	FROM SAVE THE MANATEE TRUST FUND . .		1,032,920
	FROM STATE GAME TRUST FUND		3,211,724

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
SPECIFIC			
APPROPRIATION			
1833	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	653,579	
	FROM FLORIDA PANTHER RESEARCH AND		
	MANAGEMENT TRUST FUND		49,684
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		2,434,286
	FROM NON-GAME WILDLIFE TRUST FUND . .		747,787
	FROM SAVE THE MANATEE TRUST FUND . .		502,688
	FROM STATE GAME TRUST FUND		330,360
1834	EXPENSES		
	FROM GENERAL REVENUE FUND	262,764	
	FROM FLORIDA PANTHER RESEARCH AND		
	MANAGEMENT TRUST FUND		72,241
	FROM LAND ACQUISITION TRUST FUND . .		3,952
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		2,459,746
	FROM NON-GAME WILDLIFE TRUST FUND . .		574,412
	FROM SAVE THE MANATEE TRUST FUND . .		470,100
	FROM STATE GAME TRUST FUND		487,861
1835	OPERATING CAPITAL OUTLAY		
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		151,239
	FROM NON-GAME WILDLIFE TRUST FUND . .		12,335
	FROM SAVE THE MANATEE TRUST FUND . .		8,125
	FROM STATE GAME TRUST FUND		36,932
1836	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		12,500
	FROM NON-GAME WILDLIFE TRUST FUND . .		137,145
	FROM SAVE THE MANATEE TRUST FUND . .		32,080
	FROM STATE GAME TRUST FUND		122,444
	From the funds provided in Specific Appropriation 1836, the Fish and		
	Wildlife Conservation Commission may purchase one or more motor vehicles		
	for replacement when the mileage of a vehicle is in excess of 150,000		
	miles unless it is determined by the executive director that the vehicle		
	replacement is a critical safety issue, or based on emergency unforeseen		
	circumstances as provided for in section 287.14(3), Florida Statutes.		
1837	SPECIAL CATEGORIES		
	ACQUISITION AND REPLACEMENT OF BOATS,		
	MOTORS, AND TRAILERS		
	FROM FLORIDA PANTHER RESEARCH AND		
	MANAGEMENT TRUST FUND		7,000
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		42,217
	FROM SAVE THE MANATEE TRUST FUND . .		3,500
	FROM STATE GAME TRUST FUND		17,141
1838	SPECIAL CATEGORIES		
	ENHANCED WILDLIFE MANAGEMENT		
	FROM LAND ACQUISITION TRUST FUND . .		80,576
1839	SPECIAL CATEGORIES		
	NUISANCE WILDLIFE CONTROL		
	FROM STATE GAME TRUST FUND		147,280
1840	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	350,000	
	FROM FLORIDA PANTHER RESEARCH AND		
	MANAGEMENT TRUST FUND		24,105
	FROM MARINE RESOURCES CONSERVATION		
	TRUST FUND		3,490,380
	FROM NON-GAME WILDLIFE TRUST FUND . .		166,400
	FROM SAVE THE MANATEE TRUST FUND . .		370,000
	FROM STATE GAME TRUST FUND		50,501
1841	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		

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APPROPRIATION	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	3,990
FROM LAND ACQUISITION TRUST FUND	3,325
FROM MARINE RESOURCES CONSERVATION TRUST FUND	307,832
FROM NON-GAME WILDLIFE TRUST FUND	43,722
FROM SAVE THE MANATEE TRUST FUND	19,510
FROM STATE GAME TRUST FUND	186,382
1842 SPECIAL CATEGORIES	
DEFERRED-PAYMENT COMMODITY CONTRACTS	
FROM MARINE RESOURCES CONSERVATION TRUST FUND	325,945
1843 SPECIAL CATEGORIES	
GULF COAST RESTORATION	
FROM GRANTS AND DONATIONS TRUST FUND	9,394,689
1843A SPECIAL CATEGORIES	
RESTORE ACT - DEEPWATER HORIZON SPILL	
FROM FEDERAL GRANTS TRUST FUND	200,000
1844 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM FEDERAL GRANTS TRUST FUND	4,801
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,461
FROM LAND ACQUISITION TRUST FUND	1,244
FROM MARINE RESOURCES CONSERVATION TRUST FUND	98,755
FROM NON-GAME WILDLIFE TRUST FUND	9,410
FROM SAVE THE MANATEE TRUST FUND	7,203
FROM STATE GAME TRUST FUND	23,560
1845 SPECIAL CATEGORIES	
GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS	
FROM GRANTS AND DONATIONS TRUST FUND	514,022
FROM MARINE RESOURCES CONSERVATION TRUST FUND	36,000
1846 SPECIAL CATEGORIES	
RED TIDE RESEARCH	
FROM GENERAL REVENUE FUND	640,993
1847 SPECIAL CATEGORIES	
CONTRACT AND GRANT REIMBURSED ACTIVITIES	
FROM FEDERAL GRANTS TRUST FUND	8,007,199
FROM GRANTS AND DONATIONS TRUST FUND	501,941
FROM MARINE RESOURCES CONSERVATION TRUST FUND	3,045,616
FROM STATE GAME TRUST FUND	250,000
1847A FIXED CAPITAL OUTLAY	
ROOF REPLACEMENT AND REPAIRS - STATEWIDE	
FROM GENERAL REVENUE FUND	281,500
1847B FIXED CAPITAL OUTLAY	
FLORIDA CONSERVATION AND TECHNOLOGY CENTER - CENTER FOR CONSERVATION	
FROM GENERAL REVENUE FUND	1,000,000
1847C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
LOWRY PARK ZOO MANATEE HOSPITAL	
FROM GENERAL REVENUE FUND	1,000,000
1847D GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	

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SPECIFIC	
APPROPRIATION	
SOUTH FLORIDA MUSEUM AND BISHOP PLANETARIUM - PARKER MANATEE AQUARIUM	
FROM GENERAL REVENUE FUND	250,000
TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE	
FROM GENERAL REVENUE FUND	4,438,836
FROM TRUST FUNDS	57,324,807
TOTAL POSITIONS	339.00
TOTAL ALL FUNDS	61,763,643
TOTAL: FISH AND WILDLIFE CONSERVATION COMMISSION	
FROM GENERAL REVENUE FUND	34,714,903
FROM TRUST FUNDS	344,875,527
TOTAL POSITIONS	2,118.50
TOTAL ALL FUNDS	379,590,430
TOTAL APPROVED SALARY RATE	98,489,711
TRANSPORTATION, DEPARTMENT OF	
Funds in Specific Appropriations 1857 through 1870, 1871 through 1875, 1888 through 1896, 1899 through 1908, and 1947 through 1958 are provided from the named funds to the Department of Transportation to fund the five-year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.	
TRANSPORTATION SYSTEMS DEVELOPMENT	
PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT	
APPROVED SALARY RATE	107,821,143
1848 SALARIES AND BENEFITS POSITIONS	1,783.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	142,982,752
FROM TRANSPORTATION DISADVANTAGED TRUST FUND	907,626
1849 OTHER PERSONAL SERVICES	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	176,347
FROM TRANSPORTATION DISADVANTAGED TRUST FUND	6,600
1850 EXPENSES	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,253,116
FROM TRANSPORTATION DISADVANTAGED TRUST FUND	201,325
1851 OPERATING CAPITAL OUTLAY	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,234,349
1852 SPECIAL CATEGORIES	
CONSULTANT FEES	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,750,977
1853 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,021,992
FROM TRANSPORTATION DISADVANTAGED TRUST FUND	407,925
1854 SPECIAL CATEGORIES	
HUMAN RESOURCES DEVELOPMENT	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	934,630
1855 SPECIAL CATEGORIES	

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Table with 2 columns: Description and Amount. Includes LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 192,111 and FROM TRANSPORTATION DISADVANTAGED TRUST FUND 3,830.

Table with 2 columns: Description and Amount. Includes 1856 SPECIAL CATEGORIES GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED FROM TRANSPORTATION DISADVANTAGED TRUST FUND 55,211,227.

From the funds in Specific Appropriation 1856, \$200,000 of nonrecurring funds is provided to the Florida Commission for the Transportation Disadvantaged to contract with an independent consultant to explore Florida's historic funding of transportation disadvantaged services, the formulas used for distribution of state funds, and the allocation of funding specifically as it relates to urban and rural counties throughout the state.

From the funds in Specific Appropriation 1856, \$2,300,000 of nonrecurring funds shall be allocated to community transportation coordinators who are not direct recipients of funding under the Urbanized Area Formula Program as defined by 49 U.S.C. section 5307. Funds are to be used to provide transportation services for persons with disabilities, older adults, and people with low income so they may access health care, employment, education and other life-sustaining activities.

From the funds in Specific Appropriation 1856, \$1,750,000 of nonrecurring funds are provided to award competitive grants to community transportation coordinators to support transportation projects that: (1) enhance the access of older adults, persons with disabilities, and persons with low income to health care, shopping, education, employment, public services, and recreation; (2) assist in the development, improvement, and use of transportation systems in nonurbanized areas; (3) promote the efficient coordination of services; (4) support intercity bus transportation; and (5) encourage private transportation provider participation.

The remaining funds in Specific Appropriation 1856 are provided for funding services to transportation disadvantaged individuals. A community transportation coordinator that receives any of these funds shall develop and implement performance measures which, at a minimum, shall address timing of advanced scheduling requests; on-time passenger pickup; improved routing to minimize passenger wait times; error rates for passenger pick-up and drop-off; and collection and public posting of passenger satisfaction survey ratings.

Table with 2 columns: Description and Amount. Includes 1857 FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 65,756,310.

Table with 2 columns: Description and Amount. Includes 1858 FIXED CAPITAL OUTLAY AVIATION DEVELOPMENT/GRANTS FROM GENERAL REVENUE FUND 700,000 and FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 249,897,532.

A portion of the funds in Specific Appropriation 1858 from the State

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION SPECIFIC APPROPRIATION

Table with 2 columns: Description and Amount. Includes Transportation Trust Fund shall be allocated as follows: Treasure Coast International Airport Expansion 1,827,500 and Treasure Coast International Airport Intermodal Logistics Design 172,500.

The nonrecurring general revenue funds in Specific Appropriation 1858 shall be used for the Treasure Coast International Airport Expansion.

Table with 2 columns: Description and Amount. Includes 1859 FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 404,382,492.

From the funds in Specific Appropriation 1859, \$1,000,000 is provided for LYNX transit operations to maintain service levels and mitigate community impacts from the I-4 Ultimate construction.

From the funds in Specific Appropriation 1859, \$100,000 is provided for the research and development of a proposed fixed-guideway transit opportunity which would connect the South County and Brandon areas of unincorporated Hillsborough County to downtown Tampa.

From the funds in Specific Appropriation 1859, \$190,000 is provided for the City of Hialeah Gardens Senior Center Transportation program.

The remaining funds in Specific Appropriation 1859 are provided for funding transit services for individuals. A community transportation coordinator that receives any of these funds shall develop and implement performance measures which, at a minimum, shall address timing of advanced scheduling requests; on-time passenger pickup; improved routing to minimize passenger wait times; error rates for passenger pick-up and drop-off; and collection and public posting of passenger satisfaction survey ratings.

Table with 2 columns: Description and Amount. Includes 1860 FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 412,566,681 and FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND 137,467,692.

Table with 2 columns: Description and Amount. Includes 1861 FIXED CAPITAL OUTLAY SEAPORT - ECONOMIC DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 15,000,000.

Table with 2 columns: Description and Amount. Includes 1862 FIXED CAPITAL OUTLAY SEAPORTS ACCESS PROGRAM FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 10,000,000.

Table with 2 columns: Description and Amount. Includes 1863 FIXED CAPITAL OUTLAY SEAPORT GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 114,480,263.

From the funds in Specific Appropriation 1863, \$300,000 is provided to Port Manatee in order to purchase a highly flexible, secure, and configurable solution for area situational awareness and incident response in the port. The funds will serve as the cost-sharing requirement for a federal Port Security Grant related to GIS projects.

Table with 2 columns: Description and Amount. Includes 1864 FIXED CAPITAL OUTLAY SEAPORT INVESTMENT PROGRAM.

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	FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	11,405,612
1865	FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	116,178,861
1866	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	52,356,834
1867	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	628,746,736 4,750,000

From the funds in Specific Appropriation 1867, \$2,000,000 from the State Transportation Trust Fund is provided for the Seminole County SR 17-92 Flyover.

1868	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	63,654,502 3,630,860
1869	FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	30,026,192
1870	FIXED CAPITAL OUTLAY DEBT SERVICE FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	166,414,920
TOTAL:	PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT FROM GENERAL REVENUE FUND 700,000 FROM TRUST FUNDS 2,705,000,294 TOTAL POSITIONS 1,783.00 TOTAL ALL FUNDS 2,705,700,294	

FLORIDA RAIL ENTERPRISE

	APPROVED SALARY RATE	203,908
1870A	SALARIES AND BENEFITS POSITIONS 1.00 FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	255,734
1870B	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	827
1870C	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	25,200
1870D	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,089
1870E	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,714

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1871	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,258,385
1872	FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	141,914,502
1873	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	250,000
1874	FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	187,975,825

From the funds in Specific Appropriation 1874, \$10,000,000 is provided for Quiet Zone improvements in response to the use of locomotive horns at highway-rail grade crossings. The Department of Transportation shall create a grant program for quiet zones requested by local agencies to provide funding of up to 50 percent of the nonfederal and nonprivate share of the total costs of any qualifying quiet zone capital improvement project.

The Department of Transportation will coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies in the development of quiet zone plans. Local agencies may apply for grant funds after its quiet zone plan is approved by the department.

The Department of Transportation will monitor crossing incidents at approved quiet zone locations and has the right to revoke a quiet zone at any time if a significant deterioration in safety results from quiet zone implementation.

1875	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	13,590,856
TOTAL:	FLORIDA RAIL ENTERPRISE FROM TRUST FUNDS	346,281,132
	TOTAL POSITIONS 1.00 TOTAL ALL FUNDS	346,281,132

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

	APPROVED SALARY RATE	154,514,506
1876	SALARIES AND BENEFITS POSITIONS 3,254.00 FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	213,026,594
1877	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	107,376
1878	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	14,477,756
1879	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,461,049
1880	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES	

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	FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,218,969
1881	SPECIAL CATEGORIES FAIRBANKS HAZARDOUS WASTE SITE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	400,965
1882	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,137,831
1883	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	8,406,577
1884	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	994,023
1885	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	28,393,895
1886	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	344,514
1887	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,604,486
1888	FIXED CAPITAL OUTLAY STATE INFRASTRUCTURE BANK LOAN REPAYMENTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	9,000,000
1889	FIXED CAPITAL OUTLAY SMALL COUNTY RESURFACE ASSISTANCE PROGRAM (SCRAP) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	43,307,130
1890	FIXED CAPITAL OUTLAY SMALL COUNTY OUTREACH PROGRAM (SCOP) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	68,128,618
	From the funds in Specific Appropriation 1890, \$9,000,000 is appropriated for transportation projects within a rural area of opportunity designated pursuant to section 288.0656(7), Florida Statutes.	
1891	FIXED CAPITAL OUTLAY COUNTY TRANSPORTATION PROGRAMS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	48,772,124
1892	FIXED CAPITAL OUTLAY BOND GUARANTEE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	500,000
1893	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION	

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	(PRIMARY) TRUST FUND	442,024,210
1894	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	3,090,892,708
1895	FIXED CAPITAL OUTLAY ARTERIAL HIGHWAY CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	196,019,960
	From the funds in Specific Appropriation 1895, a portion of the funds shall be allocated as follows:	
	Honeymoon Island Spur.....	300,000
	James E. King, Jr. Trail.....	200,000
	High Springs - Newberry Rail Corridor.....	2,000,000
	The Underline.....	2,000,000
	Orchard Pond Parkway Trail.....	500,000
	City of Tamarac, Bikeway Project Phases 5 and 6.....	400,000
1896	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	344,784,082
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	5,436,498
1897	FIXED CAPITAL OUTLAY COCOA OPERATIONS CENTER - REPAIRS/ RENOVATIONS/ADDITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,000,000
1898	FIXED CAPITAL OUTLAY ENVIRONMENTAL SITE RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	635,000
1899	FIXED CAPITAL OUTLAY HIGHWAY SAFETY CONSTRUCTION/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	175,661,003
	From the funds in Specific Appropriation in 1899, \$1,500,000 is provided for the second phase of testing the software video analytics program providing real time, highly accurate land level traffic data with speeds, counts, headway, and classifications to provide data to improve safety for wrong way drivers, hurricane evacuation routes, emergency response and related needs.	
1900	FIXED CAPITAL OUTLAY RESURFACING FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	512,861,423
1901	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	442,897,263
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	287,024,909
1902	FIXED CAPITAL OUTLAY CONTRACT MAINTENANCE WITH THE DEPARTMENT OF CORRECTIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	19,146,000
1903	FIXED CAPITAL OUTLAY HIGHWAY BEAUTIFICATION GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,800,000

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Table with 2 columns: Description and Amount. Includes items like 'From the funds in Specific Appropriation 1903, \$800,000 is provided for Keep Florida Beautiful.', '1904 FIXED CAPITAL OUTLAY MATERIALS AND RESEARCH FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 16,481,393', '1905 FIXED CAPITAL OUTLAY BRIDGE INSPECTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 11,849,825', and '1906 FIXED CAPITAL OUTLAY ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS - ROAD FUND FROM GENERAL REVENUE FUND 2,000,000 FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 40,500,000'.

From the funds in Specific Appropriation 1906, \$2,000,000 from the State Transportation Trust Fund shall be used to develop a design criteria package for site connectivity alignment including real property acquisition as well as promotion and public information for the Bluffs Corridor. These funds shall be directed to the Pensacola-Escambia Promotion and Development Commission.

A portion of the funds in Specific Appropriation 1906 from the State Transportation Trust Fund shall be allocated as follows:

Table with 2 columns: Description and Amount. Lists various infrastructure projects such as 'Britt Road Bridge Replacement' (1,733,000), 'Lake Shore Boulevard Access Road' (410,000), 'CR 466A Phase 3' (2,750,000), 'Southwest Ranches Guardrails Installation' (300,000), 'North Lauderdale Street Lights' (100,000), 'North Lauderdale Sidewalk Replacement' (100,000), 'North Lauderdale Street Resurfacing/Kimberly Boulevard' (200,000), 'Lauderdale Lakes Northwest 31st Ave Corridor Improvement' (1,000,000), 'Lauderdale Lakes Sidewalk Repair and Replacement' (200,000), 'Dyal Road Paving' (258,000), 'Lake Worth Park of Commerce' (2,500,000), 'Pine Hills Road/Silver Star Road Intersection Crosswalk Enhancements' (150,000), 'Max Brewer Causeway Beautification' (800,000), 'Jacksonville Moncrief Dinsmore Road Bridge Replacement' (500,000), 'Ludlam Redevelopment Project' (1,000,000), 'City of Coral Springs University Drive Resurfacing' (300,000), 'City of Venice Road Improvement Project' (1,300,000), 'Opa Locka Airport/Roadway Infrastructure Improvements' (1,000,000), 'St. Johns Ferry Phase II/Jacksonville Ferry' (1,000,000), '15th Street Beautification Project - Riviera Beach' (450,000), 'Alico Road, Lee County' (1,000,000), 'Blind Pass Road Redesign - City of St. Pete Beach' (1,000,000), 'Broadway Corridor Revitalization' (450,000), 'Citrus Grove Road - 27 to Turnpike' (1,500,000), 'City of Cape Coral Sidewalk Safety Project' (450,000), 'City of Mount Dora - U.S. 441 Utility Relocation' (1,000,000), 'City of Sunny Isles Beach's North Bay Road Emergency/Pedestrian Bridge' (500,000), 'City of Umatilla Roadway Rehabilitation and Paving' (1,050,000), 'Education Corridor- MLK Boulevard Streetscape Improvements (Phase III)' (50,000), 'Glades Area Street Resurfacing & Reconstruction' (1,000,000), 'Miami Beach Intelligent Transportation System (ITS) and Smart Parking System (SPS)' (750,000), 'NE 163rd Street/NE 35th Avenue Intersection Improvements - North Miami Beach' (1,000,000), 'Oldsmar - Douglas Road/Burbank Road Improvements' (1,500,000), 'Santa Rosa County I-10 Industrial Park' (1,000,000), 'US 1 "Complete Streets", Village of Tequesta' (300,000), 'US Highway 19 Multi-Modal Trail Overpass' (750,000), 'Walton County Intermodal Transportation Innovation Program' (500,000), 'Widening of Old Dixie Highway - Nassau County' (1,500,000), and 'Muscogee Road Freight Corridor Improvements - Escambia' (1,674,000).

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Table with 2 columns: Description and Amount. Includes 'Marine Navigability Improvements - Loxahatchee River' (1,500,000), 'I-95 Stirling Road Improvements - Dania Beach' (1,000,000), 'Davis Road Extension from Harney Road to Maislin Drive - Temple Terrace' (1,000,000), 'Franklin Street Trail - Ocoee' (500,000), and '1907 FIXED CAPITAL OUTLAY TRAFFIC ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 180,505,899'.

The nonrecurring general revenue funds in Specific Appropriation 1906 shall be used for the Ludlam Redevelopment Project.

From the funds in Specific Appropriation 1907, \$1,500,000 of nonrecurring funds from the State Transportation Trust Fund is provided for: the continued development and deployment of multi-level fog monitoring stations; use of multi-spectral satellite imagery and multi-level sensor arrays for conducting further data analysis and refinement of the fog model; the addition of test sites in eastern central, western central and southern Florida; and further refinement of the weather model to provide advanced warning of other weather road conditions and traffic congestion.

From the funds in Specific Appropriation 1907, \$225,000 is provided to the Center for Urban Transportation Research (CUTR) at the University of South Florida. The CUTR shall conduct a study evaluating State of Florida infrastructure needed to support various alternative vehicle technologies including electric and hydrogen fuel cell vehicles. The study will provide an overview of the current state of electric and hydrogen fuel cell vehicle technologies in the U.S. and Florida. Additionally, recognizing the need to accelerate the development and deployment of electric and hydrogen fuel cell technology, the study will examine the potential for public-private partnerships of electric charging and hydrogen fuel infrastructure and make recommendations for installation of electric charging and hydrogen fueling stations in Florida. The study shall also review the impact of electric and hydrogen fuel cell technology to state gas tax revenues. The study shall be completed and presented in a report to the Legislature and the Office of Energy within the Department of Agriculture and Consumer Services no later than December 31, 2016.

Table with 2 columns: Description and Amount. Includes '1908 FIXED CAPITAL OUTLAY LOCAL GOVERNMENT REIMBURSEMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,256,500', 'TOTAL: PROGRAM: HIGHWAY OPERATIONS FROM GENERAL REVENUE FUND 2,000,000 FROM TRUST FUNDS 6,219,058,580', 'TOTAL POSITIONS 3,254.00', 'TOTAL ALL FUNDS 6,221,058,580', 'EXECUTIVE DIRECTION AND SUPPORT SERVICES APPROVED SALARY RATE 40,645,905', '1909 SALARIES AND BENEFITS POSITIONS 736.00 FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 54,833,899', '1910 OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 530,517', '1911 EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 6,787,173', and '1912 OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 119,943'.

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SPECIFIC
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1913	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	125,931
1914	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,255,973
1915	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,868,741
1916	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	226,935
1917	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,375,048
1918	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE - OTHER FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,722,163
1919	SPECIAL CATEGORIES TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR EVERGLADES RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,064,000
1920	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE FOR HIGHWAY TAX COMPLIANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	34,640
1921	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	73,124
1922	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	370,094
1923	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	2,231,999 4,258
1924	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,040,721
1925	FIXED CAPITAL OUTLAY IMPROVEMENTS TO SECURITY SYSTEMS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	746,250
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		

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SPECIFIC
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	FROM TRUST FUNDS		89,411,409
	TOTAL POSITIONS	736.00	
	TOTAL ALL FUNDS		89,411,409
INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE	10,321,938	
1926	SALARIES AND BENEFITS POSITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	200.00	13,025,574
1927	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		32,998
1928	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		9,163,606
1929	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		2,201,974
1930	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		15,290,105
1931	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		138,975
1932	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		15,879
1933	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		8,809,546
TOTAL: INFORMATION TECHNOLOGY			
	FROM TRUST FUNDS		48,678,657
	TOTAL POSITIONS	200.00	
	TOTAL ALL FUNDS		48,678,657
FLORIDA'S TURNPIKE SYSTEMS			
FLORIDA'S TURNPIKE ENTERPRISE			
	APPROVED SALARY RATE	21,452,255	
1934	SALARIES AND BENEFITS POSITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	405.00	29,757,593
1935	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		316,769
1936	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		17,926,299
1937	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		143,611

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION	
SPECIFIC	
APPROPRIATION	
1938	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	61,633
1939	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	1,568,631
1940	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	32,220,753
1941	SPECIAL CATEGORIES PAYMENT TO EXPRESSWAY AUTHORITIES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	5,870,420
1942	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	22,057,407
1943	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	134,949
1944	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	1,768,409
1945	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	172,740
1946	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM TURNPIKE GENERAL RESERVE TRUST FUND
	201,390
1947	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	57,137,774
1948	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	18,046,254
	606,593,994
	5,220,855
1949	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	7,418,329
	65,510,626
	632,316
1950	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM TURNPIKE GENERAL RESERVE TRUST FUND
	51,925,700

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION	
SPECIFIC	
APPROPRIATION	
1951	FIXED CAPITAL OUTLAY RESURFACING FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND
	47,411,937
1952	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND
	9,350,347
1953	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	10,858,959
	134,647,554
	3,815,696
1954	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM TURNPIKE GENERAL RESERVE TRUST FUND
	5,614,400
1955	FIXED CAPITAL OUTLAY TRAFFIC ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	290,000
1956	FIXED CAPITAL OUTLAY TOLL OPERATION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	123,254,955
1957	FIXED CAPITAL OUTLAY TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	32,306,870
	3,661,050
1958	FIXED CAPITAL OUTLAY TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND
	50,963,792
TOTAL: FLORIDA'S TURNPIKE ENTERPRISE	
	FROM TRUST FUNDS
	1,346,862,012
	TOTAL POSITIONS
	405.00
	TOTAL ALL FUNDS
	1,346,862,012
TOTAL: TRANSPORTATION, DEPARTMENT OF	
	FROM GENERAL REVENUE FUND
	2,700,000
	FROM TRUST FUNDS
	10,755,292,084
	TOTAL POSITIONS
	6,379.00
	TOTAL ALL FUNDS
	10,757,992,084
	TOTAL APPROVED SALARY RATE
	334,959,655
TOTAL OF SECTION 5	
	FROM GENERAL REVENUE FUND
	383,989,789
	FROM TRUST FUNDS
	14,252,827,036
	TOTAL POSITIONS
	15,065.25
	TOTAL ALL FUNDS
	14,636,816,825
SECTION 6 - GENERAL GOVERNMENT	
The moneys contained herein are appropriated from the named funds to Administered Funds, Department of Business and Professional Regulation,	

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Department of Citrus, Department of Economic Opportunity, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

PROGRAM: ADMINISTERED FUNDS

1960	LUMP SUM		
	HUMAN RESOURCES OUTSOURCING CONTINGENCY		
	FROM GENERAL REVENUE FUND	300,000	
1960A	LUMP SUM		
	HUMAN RESOURCES ASSESSMENT REDUCTION		
	FROM GENERAL REVENUE FUND	-1,261,812	
	FROM TRUST FUNDS		-1,108,679
1961A	LUMP SUM		
	AGENCY FOR STATE TECHNOLOGY (AST) - AGENCY		
	INFORMATION TECHNOLOGY SERVICES		
	FROM TRUST FUNDS		2,587,587
1961B	LUMP SUM		
	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	4,787,286	
	FROM TRUST FUNDS		418,691

From the funds provided in Specific Appropriation 1961B, \$670,325 from the General Revenue Fund and \$418,691 from trust funds are provided for distribution into agencies' State Data Center-Agency for State Technology data processing categories for the revenue to support appropriations within the Agency for State Technology.

From the funds provided in Specific Appropriation 1961B, \$50,288 in nonrecurring general revenue funds is provided for the Agency for State Technology to obtain information security training for the information security managers and their staff at an amount of \$6,286 for each of the following agencies: the Division of Administrative Hearings, the Division of Emergency Management, the Department of Agriculture and Consumer Services, the Department of Law Enforcement, the Department of Legal Affairs, the Office of Early Learning, the Florida Commission on Offender Review, and the Guardian Ad Litem.

Funds in Specific Appropriation 1961B are provided for the completion of an information security risk assessment for each state agency identified below at an amount not to exceed \$254,167 for each agency. For purposes of completing the information security risk assessments, the Agency for State Technology shall define the specific risk assessment methodology and procurement approach that shall include: 1) identification and assessment of security risks using a uniform criteria based on industry best practices; 2) identification of any risks with severity; 3) recommendation for remediation strategies; 4) prioritization of remediation activities; and 5) estimated schedule and cost of the remediation plan for each agency. The Agency for State Technology shall collaborate with each state agency identified below to develop an implementation plan and support the agency procurement for the information security risk assessment. Each of the following agencies shall undertake a competitive procurement pursuant to s. 287.057, Florida Statutes, for a security risk assessment: Agency for Health Care Administration; Agency for Persons with Disabilities; Department of Economic Opportunity; Department of Business and Professional Regulation; Department of Financial Services; Department of Corrections; Department of Children and Families; Department of Juvenile Justice; Department of Education; Department of Elder Affairs; Department of Health; Department of Revenue; Department of State; Department of Transportation; Department of Law Enforcement; and Department of Highway Safety and Motor Vehicles. Upon completion, the Agency for State Technology shall submit to the Executive Office of the Governor's Office of Policy and Budget, the chair of the Senate Committee on Appropriations, and the chair of the House of Representatives Appropriations Committee, the timeline and cost for completing the information security risk assessments and the completed information

SECTION 6 - GENERAL GOVERNMENT
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security risk assessments.

1961C	LUMP SUM	
	STRENGTHENING DOMESTIC SECURITY	
	FROM TRUST FUNDS	30,764,189

Funds provided in Specific Appropriation 1961C are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for the individual projects as indicated in the Fiscal Year 2016-2017 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with approval of the Legislative Budget Commission.

State Homeland Security Program (SHSP):

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	
State Agricultural Response Team (SART) Support.....	263,320
DEPARTMENT OF EDUCATION	
Mass Notification.....	214,285
Emergency Operational Communication K-20.....	408,720
Bay District School.....	100,000
Wakulla County Schools.....	29,976
Jefferson County School.....	50,000
Desoto County School.....	26,670
K-12 Security Visitor Identification System.....	168,302
DEPARTMENT OF FINANCIAL SERVICES	
Specialty Team Training & Exercise.....	92,358
Specialty Team Sustainment and Maintenance.....	18,000
LE Response Critical Needs.....	97,000
DEPARTMENT OF HEALTH	
Enhancement of State's Radiological Nuclear Detection	
Capability.....	134,000
Active Shooter in a Health Care Setting Training/Drill....	59,250
DEPARTMENT OF LAW ENFORCEMENT	
Sustainment of Fusion Center Analysts.....	119,000
Fusion Centers.....	253,000
Statewide Data Sharing.....	1,596,800
Metadata Planners.....	195,000
State MS-ISAC Network.....	72,494
Cyber Security Training.....	283,000
Region 2 EDICS Tower.....	80,000
Management and Administration.....	69,834
Region 2 Capitol Police.....	57,000
DIVISION OF EMERGENCY MANAGEMENT (EOG)	
All-Hazards Training.....	391,378
Sustainment of Fusion Center Analysts.....	406,000
Hazmat Sustainment.....	653,448
LE Sustainment and Maintenance.....	966,338
Hazmat Critical Needs.....	164,750
LE Response Critical Needs.....	830,310
MARC Sustainment.....	79,416
USAR Training.....	492,532
USAR Sustainment.....	392,036
USAR Critical Needs.....	23,000
Specialty Team Training & Exercise.....	120,000
EDICS Sustainment.....	34,000
Hazmat Training and Exercise.....	403,320
Marc Training and Exercise.....	9,500
Skywatch Mobile Surveillance Tower - Region 6.....	143,534
Skywatch Mobile Surveillance Tower - Region 3.....	148,050
Orange County Cyber Security Defense Initiative.....	182,000
FRT Sustainment and Maintenance.....	9,678
700 MHz Overlay Project - Region 7.....	560,000
700 MHz Mutual Aid Overlay Phase 2 - Region 1.....	310,016
WEBBOC Project.....	684,146
ISSI Project - Region 4.....	598,000
Lakeland Electric Project Region 4.....	125,000
Fusion Centers.....	165,107
LE Data Sharing.....	762,000
Metadata Planners.....	152,500
Management & Administration.....	701,456
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	

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Specialty Team Sustainment and Maintenance.....	39,100	
Specialty Team Training & Exercise.....	94,500	
Urban Areas Security Initiative (UASI):		
Miami/Ft Lauderdale Urban Areas Security Initiative (UASI)	6,479,263	
Orlando Urban Areas Security Initiative (UASI).....	3,188,648	
Tampa Urban Areas Security Initiative (UASI).....	4,069,166	
Management and Administration (UASI).....	723,004	
Additional Federal Funding:		
DIVISION OF EMERGENCY MANAGEMENT		
Urban Area Security (UASI) Nonprofit Security		
Grant Program (NSGP).....	1,124,900	
Operation Stonegarden (OPSG).....	1,150,084	
1962A LUMP SUM		
EMPLOYEE COMPENSATION AND BENEFITS		
FROM GENERAL REVENUE FUND	62,066,119	
FROM TRUST FUNDS		49,396,519
1963A LUMP SUM		
STATE MATCH FOR FEDERAL FEMA FUNDING		
FROM GENERAL REVENUE FUND	23,137,234	
1964 SPECIAL CATEGORIES		
ASSOCIATION DUES		
FROM GENERAL REVENUE FUND	215,170	
1965 SPECIAL CATEGORIES		
ADMINISTRATION COMMISSION AND FLORIDA LAND		
AND WATER ADJUDICATORY COMMISSION -		
ADMINISTRATIVE APPEALS		
FROM GENERAL REVENUE FUND	10,000	
1965A SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	4,600,000	

From the funds provided in Specific Appropriation 1965A, \$1,800,000 in recurring general revenue funds is provided to the Executive Office of the Governor for the acquisition of a statewide travel management system that standardizes and automates travel management to include travel planning and approval, expense reporting, and reimbursement; and \$2,800,000 in nonrecurring general revenue funds is provided to the executive branch state agencies and the judicial branch for the implementation of a statewide travel management system. The Executive Office of the Governor shall undertake a competitive procurement for a statewide travel management system pursuant to section 287.057, Florida Statutes.

The system must be able to electronically: (a) interface with the Florida Accounting Information Resource Subsystem and the Personnel Information System, (b) generate the uniform travel authorization request and travel voucher forms pursuant to section 112.061, Florida Statutes, and (c) receive approvals for travel. The system must also include search features that query travel information by specific criteria to minimally include: employee name and position title, purpose of travel, dates and location of travel, mode of travel, confirmation of agency head or designee authorization if required, and total travel cost. The system must allow executive branch state agencies and the judicial branch to retain current customized organizational code information to ensure that travel reimbursements are made from the appropriate fund source. The Executive Office of the Governor and the Legislature shall be provided access to the statewide travel management system for purposes of generating reports on all travel completed by executive branch state agencies and the judicial branch.

1966 SPECIAL CATEGORIES		
TRANSFER TO PLANNING AND BUDGETING SYSTEM		
TRUST FUND		
FROM GENERAL REVENUE FUND	5,821,861	
TOTAL: PROGRAM: ADMINISTERED FUNDS		
FROM GENERAL REVENUE FUND	99,675,858	
FROM TRUST FUNDS		82,058,307

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

TOTAL ALL FUNDS	181,734,165
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BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT
OF

No funds are appropriated in Specific Appropriations 1967 through 2124 and sections 66, 67, and 90 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 790:0070, 790:0083, 790:0098 or 790:M139, or any other lease, by the Department of Business and Professional Regulation, notwithstanding any lease or contract to the contrary. The Department of Business and Professional Regulation is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 790:0070, 790:0083, 790:0098 or 790:M139, or any other lease.

From the funds provided in Specific Appropriations 1967 through 2124, the Department of Business and Professional Regulation shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: OFFICE OF THE SECRETARY AND
ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	8,006,921	
1967 SALARIES AND BENEFITS	POSITIONS	155.50	
	FROM ADMINISTRATIVE TRUST FUND . . .		10,962,625
1968 OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	350,000	
	FROM ADMINISTRATIVE TRUST FUND . . .		757,051
1969 EXPENSES			
	FROM ADMINISTRATIVE TRUST FUND . . .		1,495,021
1970 OPERATING CAPITAL OUTLAY			
	FROM ADMINISTRATIVE TRUST FUND . . .		27,088
1971 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE			
HEARINGS			
	FROM ADMINISTRATIVE TRUST FUND . . .		187,533
1972 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
	FROM ADMINISTRATIVE TRUST FUND . . .		254,780
1973 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
	FROM ADMINISTRATIVE TRUST FUND . . .		6,500
1974 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
	FROM ADMINISTRATIVE TRUST FUND . . .		46,445
1975 SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS			

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	FROM ADMINISTRATIVE TRUST FUND . . .		7,650
1976	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		107,506
1977	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		55,031
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	350,000	
	FROM TRUST FUNDS		13,907,230
	TOTAL POSITIONS	155.50	
	TOTAL ALL FUNDS		14,257,230

INFORMATION TECHNOLOGY

	APPROVED SALARY RATE	3,231,394	
1978	SALARIES AND BENEFITS POSITIONS 57.00 FROM GENERAL REVENUE FUND	187,940	
	FROM ADMINISTRATIVE TRUST FUND . . .		4,162,929
1979	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		109,265
1980	EXPENSES FROM GENERAL REVENUE FUND	11,878	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,444,038
1981	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		100,000
1982	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		2,420,911
1983	SPECIAL CATEGORIES FLORIDA BUSINESS INFORMATION PORTAL FROM GENERAL REVENUE FUND	492,236	

The funds in Specific Appropriation 1983 are provided to implement the Florida Business Information Portal and shall be placed in reserve. The Department of Business and Professional Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting the release of funds, contingent upon the submission of an operational work plan or project plan that includes the project scope, schedule and cost for implementing the Florida Business Information Portal. The department is authorized to procure contracted services as needed to assist in the implementation of the Florida Business Information Portal.

1984	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		11,932
1985	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		13,501
1986	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	688	
	FROM ADMINISTRATIVE TRUST FUND . . .		17,380
1987	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM ADMINISTRATIVE TRUST FUND . . .		1,283,772

SECTION 6 - GENERAL GOVERNMENT
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1988	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM ADMINISTRATIVE TRUST FUND . . .		155,190
The funds provided in Specific Appropriation 1988 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.			
TOTAL:	INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND	692,742	
	FROM TRUST FUNDS		9,718,918
	TOTAL POSITIONS	57.00	
	TOTAL ALL FUNDS		10,411,660

PROGRAM: SERVICE OPERATION
CUSTOMER CONTACT CENTER

	APPROVED SALARY RATE	3,117,285	
1989	SALARIES AND BENEFITS POSITIONS 91.00 FROM ADMINISTRATIVE TRUST FUND . . .		4,467,927
1990	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		232,098
1991	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		506,929
1992	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		3,000
1993	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		9,000
1994	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		24,102
1995	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		5,430

1996	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		29,848
TOTAL:	CUSTOMER CONTACT CENTER FROM TRUST FUNDS		5,278,334
	TOTAL POSITIONS	91.00	
	TOTAL ALL FUNDS		5,278,334

CENTRAL INTAKE

	APPROVED SALARY RATE	3,649,249	
1997	SALARIES AND BENEFITS POSITIONS 109.50 FROM ADMINISTRATIVE TRUST FUND . . .		5,321,886
1998	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		423,613
1999	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		582,375
2000	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		3,000
2001	SPECIAL CATEGORIES		

SECTION 6 - GENERAL GOVERNMENT
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	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	1,000,000	
2002	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	57,667	
2003	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ADMINISTRATIVE TRUST FUND . . .	26,950	
2004	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	40,503	
TOTAL:	CENTRAL INTAKE		
	FROM TRUST FUNDS	7,455,994	
	TOTAL POSITIONS	109.50	
	TOTAL ALL FUNDS	7,455,994	

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

	APPROVED SALARY RATE	11,800,019	
2005	SALARIES AND BENEFITS POSITIONS	268.00	
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	16,570,627	
2006	OTHER PERSONAL SERVICES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	1,101,322	
2007	EXPENSES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	3,318,982	
2008	OPERATING CAPITAL OUTLAY		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	6,920	
2009	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	220,900	

From the funds provided in Specific Appropriation 2009, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2010	SPECIAL CATEGORIES		
	TRANSFER TO THE PROFESSIONAL REGULATION		
	TRUST FUND		
	FROM GENERAL REVENUE FUND	740,000	

The funds in Specific Appropriation 2010 are provided for the Division of Drugs, Devices and Cosmetics. The funds shall be utilized, if needed, in excess of available trust funds to support and maintain operations of the division.

2011	SPECIAL CATEGORIES		
	LEGAL SERVICES CONTRACT		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	918,385	

2012	SPECIAL CATEGORIES		
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SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

	TRANSFER TO DEPARTMENT OF HEALTH		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND		282,637
2013	SPECIAL CATEGORIES		
	UNLICENSED ACTIVITIES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND		2,238,146

From the funds in Specific Appropriation 2013, up to \$500,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent and combat unlicensed real estate activity in Florida. The department shall develop and implement an unlicensed activity program in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. These unlicensed activity funds may not be used for media campaigns, including public service announcements.

From the funds in Specific Appropriation 2013, up to \$100,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and, (3) that certain services may only be performed by a licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2013, up to \$250,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to enhance department enforcement activities, which include stings and sweeps, relating to unlicensed construction activity in Florida. The department may not allocate overhead charges to these unlicensed activity functions.

From the funds in Specific Appropriation 2013, the Department of Business and Professional Regulation shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget by November 1, 2016, detailing the unlicensed activity functions performed by the department during Fiscal Year 2015-2016. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2014	SPECIAL CATEGORIES		
	CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY		
	FUND		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND		5,000,000

2015	SPECIAL CATEGORIES		
	CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND		106,579

2016	SPECIAL CATEGORIES		
	TRANSFER ARCHITECT & INTERIOR DESIGN		
	ACTIVITIES CH. 2002-274		

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APPROPRIATION	
FROM PROFESSIONAL REGULATION TRUST	
FUND	425,239
2017 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	1,233,138
2018 SPECIAL CATEGORIES	
FLORIDA BUILDING CODE COMPLIANCE AND	
MITIGATION PROGRAM	
FROM PROFESSIONAL REGULATION TRUST	
FUND	925,000

The funds in Specific Appropriation 2018 are provided for the Florida Building Code Compliance and Mitigation Program as authorized in section 553.841, Florida Statutes.

2019 SPECIAL CATEGORIES	
OPERATION OF MOTOR VEHICLES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	223,236
2020 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM PROFESSIONAL REGULATION TRUST	
FUND	352,866
2021 SPECIAL CATEGORIES	
CLAY FORD SCHOLARSHIP PROGRAM - CERTIFIED	
PUBLIC ACCOUNTING MINORITY SCHOLARSHIPS	
FROM PROFESSIONAL REGULATION TRUST	
FUND	200,000
2022 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM PROFESSIONAL REGULATION TRUST	
FUND	83,362
2023 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM PROFESSIONAL REGULATION TRUST	
FUND	108,554
2024 SPECIAL CATEGORIES	
GRANTS AND AIDS - FLORIDA ENGINEERING	
MANAGEMENT CORPORATION (FEMC) CONTRACTED	
SERVICES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	2,070,000
2025 FINANCIAL ASSISTANCE PAYMENTS	
REAL ESTATE RECOVERY FUND	
FROM PROFESSIONAL REGULATION TRUST	
FUND	300,000
2026 FINANCIAL ASSISTANCE PAYMENTS	
REAL ESTATE SCHOLARSHIPS	
FROM PROFESSIONAL REGULATION TRUST	
FUND	150,000
TOTAL: COMPLIANCE AND ENFORCEMENT	
FROM GENERAL REVENUE FUND	740,000
FROM TRUST FUNDS	35,835,893
TOTAL POSITIONS	268.00
TOTAL ALL FUNDS	36,575,893

FLORIDA BOXING COMMISSION	
APPROVED SALARY RATE	236,462

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2027 SALARIES AND BENEFITS	POSITIONS 4.00
FROM PROFESSIONAL REGULATION TRUST	
FUND	345,335
2028 OTHER PERSONAL SERVICES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	110,371
2029 EXPENSES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	156,920
2030 SPECIAL CATEGORIES	
TRANSFER TO THE PROFESSIONAL REGULATION	
TRUST FUND	
FROM GENERAL REVENUE FUND	630,055

The funds in Specific Appropriation 2030 are provided for the Florida Boxing Commission. The funds shall be utilized, if needed, in excess of available trust funds to support and maintain operations of the commission.

2031 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	2,000
2032 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM PROFESSIONAL REGULATION TRUST	
FUND	9,431
2033 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM PROFESSIONAL REGULATION TRUST	
FUND	3,758
TOTAL: FLORIDA BOXING COMMISSION	
FROM GENERAL REVENUE FUND	630,055
FROM TRUST FUNDS	627,815
TOTAL POSITIONS	4.00
TOTAL ALL FUNDS	1,257,870

TESTING AND CONTINUING EDUCATION	
APPROVED SALARY RATE	1,441,817

2034 SALARIES AND BENEFITS	POSITIONS 40.00
FROM PROFESSIONAL REGULATION TRUST	
FUND	2,048,112
2035 EXPENSES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	283,871
2036 OPERATING CAPITAL OUTLAY	
FROM PROFESSIONAL REGULATION TRUST	
FUND	3,000
2037 SPECIAL CATEGORIES	
EXAMINATION TESTING SERVICES FOR	
PROFESSIONAL REGULATION	
FROM PROFESSIONAL REGULATION TRUST	
FUND	658,235
2038 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM PROFESSIONAL REGULATION TRUST	
FUND	6,000
2039 SPECIAL CATEGORIES	

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APPROPRIATION			
	OPERATION OF MOTOR VEHICLES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	1,000	
2040	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	9,009	
2041	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	5,211	
2042	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	13,664	
TOTAL: TESTING AND CONTINUING EDUCATION			
	FROM TRUST FUNDS	3,028,102	
	TOTAL POSITIONS	40.00	
	TOTAL ALL FUNDS	3,028,102	
FARM AND CHILD LABOR REGULATION			
	APPROVED SALARY RATE	1,078,622	
2043	SALARIES AND BENEFITS		30.00
	POSITIONS		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	1,595,678	
2044	EXPENSES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	160,342	
2045	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	45,000	
From the funds provided in Specific Appropriation 2045, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.			
2046	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	20,590	
2047	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	69,400	
2048	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	6,001	
2049	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND	2,648	
2050	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		

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	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND		9,502
TOTAL: FARM AND CHILD LABOR REGULATION			
	FROM TRUST FUNDS		1,909,161
	TOTAL POSITIONS	30.00	
	TOTAL ALL FUNDS		1,909,161
PROGRAM: PARI-MUTUEL WAGERING			
PARI-MUTUEL WAGERING			
From the funds in Specific Appropriations 2051 through 2063, the Department of Business and Professional Regulation, by and through the Division of Pari-Mutuel Wagering, shall adopt rules governing the reporting of greyhound injuries sustained at pari-mutuel racetracks.			
	APPROVED SALARY RATE	2,832,176	
2051	SALARIES AND BENEFITS		65.00
	POSITIONS		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		3,971,000
2052	OTHER PERSONAL SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		1,685,853
2053	EXPENSES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		665,627
2054	OPERATING CAPITAL OUTLAY		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		13,032
2055	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		40,002
From the funds provided in Specific Appropriation 2055, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.			
2056	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		27,317
2057	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		62,000
2058	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		161,340
2059	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND		10,063
2060	SPECIAL CATEGORIES		
	RACING ANIMAL MEDICAL RESEARCH		
	FROM PARI-MUTUEL WAGERING TRUST		

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FUND	100,000	
2061 SPECIAL CATEGORIES PARI-MUTUEL LABORATORY CONTRACTED SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND	2,266,000	
2062 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PARI-MUTUEL WAGERING TRUST FUND	42,001	
2063 SPECIAL CATEGORIES CONTRACT FOR PARI-MUTUEL WAGERING COMPLIANCE AND AUDIT SYSTEM FROM PARI-MUTUEL WAGERING TRUST FUND	296,476	
TOTAL: PARI-MUTUEL WAGERING FROM TRUST FUNDS	9,340,711	
TOTAL POSITIONS	65.00	
TOTAL ALL FUNDS	9,340,711	

SLOT MACHINE REGULATION

APPROVED SALARY RATE	2,198,053	
2064 SALARIES AND BENEFITS POSITIONS FROM PARI-MUTUEL WAGERING TRUST FUND	50.00	3,130,632
2065 OTHER PERSONAL SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND		10,000
2066 EXPENSES FROM PARI-MUTUEL WAGERING TRUST FUND		275,248
2067 OPERATING CAPITAL OUTLAY FROM PARI-MUTUEL WAGERING TRUST FUND		10,863
2068 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM PARI-MUTUEL WAGERING TRUST FUND		40,000

From the funds provided in Specific Appropriation 2068, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2069 SPECIAL CATEGORIES COMPULSIVE AND ADDICTIVE GAMBLING PREVENTION CONTRACT FROM PARI-MUTUEL WAGERING TRUST FUND	1,250,000
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Funds in Specific Appropriation 2069 shall be placed in reserve contingent upon the submission of a report to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget detailing the services that will be delivered, the expected results, and recommended performance measures to be included in the contract for the provision of services related to the prevention and reduction of compulsive and addictive gambling. The report shall also include the effectiveness of Fiscal Year 2015-2016

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efforts in reducing problem gambling. No earlier than 14 days after the submission of the report, the Department of Business and Professional Regulation may request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.		
2070 SPECIAL CATEGORIES TRANSFER TO THE OFFICE OF THE STATE ATTORNEY - SLOT INVESTIGATIONS AND PROSECUTIONS FROM PARI-MUTUEL WAGERING TRUST FUND		223,876
2071 SPECIAL CATEGORIES CONTRACTED SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND		44,000
2072 SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PARI-MUTUEL WAGERING TRUST FUND		25,743
2073 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PARI-MUTUEL WAGERING TRUST FUND		13,780
2074 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PARI-MUTUEL WAGERING TRUST FUND		2,848
2075 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PARI-MUTUEL WAGERING TRUST FUND		17,050
TOTAL: SLOT MACHINE REGULATION FROM TRUST FUNDS		5,044,040
TOTAL POSITIONS	50.00	
TOTAL ALL FUNDS		5,044,040
PROGRAM: HOTELS AND RESTAURANTS COMPLIANCE AND ENFORCEMENT		
APPROVED SALARY RATE	11,861,058	
2076 SALARIES AND BENEFITS POSITIONS FROM HOTEL AND RESTAURANT TRUST FUND	308.00	16,667,947
2077 OTHER PERSONAL SERVICES FROM HOTEL AND RESTAURANT TRUST FUND		35,689
2078 EXPENSES FROM HOTEL AND RESTAURANT TRUST FUND		1,843,116
2079 OPERATING CAPITAL OUTLAY FROM HOTEL AND RESTAURANT TRUST FUND		8,500
2080 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HOTEL AND RESTAURANT TRUST FUND		467,000

From the funds provided in Specific Appropriation 2080, \$192,000 in nonrecurring funds may be utilized for the purchase of up to 12 motor

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vehicles to reduce mileage reimbursement costs. The Department of Business and Professional Regulation shall coordinate the motor vehicle purchase with the Department of Management Services pursuant to section 287.16, Florida Statutes.

From the funds provided in Specific Appropriation 2080, \$275,000 in recurring funds may be utilized by the Department of Business and Professional Regulation to purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles, unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2080A SPECIAL CATEGORIES
TRANSFER TO VISIT FLORIDA
FROM HOTEL AND RESTAURANT TRUST
FUND 2,500,000

Funds in Specific Appropriation 2080A shall be transferred to Visit Florida to contract with the Florida Restaurant and Lodging Association, Inc., to develop a coordinated marketing, media and events program to promote Florida tourism by residents of the state. This campaign shall require a private matching program and shall be conducted throughout the state, as approved by and monitored by Visit Florida and the Florida Restaurant and Lodging Association, Inc., for the purpose of promoting tourism within the state.

2081 SPECIAL CATEGORIES
TRANSFERS TO DEPARTMENT OF HEALTH FOR
EPIDEMIOLOGICAL SERVICES
FROM HOTEL AND RESTAURANT TRUST
FUND 607,149

2082 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL-TO-CAREER
FROM HOTEL AND RESTAURANT TRUST
FUND 706,698

2083 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HOTEL AND RESTAURANT TRUST
FUND 70,509

2084 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST
FUND 484,941

2085 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HOTEL AND RESTAURANT TRUST
FUND 276,484

2086 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HOTEL AND RESTAURANT TRUST
FUND 25,000

2087 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HOTEL AND RESTAURANT TRUST
FUND 97,718

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 23,790,751

TOTAL POSITIONS 308.00
TOTAL ALL FUNDS 23,790,751

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

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APPROVED SALARY RATE 9,181,013

2088 SALARIES AND BENEFITS POSITIONS 188.75
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 12,679,085

2089 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 7,075

2090 EXPENSES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 1,481,830
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 177,854

2091 OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 54,000

2092 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 315,644

2093 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 78,044

2094 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL
VEHICLES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 896,017

2095 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 514,050

2096 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 172,846

2097 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 140,000

2098 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 28,219

2099 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 61,566

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,606,230

TOTAL POSITIONS 188.75
TOTAL ALL FUNDS 16,606,230

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,405,493

2100 SALARIES AND BENEFITS POSITIONS 59.50

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APPROPRIATION			
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		3,538,727
2101	OTHER PERSONAL SERVICES		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		141,806
2102	EXPENSES		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		550,628
2103	OPERATING CAPITAL OUTLAY		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		5,000
2104	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		17,733
2105	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		13,516
2106	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		12,229
2107	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		20,753
TOTAL:	STANDARDS AND LICENSURE		
	FROM TRUST FUNDS		4,300,392
	TOTAL POSITIONS	59.50	
	TOTAL ALL FUNDS		4,300,392
TAX COLLECTION			
	APPROVED SALARY RATE	3,304,512	
2108	SALARIES AND BENEFITS	POSITIONS	82.00
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		4,762,272
2109	OTHER PERSONAL SERVICES		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		16,669
2110	EXPENSES		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		622,009
2111	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		1,247,860

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APPROPRIATION			
and a project spend plan.			
2112	SPECIAL CATEGORIES		
	CIGARETTE TAX STAMPS		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		866,505
2113	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		14,277
2114	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		12,998
2115	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		28,967
2116	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND		13,100
TOTAL: TAX COLLECTION			
	FROM TRUST FUNDS		7,584,657
	TOTAL POSITIONS	82.00	
	TOTAL ALL FUNDS		7,584,657
PROGRAM: FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES			
COMPLIANCE AND ENFORCEMENT			
	APPROVED SALARY RATE	4,462,950	
2117	SALARIES AND BENEFITS	POSITIONS	110.00
	FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND		6,248,896
2118	OTHER PERSONAL SERVICES		
	FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND		44,076
2119	EXPENSES		
	FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND		903,881
2120	OPERATING CAPITAL OUTLAY		
	FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND		6,298
2121	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND		17,500
2122	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND		32,184

From the funds in Specific Appropriation 2111, \$1,226,680 is provided to the Department of Business and Professional Regulation for the Electronic Data Submission System. From these funds, \$1,126,680 shall be placed in reserve. The Department of Business and Professional Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting the release of funds, contingent upon the submission of an operational work plan or project plan that validates that the requirements and technical specifications have been reviewed and approved by the project's governance structure. The operational work plan or project plan shall include the project's scope, timeline

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2123	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM DIVISION OF FLORIDA		
	CONDOMINIUMS, TIMESHARES AND		
	MOBILE HOMES TRUST FUND	11,856	
2124	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM DIVISION OF FLORIDA		
	CONDOMINIUMS, TIMESHARES AND		
	MOBILE HOMES TRUST FUND	37,714	
TOTAL: COMPLIANCE AND ENFORCEMENT			
	FROM TRUST FUNDS	7,302,405	
	TOTAL POSITIONS	110.00	
	TOTAL ALL FUNDS	7,302,405	
TOTAL: BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT			
	OF		
	FROM GENERAL REVENUE FUND	2,412,797	
	FROM TRUST FUNDS		151,730,633
	TOTAL POSITIONS	1,618.25	
	TOTAL ALL FUNDS		154,143,430
	TOTAL APPROVED SALARY RATE	68,807,024	
PROGRAM: CITRUS, DEPARTMENT OF			
CITRUS RESEARCH			
	APPROVED SALARY RATE	1,110,421	
2125	SALARIES AND BENEFITS	POSITIONS	15.00
	FROM CITRUS ADVERTISING TRUST FUND .		1,409,921
2126	OTHER PERSONAL SERVICES		
	FROM CITRUS ADVERTISING TRUST FUND .		107,098
2127	EXPENSES		
	FROM CITRUS ADVERTISING TRUST FUND .		401,896
2128	OPERATING CAPITAL OUTLAY		
	FROM CITRUS ADVERTISING TRUST FUND .		251,000
2129	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	650,000	
	FROM CITRUS ADVERTISING TRUST FUND .		5,920,494
2130	SPECIAL CATEGORIES		
	PAID ADVERTISING AND PROMOTION		
	FROM CITRUS ADVERTISING TRUST FUND .		82,000
2131	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM CITRUS ADVERTISING TRUST FUND .		5,819
TOTAL: CITRUS RESEARCH			
	FROM GENERAL REVENUE FUND	650,000	
	FROM TRUST FUNDS		8,178,228
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		8,828,228
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	1,413,395	
2132	SALARIES AND BENEFITS	POSITIONS	22.00

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APPROPRIATION			
	FROM CITRUS ADVERTISING TRUST FUND .		2,070,340
2133	OTHER PERSONAL SERVICES		
	FROM CITRUS ADVERTISING TRUST FUND .		66,000
2134	EXPENSES		
	FROM CITRUS ADVERTISING TRUST FUND .		542,625
2135	OPERATING CAPITAL OUTLAY		
	FROM CITRUS ADVERTISING TRUST FUND .		119,779
2136	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM CITRUS ADVERTISING TRUST FUND .		407,655
2137	SPECIAL CATEGORIES		
	PAID ADVERTISING AND PROMOTION		
	FROM CITRUS ADVERTISING TRUST FUND .		75,000
2138	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CITRUS ADVERTISING TRUST FUND .		13,837
2139	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM CITRUS ADVERTISING TRUST FUND .		8,892
2140	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM CITRUS ADVERTISING TRUST FUND .		37,599
2141	FIXED CAPITAL OUTLAY		
	FACILITIES REPAIRS AND MAINTENANCE		
	FROM CITRUS ADVERTISING TRUST FUND .		85,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM TRUST FUNDS		3,426,727
	TOTAL POSITIONS	22.00	
	TOTAL ALL FUNDS		3,426,727
AGRICULTURAL PRODUCTS MARKETING			
	APPROVED SALARY RATE	1,114,935	
2142	SALARIES AND BENEFITS	POSITIONS	11.00
	FROM CITRUS ADVERTISING TRUST FUND .		1,602,262
2143	OTHER PERSONAL SERVICES		
	FROM CITRUS ADVERTISING TRUST FUND .		17,000
2144	EXPENSES		
	FROM CITRUS ADVERTISING TRUST FUND .		461,331
2145	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM CITRUS ADVERTISING TRUST FUND .		100,000
2146	SPECIAL CATEGORIES		
	PAID ADVERTISING AND PROMOTION		
	FROM GENERAL REVENUE FUND	7,000,000	
	FROM CITRUS ADVERTISING TRUST FUND .		27,645,526
2147	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM CITRUS ADVERTISING TRUST FUND .		5,206
TOTAL: AGRICULTURAL PRODUCTS MARKETING			
	FROM GENERAL REVENUE FUND		7,000,000

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FROM TRUST FUNDS		29,831,325	
TOTAL POSITIONS	11.00		
TOTAL ALL FUNDS		36,831,325	
TOTAL: PROGRAM: CITRUS, DEPARTMENT OF			
FROM GENERAL REVENUE FUND	7,650,000		
FROM TRUST FUNDS		41,436,280	
TOTAL POSITIONS	48.00		
TOTAL ALL FUNDS		49,086,280	
TOTAL APPROVED SALARY RATE	3,638,751		

ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations 2148 through 2245, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The department head or a designee must certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It is the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

From the funds in Specific Appropriations 2148 through 2245, no federal or state funds shall be used to pay for space being leased by a local workforce development board, CareerSource Florida, or the Department of Economic Opportunity if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

No funds are appropriated in Specific Appropriations 2148 through 2245, and Sections 79, 80 and 90 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 750:0068, 790:0098, 400:0068 or 590:M139, or any other lease, except for State of Florida Lease No. 400:0070, by the Department of Economic Opportunity, including any one or more predecessor agencies, notwithstanding any lease or contract to the contrary. The Department of Economic Opportunity is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 750:0068, 790:0098, 400:0068 or 590:M139, or any other lease, except State of Florida Lease No. 400:0070.

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

APPROVED SALARY RATE	2,755,167		
2148 SALARIES AND BENEFITS POSITIONS	38.00		
FROM ADMINISTRATIVE TRUST FUND		3,271,479	
2149 OTHER PERSONAL SERVICES			

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FROM ADMINISTRATIVE TRUST FUND			113,627
2150 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND			504,993
2151 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND			17,177
2152 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS			
FROM ADMINISTRATIVE TRUST FUND			18,535
2153 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES			
FROM ADMINISTRATIVE TRUST FUND			133,778
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND			160,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND			8,000
FROM TOURISM PROMOTIONAL TRUST FUND			32,000
Funds provided in Specific Appropriation 2153 from the State Economic Enhancement and Development Trust Fund, the Tourism Promotional Trust Fund, and the Florida International Trade and Promotion Trust Fund, shall only be used to represent the state's interest in the Digital Domain Media Group, Inc., bankruptcy action.			
Funds provided in Specific Appropriation 2153 from the Administrative Trust Fund may be used to represent the state's interest in legal matters that require the use of outside legal counsel.			
2154 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ADMINISTRATIVE TRUST FUND			23,168
2155 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM ADMINISTRATIVE TRUST FUND			13,943
2156 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)			
FROM ADMINISTRATIVE TRUST FUND			4,919
TOTAL: EXECUTIVE LEADERSHIP			
FROM TRUST FUNDS			4,301,619
TOTAL POSITIONS	38.00		
TOTAL ALL FUNDS			4,301,619

FINANCE AND ADMINISTRATION

APPROVED SALARY RATE	5,460,045		
2157 SALARIES AND BENEFITS POSITIONS	99.00		
FROM ADMINISTRATIVE TRUST FUND			6,463,908
FROM REVOLVING TRUST FUND			933,520
2158 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND			49,136
FROM REVOLVING TRUST FUND			50,000
2159 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND			625,557
FROM REVOLVING TRUST FUND			1,418,634
2160 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND			52,822
2161 SPECIAL CATEGORIES			

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APPROPRIATION			
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	510,198	
	FROM REVOLVING TRUST FUND	1,036,300	
2162	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	29,738	
	FROM REVOLVING TRUST FUND	5,719	
2163	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	24,618	
	FROM REVOLVING TRUST FUND	4,541	
2164	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM ADMINISTRATIVE TRUST FUND . . .	146,027	
2165	FIXED CAPITAL OUTLAY		
	REED ACT BUILDINGS PROJECTS - STATEWIDE		
	FROM REVOLVING TRUST FUND	624,000	
TOTAL:	FINANCE AND ADMINISTRATION		
	FROM TRUST FUNDS	11,974,718	
	TOTAL POSITIONS	99.00	
	TOTAL ALL FUNDS	11,974,718	
INFORMATION SYSTEMS AND SUPPORT SERVICES			
	APPROVED SALARY RATE	5,699,356	
2166	SALARIES AND BENEFITS POSITIONS	93.00	
	FROM ADMINISTRATIVE TRUST FUND . . .	7,787,274	
2167	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	130,512	
2168	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .	1,248,819	
2169	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	608,319	
2170	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	938,590	
2171	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	87,447	
2172	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	27,074	
2173	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM ADMINISTRATIVE TRUST FUND . . .	68,828	
TOTAL:	INFORMATION SYSTEMS AND SUPPORT SERVICES		
	FROM TRUST FUNDS	10,896,863	
	TOTAL POSITIONS	93.00	
	TOTAL ALL FUNDS	10,896,863	
PROGRAM: WORKFORCE SERVICES			

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WORKFORCE DEVELOPMENT			
From the funds in Specific Appropriations 2174 through 2203, the Department of Economic Opportunity must determine if any funds provided for specific workforce programs, projects, or initiatives are not an allowable use of federal funds. If the department finds that any workforce program, project, or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the department must notify the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.			
When allocating full-time equivalent (FTE) positions to individual local workforce development boards, the Department of Economic Opportunity must ensure that workforce services are effectively and efficiently provided throughout the state. The department is authorized to reallocate any FTE position allocated to a local workforce development board that has been or becomes vacant for more than 180 days. When reallocating a vacant FTE position, the department must give priority to a local workforce development board that would use the FTE position to provide additional services to veterans.			
	APPROVED SALARY RATE	25,044,535	
2174	SALARIES AND BENEFITS POSITIONS	650.50	
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		33,334,720
	FROM WELFARE TRANSITION TRUST FUND .		1,284,196
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		788,585
2175	OTHER PERSONAL SERVICES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		7,130,057
	FROM WELFARE TRANSITION TRUST FUND .		65,313
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		107,995
2176	EXPENSES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		1,143,128
	FROM WELFARE TRANSITION TRUST FUND .		1,105,389
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		60,387
2177	OPERATING CAPITAL OUTLAY		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		109,473
	FROM WELFARE TRANSITION TRUST FUND .		26,424
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		175,530
2177A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WORKFORCE PROJECTS		
	FROM GENERAL REVENUE FUND	1,014,200	
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND		4,246,000
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		1,630,000
The nonrecurring funds provided in Specific Appropriation 2177A from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:			
	Advanced Manufacturing Skill Development Program.....		2,000,000
	Florida Goodwill Association.....		1,100,000
	Manufacturing Talent Asset Pipeline.....		300,000
	Elements Green Business Incubator Program - Miami		
	Gardens.....		200,000
	PARC - Project SEARCH Initiative.....		171,000
	National Cyber Partnership.....		450,000
	National Organization of Black Elected Legislative		
	Women - National Convention.....		25,000

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The nonrecurring funds provided in Specific Appropriation 2177A from the Special Employment Security Administration Trust Fund shall be allocated as follows:

Big Brothers Big Sisters School to Work Program.....	200,000
Home Builders Institute - Building Careers for Veterans....	500,000
Florida Port Training Program.....	500,000
Louise Graham Regeneration Center - Pinellas County.....	250,000
JARC Transition Pre-Employment Training Program.....	180,000

The nonrecurring funds provided in Specific Appropriation 2177A from the General Revenue Fund shall be allocated as follows:

United Way of Florida - Financial Literacy and Prosperity Program.....	500,000
First Coast Maritime Academy.....	364,200
National Organization of Black Elected Legislative Women - National Convention.....	50,000
The Diversity Initiative - Tampa.....	100,000

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2177A.

2178 SPECIAL CATEGORIES	
NON CUSTODIAL PARENT PROGRAM	
FROM GENERAL REVENUE FUND	500,000
FROM WELFARE TRANSITION TRUST FUND	1,416,000

Funds provided in Specific Appropriation 2178 from the Welfare Transition Trust Fund are provided to continue the Gulf Coast Jewish Family and Community Services' Non-Custodial Parent Employment Program in Miami-Dade, Pinellas, Pasco, and Hillsborough counties, allocated as follows: Miami-Dade County - \$666,000; and Pinellas, Pasco, and Hillsborough counties - \$750,000.

The nonrecurring general revenue funds provided in Specific Appropriation 2178 are provided for the Gulf Coast Jewish Family and Community Services' Non-Custodial Parent Employment Program in Pinellas, Pasco, and Hillsborough counties.

CareerSource Pinellas shall administer the funds.

2179 SPECIAL CATEGORIES	
GRANTS AND AIDS - SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)	
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	6,300,000
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	6,300,000

2180 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	9,918,979
FROM WELFARE TRANSITION TRUST FUND	575,000
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	173,005

2181 SPECIAL CATEGORIES	
GRANTS AND AIDS - REGIONAL WORKFORCE BOARDS	
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	229,344,538
FROM WELFARE TRANSITION TRUST FUND	54,014,907

Funds provided in Specific Appropriation 2181 from the Welfare Transition Trust Fund are allocated for workforce services based on a plan approved by CareerSource Florida. The plan must maximize funds distributed directly to the local workforce development boards, and must identify any funds allocated for state-level and discretionary initiatives. The plan must equitably distribute funds to the boards based on anticipated client caseload to maximize the ability of the state to meet performance standards, including federal work participation rate requirements, and prioritize services provided to

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one-parent families.

From the funds provided in Specific Appropriation 2181, any expenditures by a local workforce development board for "outreach," "advertising," or "public relations" must have a direct program benefit and must be spent in strict accordance with all applicable federal regulations and guidance. For any expenditures exceeding \$5,000 for outreach purposes, a local workforce development board must obtain prior approval from the Department of Economic Opportunity before purchasing: promotional items, including but not limited to capes, blankets, and clothing; and memorabilia, models, gifts, and souvenirs.

Funds in Specific Appropriation 2181 may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of local workforce development boards, CareerSource Florida, or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel established in section 112.061, Florida Statutes, shall be in compliance with all applicable federal and state requirements. Funds in Specific Appropriation 2181 may not be used for entertainment costs and recreational activities for board members, staff, or employees.

Funds in Specific Appropriation 2181 may not be used for any contract exceeding \$25,000 between a local workforce development board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Department of Economic Opportunity and CareerSource Florida.

2182 SPECIAL CATEGORIES	
GRANTS AND AIDS - DISPLACED HOMEMAKERS	
FROM DISPLACED HOMEMAKER TRUST FUND	2,000,000

2182A SPECIAL CATEGORIES	
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/ SKILL ASSESSMENT AND TRAINING	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	2,500,000

2183 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	1,084,174
FROM WELFARE TRANSITION TRUST FUND	1,996

2184 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	236,226
FROM WELFARE TRANSITION TRUST FUND	5,605

2185 DATA PROCESSING SERVICES	
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)	
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	608,761
FROM WELFARE TRANSITION TRUST FUND	328,184

TOTAL: WORKFORCE DEVELOPMENT	
FROM GENERAL REVENUE FUND	1,514,200
FROM TRUST FUNDS	366,014,572

TOTAL POSITIONS	650.50
TOTAL ALL FUNDS	367,528,772

REEMPLOYMENT ASSISTANCE PROGRAM	
APPROVED SALARY RATE	19,515,871

2186 SALARIES AND BENEFITS	POSITIONS	504.50
FROM EMPLOYMENT SECURITY		

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	ADMINISTRATION TRUST FUND	30,596,853	
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	500,000	
2187	OTHER PERSONAL SERVICES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	15,147,299	
2188	EXPENSES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	12,469,539	
2189	OPERATING CAPITAL OUTLAY		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	304,795	
2190	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	41,891,311	
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	1,050,000	
2191	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	422,105	
2192	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	236,820	
2193	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	1,566,242	
TOTAL: REEMPLOYMENT ASSISTANCE PROGRAM			
	FROM TRUST FUNDS	104,184,964	
	TOTAL POSITIONS	504.50	
	TOTAL ALL FUNDS	104,184,964	
CAREERSOURCE FLORIDA			
	APPROVED SALARY RATE	451,384	
2194	SALARIES AND BENEFITS		
	POSITIONS	3.00	
	FROM ADMINISTRATIVE TRUST FUND . . .	356,574	
2195	SPECIAL CATEGORIES		
	CAREERSOURCE FLORIDA OPERATIONS		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND	100,000	
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	8,867,665	
	FROM WELFARE TRANSITION TRUST FUND .	1,052,510	
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	544,296	

The funds provided from the State Economic Enhancement and Development Trust Fund in Specific Appropriation 2195 are provided to CareerSource Florida to market and promote the business and training solutions available through CareerSource Florida and the local workforce development boards.

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2197	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .		2,072
2198	SPECIAL CATEGORIES		
	QUICK RESPONSE TRAINING		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND		12,000,000
2199	SPECIAL CATEGORIES		
	INCUMBENT WORKER TRAINING PROGRAM		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		3,000,000
TOTAL: CAREERSOURCE FLORIDA			
	FROM TRUST FUNDS		25,924,091
	TOTAL POSITIONS	3.00	
	TOTAL ALL FUNDS		25,924,091
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION			
	APPROVED SALARY RATE	2,483,290	
2200	SALARIES AND BENEFITS		
	POSITIONS	39.50	
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		3,283,451
2201	SPECIAL CATEGORIES		
	REEMPLOYMENT ASSISTANCE APPEALS COMMISSION		
	- OPERATIONS		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		765,371
2202	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		10,006
2203	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		14,871
TOTAL: REEMPLOYMENT ASSISTANCE APPEALS COMMISSION			
	FROM TRUST FUNDS		4,073,699
	TOTAL POSITIONS	39.50	
	TOTAL ALL FUNDS		4,073,699
PROGRAM: COMMUNITY DEVELOPMENT			
HOUSING AND COMMUNITY DEVELOPMENT			
	APPROVED SALARY RATE	4,257,417	
2204	SALARIES AND BENEFITS		
	POSITIONS	88.00	
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND		608,607
	FROM FEDERAL GRANTS TRUST FUND . . .		2,524,655
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND		30,608
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,209,108
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		1,412,999
	FROM TOURISM PROMOTIONAL TRUST		
	FUND		121,771
2205	OTHER PERSONAL SERVICES		

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FROM FEDERAL GRANTS TRUST FUND . . .	194,883
FROM GRANTS AND DONATIONS TRUST FUND	37,233
2206 EXPENSES	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	62,717
FROM FEDERAL GRANTS TRUST FUND . . .	777,523
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	3,135
FROM GRANTS AND DONATIONS TRUST FUND	211,785
FROM TOURISM PROMOTIONAL TRUST FUND	12,544
2207 OPERATING CAPITAL OUTLAY	
FROM FEDERAL GRANTS TRUST FUND . . .	4,206
FROM GRANTS AND DONATIONS TRUST FUND	1,328
2208 SPECIAL CATEGORIES	
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK GRANTS	
FROM FEDERAL GRANTS TRUST FUND . . .	21,876,498
2209 SPECIAL CATEGORIES	
GRANTS AND AIDS - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - SMALL CITIES	
FROM FEDERAL GRANTS TRUST FUND . . .	36,500,000
2210 SPECIAL CATEGORIES	
GRANTS AND AIDS - BLACK BUSINESS LOAN PROGRAM	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	2,225,000
2211 SPECIAL CATEGORIES	
HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	1,500,000
2212 SPECIAL CATEGORIES	
GRANTS AND AIDS - HOME ENERGY ASSISTANCE	
FROM FEDERAL GRANTS TRUST FUND . . .	78,100,000
2213 SPECIAL CATEGORIES	
GRANTS AND AIDS - WEATHERIZATION ASSISTANCE PROGRAM (WAP)	
FROM FEDERAL GRANTS TRUST FUND . . .	2,000,000
2214 SPECIAL CATEGORIES	
GRANTS AND AIDS - WEATHERIZATION ASSISTANCE PROGRAM (WAP) - LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM (LIHEAP)	
FROM FEDERAL GRANTS TRUST FUND . . .	16,000,000
2215 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM FEDERAL GRANTS TRUST FUND . . .	1,618,322
FROM GRANTS AND DONATIONS TRUST FUND	23,080
2216 SPECIAL CATEGORIES	
GRANTS AND AIDS - HOUSING AND COMMUNITY DEVELOPMENT PROJECTS	
FROM GENERAL REVENUE FUND	10,234,500
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	21,129,224
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	515,000

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Glades County Regional Training Center.....	400,000
Nathan Benderson Park.....	2,500,000
Deerfield Beach African-American Memorial Park.....	132,000
Brevard Zoo.....	500,000
City of Ft. Lauderdale - Rapid ReHousing Project.....	500,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
Orange Blossom Revitalization Project.....	500,000
Elderly Housing Assistance Program - City of North Miami....	200,000
McTyre Park Cultural Center - City of West Park.....	250,000
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
St. Augustine Lighthouse and Maritime Museum.....	152,500
Mote Marine Laboratory Infrastructure Expansion.....	250,000
Jacksonville Downtown Investment Authority - Urban Homesteading Pilot Program.....	1,000,000
East Orange Regional Recreation Center.....	1,000,000
Tampa Heights Youth Civic Center Relocation.....	1,200,000
Hillsborough Homelessness Initiative.....	200,000
Transitions House Homelessness Veterans Program - Osceola County.....	150,000
Lantana Community Center Building.....	500,000
From the funds provided in Specific Appropriation 2216, \$500,000 of nonrecurring funds from the State Economic Enhancement and Development Trust Fund and \$250,000 of nonrecurring funds from the General Revenue Fund are allocated to the City of Miami for public infrastructure improvements within the Miami Design District. The state contribution is contingent upon the City of Miami and/or Miami-Dade County providing a fifty percent match in the form of a cash contribution or a capital project that benefits the area.	
The remaining nonrecurring funds provided in Specific Appropriation 2216 from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:	
Fort Walton Beach Fire Department Training Tower.....	200,000
City of Bradenton Tournament Sports Park.....	750,000
Humane Society Dog Runs - Brevard County.....	14,000
Humane Society Large Dog Kennels - Brevard County.....	19,000
City of Cocoa - Historic Cocoa Village Playhouse Parking Structure.....	3,000,000
Veterans Home Renovation - Pembroke Pines.....	100,000
FOIL Corridor Project.....	300,000
Andrews Institute Foundation Research and Educational Program.....	250,000
Second Harvest Facility Expansion.....	1,000,000
Palmetto Bay Mixed-Use Facility.....	250,000
Bonifay Memorial Park.....	100,000
Hendry County Fairgrounds Rodeo Complex Renovations.....	250,000
LaBelle Civic Center.....	369,676
Building Homes for Heroes.....	75,000
Glades County Regional Training Center.....	600,000
DeSoto County Public Safety Building.....	750,000
City of Milton - Riverwalk.....	198,048
East County Regional Service/Resources Center - Hillsborough County.....	250,000
Sulzbacher Center for Women and Families.....	1,000,000
Tallahassee Regional Hazardous Materials Response Team Equipment.....	470,000
Sirenia Vista Park Environmental Center.....	200,000
Palm Harbor Marine Rescue Boat.....	100,000
Lake Okeechobee Wave Attenuation Project.....	1,000,000
Deerfield Beach African - American Memorial Park.....	863,000
Veterans Memorial Park - Hillsborough County.....	1,500,000
City of Coral Springs Aquatic Complex Pool Refurbishment....	300,000
City of Port St. Lucie - Extension of the Riverwalk Boardwalk.....	250,000
Madeira Beach Lighting Project.....	350,000
Miracle Mile and Giralda Reconstruction and Economic Development Project.....	1,000,000
Volusia County Marine Science Center Expansion.....	1,000,000
Hungerford Amphitheater - Eatonville.....	500,000

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund shall be allocated as follows:

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Table with 2 columns: Description and Amount. Items include NeighborWorks Florida Collaborative (500,000), Hillsborough Homelessness Initiative (600,000), Clearwater Homeless Emergency Project (100,000), etc.

The nonrecurring funds provided in Specific Appropriation 2216 from the Special Employment Security Administration Trust Fund shall be allocated as follows:

Table with 2 columns: Description and Amount. Items include North Lauderdale Security Cameras (40,000), North Lauderdale City Hall Roof (75,000), Gulf Coast Housing First Initiative - City of Sarasota (250,000), Smith-Brown Community Center (150,000).

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2216.

Table for 2217 SPECIAL CATEGORIES: RISK MANAGEMENT INSURANCE. Includes sub-items like FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND (3,742), FROM FEDERAL GRANTS TRUST FUND (15,401), etc.

Table for 2218 SPECIAL CATEGORIES: TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES. Includes sub-items like FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND (3,771), FROM FEDERAL GRANTS TRUST FUND (14,186), etc.

Table for 2219 SPECIAL CATEGORIES: RURAL COMMUNITY DEVELOPMENT. Includes sub-items like FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND (360,000), FROM ECONOMIC DEVELOPMENT TRUST FUND (810,000).

Table for 2220 SPECIAL CATEGORIES: GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE. Includes sub-item FROM GRANTS AND DONATIONS TRUST FUND (1,520,000).

Funds in Specific Appropriation 2220 must be used for technical and planning assistance activities, as required by sections 163.3168 and 420.622, Florida Statutes.

Table for 2220A SPECIAL CATEGORIES: GRANTS AND AIDS - COMPETITIVE FLORIDA PARTNERSHIP PROGRAM. Includes sub-item FROM GRANTS AND DONATIONS TRUST FUND (280,000).

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Table for 2221 DATA PROCESSING SERVICES. Includes sub-items like STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND (2,490), FROM FEDERAL GRANTS TRUST FUND (18,167), FROM GRANTS AND DONATIONS TRUST FUND (2,428).

Table for 2222 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SPACE, DEFENSE, AND RURAL INFRASTRUCTURE. Includes sub-item FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND (1,600,000).

Table for TOTAL: HOUSING AND COMMUNITY DEVELOPMENT. Includes sub-items FROM GENERAL REVENUE FUND (10,234,500), FROM TRUST FUNDS (193,359,815).

Table for TOTAL POSITIONS (88.00) and TOTAL ALL FUNDS (203,594,315).

FLORIDA HOUSING FINANCE CORPORATION

Table for 2223 SPECIAL CATEGORIES: GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - AFFORDABLE HOUSING PROGRAMS. Includes sub-item FROM STATE HOUSING TRUST FUND (64,600,000).

From the funds provided in Specific Appropriation 2223, at least 50 percent shall be used to fund the construction or rehabilitation of units through the State Apartment Incentive Loan (SAIL) Program. Each SAIL development that receives an award from these funds and will be targeted to families, elderly persons, and persons who are homeless pursuant to section 420.5087 (3), Florida Statutes, must include not less than 5 percent and no more than 10 percent of its units designed, constructed, and targeted for persons with a disabling condition as defined in section 420.0004 (7), Florida Statutes. Each development shall be required to enter into an agreement with at least one designated supportive services lead agency, such as the Local Center for Independent Living, the Agency for Persons with Disabilities, or any other such agency approved by the Florida Housing Finance Corporation (FHFC), for the purpose of coordinating services and housing for persons with disabilities.

From the funds in Specific Appropriation 2223, \$10,000,000 is provided to fund a competitive grant program for housing developments designed, constructed, and targeted for persons with developmental disabilities as defined in section 393.063, Florida Statutes. Private nonprofit organizations whose primary mission includes serving persons with developmental disabilities as defined in section 393.063, Florida Statutes, shall be eligible for these grant funds. Housing projects funded with these grants may include community residential homes as defined in section 419.001, Florida Statutes, or individual housing units, and may include new construction and renovation of existing housing units. In evaluating proposals for these funds, the FHFC shall consider: the extent to which funds from local and other sources will be used by the applicant to leverage the grant funds provided under this section; employment opportunities and supports that will be available to residents of the proposed housing; a plan for residents to effectively and efficiently access community-based services, resources, and amenities; and partnerships with other supportive services agencies.

From the funds provided in Specific Appropriation 2223, \$20,000,000 is provided for the SAIL program to construct workforce housing to primarily serve low-income persons, as defined in section 420.0004, Florida Statutes, and in the Florida Keys Area of Critical State Concern, to serve households with incomes not to exceed 140% of AMI when strategies are included in the local housing assistance plan to serve these households.

Table for 2224 SPECIAL CATEGORIES: GRANTS AND AIDS - HOUSING FINANCE

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Table with 2 columns: Description and Amount. Includes CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FROM LOCAL GOVERNMENT HOUSING TRUST FUND with amount 135,500,000.

From the funds in Specific Appropriation 2224, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in section 420.0004, Florida Statutes. Before this portion of the allocation is released by the Florida Housing Finance Corporation (FHFC), a local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or submit a new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications.

From the funds in Specific Appropriation 2224, \$5,200,000 shall be used to provide services to homeless persons. Of the funds provided, \$5,000,000 shall be transferred to the Department of Children and Families to implement the provisions of section 420.622, Florida Statutes, and \$200,000 shall be used by the Department of Economic Opportunity to provide training and technical assistance regarding affordable housing to designated lead agencies of homeless assistance continuums of care.

From the funds in Specific Appropriation 2224, local governments may create regional partnerships across jurisdictional boundaries through the pooling of appropriated funds to address homeless housing needs identified in local housing assistance plans.

From the funds provided in Specific Appropriation 2224, \$500,000 shall be used for training and technical assistance provided through the Affordable Housing Catalyst Program created by section 420.531, Florida Statutes. The Florida Housing Finance Corporation shall directly contract with the entity that meets all of the requirements of section 420.531, Florida Statutes, to provide the training and technical assistance.

TOTAL: FLORIDA HOUSING FINANCE CORPORATION FROM TRUST FUNDS 200,100,000
TOTAL ALL FUNDS 200,100,000

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

Table with 4 columns: Description, Amount, Positions, and Rate. Includes APPROVED SALARY RATE 1,368,741; 2225 SALARIES AND BENEFITS 22.00; 2226 OTHER PERSONAL SERVICES; 2227 EXPENSES.

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Table with 2 columns: Description and Amount. Includes FROM TOURISM PROMOTIONAL TRUST FUND 68,834; 2228 OPERATING CAPITAL OUTLAY; 2229 LUMP SUM.

Funds provided in Specific Appropriation 2229 are provided to make payments and tax refunds in Fiscal Year 2016-2017 for the following programs: Qualified Target Industry (QTI) Business Tax Refund; QTI Tax Refund - Brownfield Redevelopment Bonus; Brownfield Redevelopment Tax Refund; High-Impact Business Performance (HIPI) Grant; and Qualified Defense Contractor and Space Flight (QDSC) Business Tax Refund.

The Department of Economic Opportunity must provide a monthly report, within 10 business days after the end of each month, to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee regarding all escrow activity relating to the Quick Action Closing Fund and the Innovation Incentive Fund programs.

The Department of Economic Opportunity shall provide monthly reports to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee on the status of economic development programs administered by the department under chapter 288, Florida Statutes.

2230 SPECIAL CATEGORIES GRANTS AND AIDS - INSTITUTE FOR THE COMMERCIALIZATION OF PUBLIC RESEARCH FROM GENERAL REVENUE FUND 4,500,000 FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 1,000,000

From the nonrecurring general revenue funds provided in Specific Appropriation 2230, \$500,000 is provided for on-going operations of the Institute for the Commercialization of Public Research (ICPR) and \$4,000,000 is provided for seed stage funds to be allocated by the ICPR.

2232 SPECIAL CATEGORIES GRANTS AND AID - FLORIDA DEFENSE SUPPORT TASK FORCE FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 2,000,000
2233 SPECIAL CATEGORIES GRANTS AND AIDS - ADVOCATING INTERNATIONAL RELATIONSHIPS FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 600,000

The recurring funds provided in Specific Appropriation 2233 are allocated as follows:

CAMACOL - Florida Trade and Exhibition Center 400,000 Southeast US/Japan Association & Florida/Korea Economic

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Cooperation Committee..... 200,000

The Department of Economic Opportunity shall directly contract with these entities.

2234 SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS
FROM GENERAL REVENUE FUND 12,686,569
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 12,609,331
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 759,500

The nonrecurring general revenue funds provided in Specific Appropriation 2234 shall be allocated as follows:

International Consortium for Advanced Manufacturing
Research..... 9,386,569
Urban League of Broward County..... 1,000,000
The Idea Center at Miami-Dade College..... 500,000
Beaver Street Enterprise Center..... 300,000
Florida-Israel Business Accelerator..... 250,000
Tampa Innovation Alliance..... 250,000
eMerge Americas Conference..... 250,000
West End - StartUp FIU..... 750,000

The nonrecurring funds provided in Specific Appropriation 2234 from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:

Pensacola International Airport Commerce Park..... 1,000,000
Florida-Israel Business Accelerator..... 750,000
Florida Atlantic University Tech Runway..... 750,000
Tampa Innovation Alliance..... 1,000,000
Florida Turbine Initiative..... 250,000
Delray Beach CRA Business Incubator..... 125,000
MAF Center for Advanced Manufacturing Excellence,
Inc. - FloridaMakes..... 400,000
All Children's Research Zone..... 1,000,000
SouthWest Florida Collier County Immokalee/Naples Business
Accelerator Program..... 2,000,000
International Consortium for Advanced Manufacturing
Research..... 613,431
Scripps Florida Biotech Partnership..... 1,000,000
City of South Bay Park of Commerce - Inland Logistics
Center..... 470,900
Urban League of Broward County..... 1,000,000
Tallahassee International Airport..... 1,000,000
Center for Advanced Manufacturing at Lake Tech..... 250,000
South Florida Economic Development District's Statewide
Industry Cluster Analysis..... 500,000
West End Tech Center..... 500,000

From the funds in Specific Appropriation 2234 provided to the SouthWest Florida Collier County Immokalee/Naples Business Accelerator Program, \$250,000 from the State Economic Enhancement and Development Trust Fund shall be transferred to Florida Gulf Coast University Institute for Entrepreneurship and Economic Incubators, Inc.

The nonrecurring funds provided in Specific Appropriation 2234 from the Florida International Trade & Promotion Trust Fund shall be allocated as follows:

eMerge Americas Conference..... 500,000
Enterprise Florida - Africa Trade Expansion Program..... 259,500

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2234.

2235 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 642,026
FROM FLORIDA INTERNATIONAL TRADE

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AND PROMOTION TRUST FUND 32,901
FROM TOURISM PROMOTIONAL TRUST
FUND 131,605

From the funds in Specific Appropriation 2235, the Department of Economic Opportunity must first contract for an independent third-party to verify that each business that receives an economic development incentive satisfies all of the requirements of the incentive agreement, including job creation numbers. These comprehensive performance audit functions must include reviewing: 100 percent of all incentive claims, including audit confirmations; procedures used to verify incentive eligibility; and the department's records for accuracy and completeness. The independent third-party contractor must perform all functions and conduct all of the activities necessary to verify compliance with the performance terms of economic development incentive contracts.

2236 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS
FOUNDATION
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,700,000
FROM PROFESSIONAL SPORTS
DEVELOPMENT TRUST FUND 3,000,000

From the recurring funds in Specific Appropriation 2236 from the State Economic Enhancement and Development Trust Fund, \$200,000 is allocated for the Sunshine State Games and \$500,000 is allocated for the Florida International Seniors Games and State Championships.

2237 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA
PROGRAM
FROM GENERAL REVENUE FUND 2,500,000
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 14,400,000
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 6,600,000

From the recurring funds in Specific Appropriation 2237 from the International Trade and Promotion Trust Fund, \$3,550,000 is allocated for international programs, \$2,050,000 is allocated to maintain Florida's international offices, and \$1,000,000 is allocated to continue the Florida Export Diversification and Expansion Programs.

From the recurring funds in Specific Appropriation 2237, \$6,000,000 from the State Economic Enhancement and Development Trust Fund and \$2,500,000 from the General Revenue Fund are provided for the state's business brand marketing and promotional activities.

From the funds in Specific Appropriation 2237, Enterprise Florida, Inc.(EFI), shall implement a program to certify sites as project-ready for commercial or industrial development in rural areas of opportunity and economically distressed areas. Areas that are economically distressed must be evidenced by adverse conditions within the area including, but not limited to, poverty or unemployment rates above the state average, a high incidence of crime, abandoned structures, deteriorated infrastructure, or substantial population declines. For a site to be certified, EFI may consider site specific criteria related to: minimum developable acres; availability of infrastructure and utilities on site, or a formal extension plan in place; completion of boundary survey and topographic maps; documentation of environmental conditions and geotechnical analysis; and other factors which minimize risk factors for business development.

2238 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,000,000

Funds in Specific Appropriation 2238 are allocated as follows:

Military Base Protection..... 150,000
Defense Reinvestment..... 850,000

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Funds provided in Specific Appropriation 2238 may only be disbursed from the Department of Economic Opportunity directly to the grant award recipient when projects are certified to have met all contracted performance requirements.

2239	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND	3,455	
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND	172	
	FROM TOURISM PROMOTIONAL TRUST		
	FUND	691	

2240	SPECIAL CATEGORIES		
	GRANTS AND AIDS - VISIT FLORIDA		
	FROM GENERAL REVENUE FUND	2,000,000	
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND	46,000,000	
	FROM TOURISM PROMOTIONAL TRUST		
	FUND	28,000,000	

2241	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND	9,891	
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND	16	
	FROM TOURISM PROMOTIONAL TRUST		
	FUND	2,456	

2242	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SPACE FLORIDA		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND	12,500,000	

From the funds in Specific Appropriation 2242, \$1,000,000 of recurring funds from the State Economic Enhancement and Development Trust Fund is provided to support collaborative research, development, and commercialization of projects related to aerospace and other technology and life sciences as further described through a Memorandum of Understanding (MOU) which Space Florida has entered into with the State of Israel.

From the funds in Specific Appropriation 2242, \$1,500,000 of recurring funds from the State Economic Enhancement and Development Trust Fund shall be used to market and promote the space tourism industry in the State of Florida. Funds may also be used to support marketing and promotion initiatives undertaken by businesses engaged in or relating to the space tourism industry in the State of Florida, which shall include but not be limited to Spaceflight entities as defined in section 331.501, Florida Statutes, and entities related to launch and landing sites or launch and landing facilities. No later than February 3, 2017, Space Florida shall submit a report to the Governor, the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Department of Economic Opportunity which shall include at a minimum: an overview of the marketing initiatives executed; consumer reach of the marketing initiatives executed; methods, strategies, and messages utilized; total expenditures; and total impact achieved, financial and otherwise, to the space tourism industry in the State of Florida.

2243	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SPACE FLORIDA -		
	AEROSPACE INDUSTRY FINANCING, BUSINESS		
	DEVELOPMENT AND INFRASTRUCTURE NEEDS		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND	7,000,000	

From the funds in Specific Appropriation 2243, \$2,500,000 from the State Economic Enhancement and Development Trust Fund may be used by Space Florida for the operation and maintenance of the Shuttle Landing

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Facility.

2244	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND		21,181
	FROM TOURISM PROMOTIONAL TRUST		
	FUND		5,302

2245	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	SPACE, DEFENSE, AND RURAL INFRASTRUCTURE		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND		1,600,000

Funds provided in Specific Appropriation 2245 may only be disbursed from the Department of Economic Opportunity directly to the grant award recipient when projects are certified to have met all contracted performance requirements.

TOTAL:	STRATEGIC BUSINESS DEVELOPMENT		
	FROM GENERAL REVENUE FUND	21,686,569	
	FROM TRUST FUNDS		160,109,875
	TOTAL POSITIONS	22.00	
	TOTAL ALL FUNDS		181,796,444

TOTAL:	ECONOMIC OPPORTUNITY, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	33,435,269	
	FROM TRUST FUNDS		1,080,940,216
	TOTAL POSITIONS	1,537.50	
	TOTAL ALL FUNDS		1,114,375,485
	TOTAL APPROVED SALARY RATE	67,035,806	

FINANCIAL SERVICES, DEPARTMENT OF

From the funds provided in Specific Appropriations 2246 through 2461, the Department of Financial Services shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND
ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	6,391,113	
2246	SALARIES AND BENEFITS	POSITIONS	123.00
	FROM ADMINISTRATIVE TRUST FUND		9,015,545
2247	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		107,899
2248	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND		1,333,766
2249	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		10,000

2250	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		

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 APPROPRIATION
 FROM ADMINISTRATIVE TRUST FUND . . . 1,240,217

From the funds provided in Specific Appropriation 2250, the Department of Financial Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles, unless it is determined by the Chief Financial Officer that the vehicle replacement is a critical safety issue, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. Law enforcement motor vehicles are excluded from this provision.

2251 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM ADMINISTRATIVE TRUST FUND . . . 427,325

2252 SPECIAL CATEGORIES
 OPERATION OF MOTOR VEHICLES
 FROM ADMINISTRATIVE TRUST FUND . . . 3,500

2253 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM ADMINISTRATIVE TRUST FUND . . . 57,554

2254 SPECIAL CATEGORIES
 TENANT BROKER COMMISSIONS
 FROM ADMINISTRATIVE TRUST FUND . . . 60,000

2255 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM ADMINISTRATIVE TRUST FUND . . . 144,268

2256 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM ADMINISTRATIVE TRUST FUND . . . 49,773

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
 FROM TRUST FUNDS 12,449,847

TOTAL POSITIONS 123.00
 TOTAL ALL FUNDS 12,449,847

LEGAL SERVICES

APPROVED SALARY RATE 5,052,908

2257 SALARIES AND BENEFITS POSITIONS 94.00
 FROM ADMINISTRATIVE TRUST FUND . . . 6,920,329

2258 OTHER PERSONAL SERVICES
 FROM ADMINISTRATIVE TRUST FUND . . . 279,388

2259 EXPENSES
 FROM ADMINISTRATIVE TRUST FUND . . . 714,736

2260 OPERATING CAPITAL OUTLAY
 FROM ADMINISTRATIVE TRUST FUND . . . 3,639

2261 SPECIAL CATEGORIES
 TRANSFER TO DIVISION OF ADMINISTRATIVE
 HEARINGS
 FROM ADMINISTRATIVE TRUST FUND . . . 274,758

2262 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM ADMINISTRATIVE TRUST FUND . . . 253,306

2263 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM ADMINISTRATIVE TRUST FUND . . . 32,918

2264 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT

SECTION 6 - GENERAL GOVERNMENT
 SPECIFIC
 APPROPRIATION
 FROM ADMINISTRATIVE TRUST FUND . . . 17,361

2265 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM ADMINISTRATIVE TRUST FUND . . . 28,408

TOTAL: LEGAL SERVICES
 FROM TRUST FUNDS 8,524,843

TOTAL POSITIONS 94.00
 TOTAL ALL FUNDS 8,524,843

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 7,014,597

2266 SALARIES AND BENEFITS POSITIONS 131.00
 FROM ADMINISTRATIVE TRUST FUND . . . 10,080,920

2267 OTHER PERSONAL SERVICES
 FROM ADMINISTRATIVE TRUST FUND . . . 98,834

2268 EXPENSES
 FROM ADMINISTRATIVE TRUST FUND . . . 3,186,489

2269 OPERATING CAPITAL OUTLAY
 FROM ADMINISTRATIVE TRUST FUND . . . 844,120

2270 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM ADMINISTRATIVE TRUST FUND . . . 7,398,746

2271 SPECIAL CATEGORIES
 OPERATION OF MOTOR VEHICLES
 FROM ADMINISTRATIVE TRUST FUND . . . 2,900

2272 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM ADMINISTRATIVE TRUST FUND . . . 66,557

2273 SPECIAL CATEGORIES
 DEFERRED-PAYMENT COMMODITY CONTRACTS
 FROM ADMINISTRATIVE TRUST FUND . . . 184,076

2274 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM ADMINISTRATIVE TRUST FUND . . . 8,275

2275 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM ADMINISTRATIVE TRUST FUND . . . 45,929

2276 DATA PROCESSING SERVICES
 STATE DATA CENTER - AGENCY FOR STATE
 TECHNOLOGY (AST)
 FROM ADMINISTRATIVE TRUST FUND . . . 1,777

TOTAL: INFORMATION TECHNOLOGY
 FROM TRUST FUNDS 21,918,623

TOTAL POSITIONS 131.00
 TOTAL ALL FUNDS 21,918,623

CONSUMER ADVOCATE

APPROVED SALARY RATE 484,372

2277 SALARIES AND BENEFITS POSITIONS 5.00
 FROM INSURANCE REGULATORY TRUST
 FUND 562,668

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
2278	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	61,100	
2279	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	68,357	
2280	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND	4,000	
2281	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	20,471	
2282	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND	697	
2283	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	1,888	
2284	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	1,777	
TOTAL:	CONSUMER ADVOCATE		
	FROM TRUST FUNDS	720,958	
	TOTAL POSITIONS	5.00	
	TOTAL ALL FUNDS	720,958	

INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE			
	APPROVED SALARY RATE	4,390,414	
2285	SALARIES AND BENEFITS	POSITIONS	86.00
	FROM GENERAL REVENUE FUND	5,568,120	
	FROM ADMINISTRATIVE TRUST FUND	495,551	
2286	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	5,000	
2287	EXPENSES		
	FROM GENERAL REVENUE FUND	1,198,941	
	FROM ADMINISTRATIVE TRUST FUND	168,513	
2288	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	104,880	
2289	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,896,336	
	FROM ADMINISTRATIVE TRUST FUND	511,206	

From the funds in Specific Appropriation 2289, \$699,369 in recurring funds and \$1,228,151 in nonrecurring funds from the General Revenue Fund and \$79,706 from the Administrative Trust Fund are provided to the Department of Financial Services to procure additional staff augmentation support for the Florida Accounting Information Resource (FLAIR) Subsystem. The funds shall be placed in reserve. The department may submit a budget amendment to request release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendment must include a detailed project plan that identifies the specific tasks and deliverables required to be provided by the additional staff augmentation and the associated costs.

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APPROPRIATION			
2290	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	85,914	
	FROM ADMINISTRATIVE TRUST FUND		25,000
2291	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,424	
2292	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	30,074	
	FROM ADMINISTRATIVE TRUST FUND		2,880
TOTAL:	INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE		
	FROM GENERAL REVENUE FUND	11,890,689	
	FROM TRUST FUNDS		1,203,150
	TOTAL POSITIONS	86.00	
	TOTAL ALL FUNDS		13,093,839
PROGRAM: TREASURY			
DEPOSIT SECURITY			
	APPROVED SALARY RATE	990,924	
2293	SALARIES AND BENEFITS	POSITIONS	22.00
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		1,551,360
2294	OTHER PERSONAL SERVICES		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		1,500
2295	EXPENSES		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		230,113
2296	OPERATING CAPITAL OUTLAY		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		1,783
2297	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		95,205
2298	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		18,090
2299	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		4,616
2300	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM TREASURY ADMINISTRATIVE AND		
	INVESTMENT TRUST FUND		7,126
TOTAL:	DEPOSIT SECURITY		
	FROM TRUST FUNDS		1,909,793
	TOTAL POSITIONS	22.00	
	TOTAL ALL FUNDS		1,909,793
STATE FUNDS MANAGEMENT AND INVESTMENT			

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	APPROVED SALARY RATE	1,190,188	
2301	SALARIES AND BENEFITS	POSITIONS	25.50
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,745,090
2302	EXPENSES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		248,346
2303	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,222,785
2304	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,500
2305	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		8,663
TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT FROM TRUST FUNDS			
			3,226,384
	TOTAL POSITIONS	25.50	
	TOTAL ALL FUNDS		3,226,384
SUPPLEMENTAL RETIREMENT PLAN			
	APPROVED SALARY RATE	480,900	
2306	SALARIES AND BENEFITS	POSITIONS	13.00
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		729,915
2307	OTHER PERSONAL SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		20,100
2308	EXPENSES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		107,328
2309	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,252
2310	SPECIAL CATEGORIES		
	DEFERRED COMPENSATION ADMINISTRATIVE SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		823,190
2311	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		2,405
2312	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		3,530
TOTAL: SUPPLEMENTAL RETIREMENT PLAN FROM TRUST FUNDS			
			1,687,720

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	TOTAL POSITIONS	13.00	
	TOTAL ALL FUNDS		1,687,720
PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS			
STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING			
	APPROVED SALARY RATE	10,894,618	
2313	SALARIES AND BENEFITS	POSITIONS	202.00
	FROM GENERAL REVENUE FUND		10,596,988
	FROM ADMINISTRATIVE TRUST FUND		1,343,836
	FROM INSURANCE REGULATORY TRUST FUND		2,861,441
From the funds provided in Specific Appropriations 2313, 2315 and 2322, the Department of Financial Services shall audit all court related expenditures of the clerks of court pursuant to sections 28.241 and 28.35, Florida Statutes. The department shall report the audit findings to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget on a quarterly basis. The department shall submit a report on July 29, 2016, for the period April 1, 2016, through June 30, 2016, and quarterly thereafter.			
From the funds and positions in Specific Appropriation 2313, 25.00 positions with associated salary rate of 2,242,819 and \$2,861,441 in recurring funds from the Insurance Regulatory Trust Fund are contingent upon HB 5003 becoming law, which contains provisions relating to the replacement of the Florida Accounting Information Resource (FLAIR) Subsystem and Cash Management Subsystem (CMS).			
2314	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		22,994
	FROM ADMINISTRATIVE TRUST FUND		23,545
2315	EXPENSES		
	FROM GENERAL REVENUE FUND		998,672
	FROM ADMINISTRATIVE TRUST FUND		116,201
2316	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		27,000
2317	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		855,949
	FROM ADMINISTRATIVE TRUST FUND		80,000
From the funds in Specific Appropriation 2317, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.			
2317A	SPECIAL CATEGORIES		
	FLORIDA ACCOUNTING INFORMATION RESOURCE (FLAIR) SYSTEM REPLACEMENT		
	FROM INSURANCE REGULATORY TRUST FUND		5,906,982
The funds in Specific Appropriation 2317A are provided to the Department of Financial Services to complete all tasks associated with the Pre-Design, Development, and Implementation phase as recommended in the March 31, 2014, Florida Department of Financial Services FLAIR Study, version 031, for the replacement of the Florida Accounting Information Resource (FLAIR) Subsystem and the Cash Management Subsystem (CMS). The funds are contingent upon HB 5003 becoming law, which provides for the replacement of the FLAIR subsystem and the CMS. Of these funds, \$3,314,100 shall be placed in reserve pending completion of all tasks associated with the identification, validation and approval of the business requirements for the replacement of the four main components of the FLAIR subsystem which include (a) central FLAIR, (b) departmental FLAIR, (c) payroll, and (d) information warehouse and the cash management and accounting management components of the CMS. All business requirements must be reviewed by all agencies, must be capable			

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of reporting at a minimum expenditure and revenue data at the level currently reported in the FLAIR subsystem, and must be approved by the executive steering committee established pursuant to HB 5003.

Contingent upon the submission of the validated and approved business requirements and pursuant to the provisions of chapter 216, Florida Statutes, the Department of Financial Services is authorized to submit a budget amendment to request release of an amount not to exceed \$2,305,046 of the funds being held in reserve for the development of the data management plan for the replacement of the FLAIR subsystem and the CMS and for activities associated with the development and release of the competitive solicitation for the Software and System Integrator for the replacement of the FLAIR subsystem and the CMS. The data management plan shall include an inventory of current system interfaces and migration activities required from the FLAIR subsystem and the CMS and shall identify the data conversion requirements.

Contingent upon the submission of the data management plan and pursuant to the provisions of chapter 216, Florida Statutes, the Department of Financial Services is authorized to submit a budget amendment to request the release of the balance of the funds being held in reserve to complete the work associated with the competitive solicitation for the Software and System Integrator for the replacement of the FLAIR subsystem and the CMS.

From the funds provided in Specific Appropriation 2317A, \$600,000 is provided to the Department of Financial Services to contract with a private sector provider with experience in conducting independent verification and validation of public sector Enterprise Resource Planning information technology projects to provide independent verification and validation for the replacement of the FLAIR subsystem and the CMS. The contract shall require all deliverables to be simultaneously provided to the department, the Agency for State Technology, the chair of the Senate Committee on Appropriations, and the chair of the House of Representatives Appropriations Committee. The contracted provider shall be made readily available to provide all project related data to the Agency for State Technology in support of their project oversight responsibilities pursuant to s. 282.0051, Florida Statutes.

From the funds provided in Specific Appropriation 2317A, \$300,000 is provided to the Department of Financial Services to contract with a third party consulting firm to complete the business case for maintaining any of the agency business systems identified in Attachment 2 of the March 31, 2014, Florida Department of Financial Services FLAIR Study, version 031, after the FLAIR subsystem and the CMS are replaced. For purposes of developing the business case, the private sector provider shall consider the information associated with the agency business systems that was collected during the study referenced above. At a minimum, the business case shall include: (a) a detailed description of the functionality provided by the agency business system, (b) confirmation that the agency business system's functionality is not planned to be included in the replacement of the FLAIR subsystem and the CMS, and (c) documentation, including federal and state law, rule, or policy, which validates that the agency is required to maintain the functionality currently provided by the agency business system instead of modifying its business processes. The department shall submit the business case to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than November 1, 2016.

The Department of Financial Services shall provide monthly project status reports to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Director of the Office of Policy and Budget that include progress made to date for each project milestone, planned and actual deliverable completion dates, planned and actual costs incurred, and any current project issues and risks being managed. The department is authorized to issue a competitive solicitation for the Software and System Integrator no earlier than November 1, 2016, and the competitive solicitation must include all validated and approved business requirements for the replacement of all four components of the FLAIR subsystem and the two components of the CMS.

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2318	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	3,100	
2319	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	13,468	54,840
2320	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	3,120	
2321	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	5,122	17,055
2322	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND	54,284	3,026 8,700
2323	SPECIAL CATEGORIES TRANSFER TO THE PRISON INDUSTRY ENHANCEMENT (PIE) PROGRAM FROM PRISON INDUSTRIES TRUST FUND .		1,250,000
	Funds in Specific Appropriation 2323 are provided for transfer to the Prison Industry Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.		
2324	SPECIAL CATEGORIES FLORIDA CLERKS OF COURT OPERATIONS CORPORATION FROM ADMINISTRATIVE TRUST FUND . . .		2,800,000
TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY			
	ACCOUNTING FROM GENERAL REVENUE FUND FROM TRUST FUNDS	12,580,697	14,465,626
	TOTAL POSITIONS TOTAL ALL FUNDS	202.00	27,046,323
RECOVERY AND RETURN OF UNCLAIMED PROPERTY			
	APPROVED SALARY RATE	2,600,300	
2325	SALARIES AND BENEFITS POSITIONS FROM UNCLAIMED PROPERTY TRUST FUND .	64.00	3,450,596
2326	OTHER PERSONAL SERVICES FROM UNCLAIMED PROPERTY TRUST FUND .		194,197
2327	EXPENSES FROM UNCLAIMED PROPERTY TRUST FUND .		823,421
2328	OPERATING CAPITAL OUTLAY FROM UNCLAIMED PROPERTY TRUST FUND .		7,500
2329	SPECIAL CATEGORIES CONTRACTED SERVICES FROM UNCLAIMED PROPERTY TRUST FUND .		226,794

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APPROPRIATION			
2330	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM UNCLAIMED PROPERTY TRUST FUND .	9,751	
2331	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM UNCLAIMED PROPERTY TRUST FUND .	11,524	
2332	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM UNCLAIMED PROPERTY TRUST FUND .	20,120	
TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY			
	FROM TRUST FUNDS	4,743,903	
	TOTAL POSITIONS	64.00	
	TOTAL ALL FUNDS	4,743,903	
PROGRAM: FIRE MARSHAL			
COMPLIANCE AND ENFORCEMENT			
	APPROVED SALARY RATE	2,701,318	
2333	SALARIES AND BENEFITS POSITIONS	66.00	
	FROM INSURANCE REGULATORY TRUST		
	FUND	3,574,631	
2334	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	15,339	
2335	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	756,210	
2336	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND	29,144	
2337	SPECIAL CATEGORIES		
	ELECTRONIC COMMERCE FEES FOR COLLECTION OF		
	REVENUE		
	FROM INSURANCE REGULATORY TRUST		
	FUND	13,200	
2338	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	97,205	
2339	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	33,700	
2340	SPECIAL CATEGORIES		
	SUPPLEMENTAL FIREFIGHTERS COMPENSATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND	9,000	
2341	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	13,442	
2342	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	20,784	

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APPROPRIATION			
TOTAL: COMPLIANCE AND ENFORCEMENT			
	FROM TRUST FUNDS		4,562,655
	TOTAL POSITIONS	66.00	
	TOTAL ALL FUNDS		4,562,655
FIRE AND ARSON INVESTIGATIONS			
	APPROVED SALARY RATE	6,410,973	
2343	SALARIES AND BENEFITS POSITIONS	122.00	
	FROM INSURANCE REGULATORY TRUST		
	FUND		9,018,334
2344	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		70,942
2345	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,866,584
2346	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND		82,409
2347	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		175,374
2348	SPECIAL CATEGORIES		
	ON-CALL FEES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		350,000
2349	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		183,900
2350	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM INSURANCE REGULATORY TRUST		
	FUND		103,124
2351	SPECIAL CATEGORIES		
	SUPPLEMENTAL FIREFIGHTERS COMPENSATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND		8,000
2352	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		41,817
2353	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		38,607
TOTAL: FIRE AND ARSON INVESTIGATIONS			
	FROM TRUST FUNDS		11,939,091
	TOTAL POSITIONS	122.00	
	TOTAL ALL FUNDS		11,939,091
PROFESSIONAL TRAINING AND STANDARDS			
	APPROVED SALARY RATE	1,060,244	
2354	SALARIES AND BENEFITS POSITIONS	27.00	

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	FROM INSURANCE REGULATORY TRUST		
	FUND	1,507,204	
2355	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	240,000	
2356	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	513,895	
2357	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND	23,294	
2358	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	500,000	
2359	SPECIAL CATEGORIES		
	ELECTRONIC COMMERCE FEES FOR COLLECTION OF		
	REVENUE		
	FROM INSURANCE REGULATORY TRUST		
	FUND	13,200	
2360	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	280,008	
2361	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	22,900	
2362	SPECIAL CATEGORIES		
	SUPPLEMENTAL FIREFIGHTERS COMPENSATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND	14,500	
2363	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	20,519	
2364	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	11,843	
2365	FIXED CAPITAL OUTLAY		
	STATE FIRE COLLEGE-BUILDING REPAIR AND		
	MAINTENANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND	250,000	
TOTAL:	PROFESSIONAL TRAINING AND STANDARDS		
	FROM TRUST FUNDS	3,397,363	
	TOTAL POSITIONS	27.00	
	TOTAL ALL FUNDS	3,397,363	
FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES			
	APPROVED SALARY RATE	1,123,059	
2366	SALARIES AND BENEFITS		21.00
	POSITIONS		
	FROM INSURANCE REGULATORY TRUST		
	FUND	1,609,631	
2367	OTHER PERSONAL SERVICES		

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	FROM INSURANCE REGULATORY TRUST		
	FUND		20,102
2368	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		259,754
2369	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND		206,000
2369A	SPECIAL CATEGORIES		
	TRANSFER TO UNIVERSITY OF MIAMI -		
	SYLVESTER COMPREHENSIVE CANCER CENTER -		
	FIREFIGHTERS CANCER RESEARCH		
	FROM GENERAL REVENUE FUND	1,500,000	
The funds provided in Specific Appropriation 2369A are nonrecurring and shall be transferred to the University of Miami - Sylvester Comprehensive Cancer Center for the purpose of Firefighter Cancer Research. The funds shall be utilized to: expand firefighters access to cancer screenings across the state; enable prevention and earlier detection of the disease; identify exposures that account for increased cancer risk; and field test new technology and methods that measure exposure in the field. The University of Miami - Sylvester Comprehensive Cancer Center shall develop a report on cancer research outcomes and cancer mitigation efforts being examined. The report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, the Chief Financial Officer, and the Governor by June 15, 2017.			
2370	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		189,189
2371	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,300
2372	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		224,731
2373	SPECIAL CATEGORIES		
	SUPPLEMENTAL FIREFIGHTERS COMPENSATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND		7,500
2374	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		8,685
2375	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		5,837
2376	FIXED CAPITAL OUTLAY		
	STATE ARSON LABORATORY - BUILDING REPAIR		
	AND MAINTENANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		115,000
TOTAL:	FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	1,500,000	
	FROM TRUST FUNDS		2,647,729
	TOTAL POSITIONS	21.00	

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
TOTAL ALL FUNDS			4,147,729
PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS			
STATE SELF-INSURED CLAIMS ADJUSTMENT			
APPROVED SALARY RATE	4,583,774		
2377 SALARIES AND BENEFITS POSITIONS	116.00		
STATE RISK MANAGEMENT TRUST FUND . .			6,634,806
2378 OTHER PERSONAL SERVICES			
STATE RISK MANAGEMENT TRUST FUND . .			42,098
2379 EXPENSES			
STATE RISK MANAGEMENT TRUST FUND . .			5,165,706
2380 OPERATING CAPITAL OUTLAY			
STATE RISK MANAGEMENT TRUST FUND . .			5,405
2381 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
STATE RISK MANAGEMENT TRUST FUND . .			4,171,632
2382 SPECIAL CATEGORIES			
CONTRACTED LEGAL SERVICES - OFFICE OF THE			
ATTORNEY GENERAL			
STATE RISK MANAGEMENT TRUST FUND . .			6,645,924
2383 SPECIAL CATEGORIES			
CONTRACTED LEGAL SERVICES			
STATE RISK MANAGEMENT TRUST FUND . .			21,976,020
2384 SPECIAL CATEGORIES			
CONTRACTED MEDICAL SERVICES			
STATE RISK MANAGEMENT TRUST FUND . .			15,278,933
2385 SPECIAL CATEGORIES			
EXCESS INSURANCE AND CLAIM SERVICE			
STATE RISK MANAGEMENT TRUST FUND . .			10,865,000
2386 SPECIAL CATEGORIES			
RISK MANAGEMENT INFORMATION CLAIMS SYSTEM			
STATE RISK MANAGEMENT TRUST FUND . .			569,000
2387 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
STATE RISK MANAGEMENT TRUST FUND . .			43,649
2388 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
STATE RISK MANAGEMENT TRUST FUND . .			21,531
2389 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
STATE RISK MANAGEMENT TRUST FUND . .			35,905
TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT			
FROM TRUST FUNDS			71,455,609
TOTAL POSITIONS	116.00		
TOTAL ALL FUNDS			71,455,609
PROGRAM: LICENSING AND CONSUMER PROTECTION			
INSURANCE COMPANY REHABILITATION AND LIQUIDATION			
APPROVED SALARY RATE	348,290		
2390 SALARIES AND BENEFITS POSITIONS	5.00		
FROM INSURANCE REGULATORY TRUST			
FUND			443,854

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
2391 OTHER PERSONAL SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND			34,771
2392 EXPENSES			
FROM INSURANCE REGULATORY TRUST			
FUND			119,364
2393 OPERATING CAPITAL OUTLAY			
FROM INSURANCE REGULATORY TRUST			
FUND			26,120
2394 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND			232,517
2395 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INSURANCE REGULATORY TRUST			
FUND			140
2396 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM INSURANCE REGULATORY TRUST			
FUND			1,653
TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION			
FROM TRUST FUNDS			858,419
TOTAL POSITIONS	5.00		
TOTAL ALL FUNDS			858,419
LICENSURE, SALES APPOINTMENT AND OVERSIGHT			
APPROVED SALARY RATE	5,018,524		
2397 SALARIES AND BENEFITS POSITIONS	120.00		
FROM INSURANCE REGULATORY TRUST			
FUND			6,821,900
2398 OTHER PERSONAL SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND			3,938
2399 EXPENSES			
FROM INSURANCE REGULATORY TRUST			
FUND			1,040,029
2400 OPERATING CAPITAL OUTLAY			
FROM INSURANCE REGULATORY TRUST			
FUND			12,500
2401 SPECIAL CATEGORIES			
ELECTRONIC COMMERCE FEES FOR COLLECTION OF			
REVENUE			
FROM INSURANCE REGULATORY TRUST			
FUND			1,100,000
2402 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND			728,892
2403 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
FROM INSURANCE REGULATORY TRUST			
FUND			5,200
2404 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INSURANCE REGULATORY TRUST			

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	FUND		47,236
2405	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	16,534	
2406	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND	43,674	
TOTAL: LICENSURE, SALES APPOINTMENT AND OVERSIGHT			
	FROM TRUST FUNDS	9,819,903	
	TOTAL POSITIONS	120.00	
	TOTAL ALL FUNDS	9,819,903	

INSURANCE FRAUD			
	APPROVED SALARY RATE	10,218,909	
2407	SALARIES AND BENEFITS	POSITIONS	194.00
	FROM INSURANCE REGULATORY TRUST		
	FUND	14,034,057	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	180	
	FROM WORKERS' COMPENSATION		
	ADMINISTRATION TRUST FUND	208,955	

From the funds in Specific Appropriations 2407 and 2417, three positions with associated salary rate of 152,645 and \$210,000 from the Workers' Compensation Administration Trust Fund are provided for additional workers' compensation insurance fraud investigators. The positions and funding shall be placed in reserve and are contingent upon a grant to fund the positions. After grant funding has been obtained by the Department of Financial Services, the department shall request the release of positions and funds pursuant to the provisions of chapter 216, Florida Statutes.

2408	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	45,000	
2409	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND	2,078,900	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	165,000	
2410	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND	1,700	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	601,470	
2411	SPECIAL CATEGORIES		
	TRANSFER TO JUSTICE ADMINISTRATIVE		
	COMMISSION FOR PROSECUTION OF PIP FRAUD		
	FROM INSURANCE REGULATORY TRUST		
	FUND	1,561,202	

Funds in Specific Appropriation 2411 are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, and Broward counties. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.

2412	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	FROM INSURANCE REGULATORY TRUST		
	FUND		265,315
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND		164,800
2413	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		150,253
2414	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		222,858
2415	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM INSURANCE REGULATORY TRUST		
	FUND		202,496
2416	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		47,247
2417	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		61,009
	FROM WORKERS' COMPENSATION		
	ADMINISTRATION TRUST FUND		1,045
TOTAL: INSURANCE FRAUD			
	FROM TRUST FUNDS		19,811,487
	TOTAL POSITIONS	194.00	
	TOTAL ALL FUNDS		19,811,487

CONSUMER ASSISTANCE			
	APPROVED SALARY RATE	4,893,535	
2418	SALARIES AND BENEFITS	POSITIONS	113.00
	FROM INSURANCE REGULATORY TRUST		
	FUND		6,451,782
2419	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		175,402
2420	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		871,535
2421	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND		2,200
2422	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		595,374
2423	SPECIAL CATEGORIES		
	HOLOCAUST VICTIMS ASSISTANCE		
	ADMINISTRATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND		308,007
2424	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
FUND	1,500		
2425 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INSURANCE REGULATORY TRUST			
FUND	21,616		
2426 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM INSURANCE REGULATORY TRUST			
FUND	9,224		
2427 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM INSURANCE REGULATORY TRUST			
FUND	37,843		
TOTAL: CONSUMER ASSISTANCE			
FROM TRUST FUNDS	8,474,483		
TOTAL POSITIONS		113.00	
TOTAL ALL FUNDS	8,474,483		
FUNERAL AND CEMETERY SERVICES			
APPROVED SALARY RATE	1,213,182		
2428 SALARIES AND BENEFITS POSITIONS		25.00	
FROM REGULATORY TRUST FUND	1,692,471		
2429 OTHER PERSONAL SERVICES			
FROM REGULATORY TRUST FUND	65,000		
2430 EXPENSES			
FROM REGULATORY TRUST FUND	291,827		
2431 OPERATING CAPITAL OUTLAY			
FROM REGULATORY TRUST FUND	9,500		
2432 SPECIAL CATEGORIES			
ELECTRONIC COMMERCE FEES FOR COLLECTION OF			
REVENUE			
FROM REGULATORY TRUST FUND	14,100		
2433 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM REGULATORY TRUST FUND	99,549		
2434 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
FROM REGULATORY TRUST FUND	8,700		
2435 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM REGULATORY TRUST FUND	8,071		
2436 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM REGULATORY TRUST FUND	4,162		
2437 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM REGULATORY TRUST FUND	12,607		
TOTAL: FUNERAL AND CEMETERY SERVICES			
FROM TRUST FUNDS	2,205,987		
TOTAL POSITIONS		25.00	
TOTAL ALL FUNDS	2,205,987		

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
PUBLIC ASSISTANCE FRAUD			
APPROVED SALARY RATE	4,316,416		
2438 SALARIES AND BENEFITS POSITIONS		72.00	
FROM FEDERAL GRANTS TRUST FUND . . .			1,492,926
FROM INSURANCE REGULATORY TRUST			
FUND			2,868,260
2439 OTHER PERSONAL SERVICES			
FROM FEDERAL GRANTS TRUST FUND . . .			288,460
2440 EXPENSES			
FROM FEDERAL GRANTS TRUST FUND . . .			629,219
2441 OPERATING CAPITAL OUTLAY			
FROM FEDERAL GRANTS TRUST FUND . . .			20,000
2442 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM FEDERAL GRANTS TRUST FUND . . .			194,418
2443 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
FROM FEDERAL GRANTS TRUST FUND . . .			20,000
2444 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM FEDERAL GRANTS TRUST FUND . . .			35,199
2445 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM FEDERAL GRANTS TRUST FUND . . .			14,900
2446 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM FEDERAL GRANTS TRUST FUND . . .			41,531
2447 DATA PROCESSING SERVICES			
OTHER DATA PROCESSING SERVICES			
FROM FEDERAL GRANTS TRUST FUND . . .			1,000
TOTAL: PUBLIC ASSISTANCE FRAUD			
FROM TRUST FUNDS			5,605,913
TOTAL POSITIONS		72.00	
TOTAL ALL FUNDS			5,605,913
PROGRAM: WORKERS' COMPENSATION			
WORKERS' COMPENSATION			
APPROVED SALARY RATE	12,105,192		
2448 SALARIES AND BENEFITS POSITIONS		298.00	
FROM WORKERS' COMPENSATION			
ADMINISTRATION TRUST FUND			16,478,761
FROM WORKERS' COMPENSATION SPECIAL			
DISABILITY TRUST FUND			948,480
2449 OTHER PERSONAL SERVICES			
FROM WORKERS' COMPENSATION			
ADMINISTRATION TRUST FUND			383,775
FROM WORKERS' COMPENSATION SPECIAL			
DISABILITY TRUST FUND			17,550
2450 EXPENSES			
FROM WORKERS' COMPENSATION			
ADMINISTRATION TRUST FUND			3,325,117
FROM WORKERS' COMPENSATION SPECIAL			
DISABILITY TRUST FUND			126,870

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2451	OPERATING CAPITAL OUTLAY FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	100,021
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	16,851
2452	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	188,000
2453	SPECIAL CATEGORIES TRANSFER TO DISTRICT COURTS OF APPEAL - WORKERS' COMPENSATION APPEALS FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	1,868,123

Funds in Specific Appropriation 2453 are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.

2454	SPECIAL CATEGORIES TRANSFER TO THE UNIVERSITY OF SOUTH FLORIDA - OCCUPATIONAL SAFETY GRANT MATCH FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	250,000
2455	SPECIAL CATEGORIES TRANSFER TO JUSTICE ADMINISTRATIVE COMMISSION FOR PROSECUTION OF WORKERS' COMPENSATION FRAUD FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	604,760

The funds in Specific Appropriation 2455 from the Workers' Compensation Administration Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the Eleventh, Thirteenth, Fifteenth, and Seventeenth Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of workers' compensation fraud.

2456	SPECIAL CATEGORIES CONTRACTED SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	2,336,789 86,360
2457	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	84,800
2458	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	990,000
2459	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	187,197
2460	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	62,320 2,280
2461	SPECIAL CATEGORIES	

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	99,854
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	6,289
	TOTAL: WORKERS' COMPENSATION FROM TRUST FUNDS	28,164,197
	TOTAL POSITIONS	298.00
	TOTAL ALL FUNDS	28,164,197

PROGRAM: FINANCIAL SERVICES COMMISSION
OFFICE OF INSURANCE REGULATION

From the funds provided in Specific Appropriations 2462 through 2477, the Office of Insurance Regulation shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

COMPLIANCE AND ENFORCEMENT - INSURANCE

	APPROVED SALARY RATE	12,758,234
2462	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	254.00 17,044,327
2463	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	290,169
2464	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	2,362,529
2465	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	98,000
2466	SPECIAL CATEGORIES FLORIDA PUBLIC HURRICANE LOSS MODEL - OFFICE OF INSURANCE REGULATION FROM INSURANCE REGULATORY TRUST FUND	632,639

Funds in Specific Appropriation 2466 shall be transferred to Florida International University and utilized to promote and enhance collaborative research among State Universities. The Florida Public Hurricane Loss Model located at Florida International University may consult with the private sector and the Florida Catastrophic Storm Risk Management Center located at The Florida State University to enhance the marketability, viability, and applications of the Florida Public Hurricane Loss Model. The Office of Insurance Regulation (Office) shall have the ability to accurately calculate hurricane risk and project catastrophic losses, and nothing shall interfere with or supersede the Office's authority to enter into agreements with Florida International University.

2466A	SPECIAL CATEGORIES TRANSFER TO FLORIDA INTERNATIONAL	
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SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

UNIVERSITY - ENHANCEMENTS TO THE FLORIDA
PUBLIC HURRICANE LOSS MODEL
FROM INSURANCE REGULATORY TRUST
FUND 850,000

Funds in Specific Appropriation 2466A shall be transferred to Florida International University for the purpose of enhancing the capability of the Florida Public Hurricane Loss Model to include windstorm and flood damage resulting from hurricanes. Florida International University shall update the Florida Public Hurricane Loss Model in coordination with the Office of Insurance Regulation; the Division of Emergency Management; the Florida Catastrophic Storm Risk Management Center, the Center for Ocean-Atmospheric Prediction Studies, and the Meteorology Department at The Florida State University; the Civil and Coastal Engineering Department at the University of Florida; the Florida Institute of Technology; and the National Oceanic & Atmospheric Administration.

2466B SPECIAL CATEGORIES
TRANSFER TO FLORIDA INTERNATIONAL
UNIVERSITY - ENHANCEMENTS TO THE WALL OF
WIND
FROM INSURANCE REGULATORY TRUST
FUND 212,000

Funds in Specific Appropriation 2466B shall be transferred to Florida International University for the purpose of enhancing the capability of the Wall of Wind. The enhancements to the Wall of Wind will provide facility infrastructure and technical improvements to include: hardware and software enhancements to provide more sampling channels, increased sensor capabilities, and faster sampling frequencies in an effort to support more efficient operation during testing; and additional equipment to ensure proper testing conditions and to provide contingency in the event of malfunction during testing.

2467 SPECIAL CATEGORIES
FINANCIAL EXAMINATION CONTRACTS - PROPERTY
AND CASUALTY EXAMINATIONS
FROM INSURANCE REGULATORY TRUST
FUND 3,501,763

2468 SPECIAL CATEGORIES
FINANCIAL EXAMINATION CONTRACTS - LIFE AND
HEALTH EXAMINATIONS
FROM INSURANCE REGULATORY TRUST
FUND 1,425,000

2469 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 1,338,016

2470 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 112,446

2471 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 18,989

2472 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 86,233

TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE
FROM TRUST FUNDS 27,972,111

TOTAL POSITIONS 254.00
TOTAL ALL FUNDS 27,972,111

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,171,451

2473 SALARIES AND BENEFITS POSITIONS 38.00
FROM INSURANCE REGULATORY TRUST
FUND 2,915,440

2474 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 118,543

2475 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 92,710

2476 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 8,414

2477 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 11,623

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 3,146,730

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 3,146,730

OFFICE OF FINANCIAL REGULATION

From the funds provided in Specific Appropriations 2478 through 2519, the Office of Financial Regulation shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE 6,787,197

2478 SALARIES AND BENEFITS POSITIONS 113.00
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 8,712,018

2479 OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 879,098

2480 EXPENSES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 1,738,752

2481 OPERATING CAPITAL OUTLAY
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 7,130

2482 SPECIAL CATEGORIES
CONTRACTED SERVICES

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	FROM FINANCIAL INSTITUTIONS		
	REGULATORY TRUST FUND	367,012	
2483	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM FINANCIAL INSTITUTIONS		
	REGULATORY TRUST FUND	35,220	
2484	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM FINANCIAL INSTITUTIONS		
	REGULATORY TRUST FUND	28,872	
2485	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM FINANCIAL INSTITUTIONS		
	REGULATORY TRUST FUND	37,835	
TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM			
	FROM TRUST FUNDS	11,805,937	
	TOTAL POSITIONS		113.00
	TOTAL ALL FUNDS	11,805,937	

FINANCIAL INVESTIGATIONS

	APPROVED SALARY RATE	2,160,935	
2486	SALARIES AND BENEFITS		39.00
	FROM ADMINISTRATIVE TRUST FUND . . .	2,692,157	
2487	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	5,321	
2488	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .	498,957	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	51,758	
2489	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	10,600	
2490	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	36,354	
2491	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	12,155	
2492	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ADMINISTRATIVE TRUST FUND . . .	15,809	
2493	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	20,101	
TOTAL: FINANCIAL INVESTIGATIONS			
	FROM TRUST FUNDS	3,343,212	
	TOTAL POSITIONS		39.00
	TOTAL ALL FUNDS	3,343,212	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	1,261,240	
2494	SALARIES AND BENEFITS		15.00
	FROM ADMINISTRATIVE TRUST FUND . . .	1,793,046	

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
2495	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		250,000
2496	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .		418,948
2497	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		61,048
2498	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .		4,675
2499	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ADMINISTRATIVE TRUST FUND . . .		10,004
2500	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .		13,930
2501	DATA PROCESSING SERVICES		
	REGULATORY ENFORCEMENT AND LICENSING		
	SYSTEM - OFFICE OF FINANCIAL REGULATION		
	FROM ADMINISTRATIVE TRUST FUND . . .		10,165,965

From the funds in Specific Appropriation 2501, \$1,871,600 is provided for the Office of Financial Regulation to competitively procure services for the continued operation and maintenance of the Regulatory Enforcement and Licensing (REAL) system to include the enhancements associated with updating the system's online services portal and integrating into the system the business functions of the Division of Financial Institutions. These funds shall be utilized to support the procurement of the REAL system support services and, as necessary, any knowledge transfer activities during the transition period.

From the funds in Specific Appropriation 2501, \$6,927,000 is provided to the Office of Financial Regulation to update the online services portal of the Regulatory Enforcement and Licensing (REAL) system and to integrate the business functions of the Division of Financial Institutions within the REAL system. The funds shall be held in reserve. The Office of Financial Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting the release of funds contingent upon the submission of a detailed operational work plan that includes a project charter, work breakdown structure, fully-resourced project schedule, project spend plan, project organization and methodology, organizational change management plan, and risk management plan for enhancing the REAL system.

The Office of Financial Regulation shall submit written quarterly project status reports to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The project status reports shall detail the progress made to date for each project milestone to include the competitive solicitation and the development, migration, and deployment of the system enhancements; planned versus actual deliverable completion dates; planned versus actual costs incurred; and any current project issue or risk being managed.

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM TRUST FUNDS		12,717,616
	TOTAL POSITIONS		15.00
	TOTAL ALL FUNDS		12,717,616

FINANCE REGULATION

	APPROVED SALARY RATE	5,238,778	
2502	SALARIES AND BENEFITS		98.00

SECTION 6 - GENERAL GOVERNMENT		
SPECIFIC		
APPROPRIATION		
	FROM REGULATORY TRUST FUND	6,698,793
2503	OTHER PERSONAL SERVICES	
	FROM REGULATORY TRUST FUND	207,098
2504	EXPENSES	
	FROM REGULATORY TRUST FUND	982,189
2505	OPERATING CAPITAL OUTLAY	
	FROM REGULATORY TRUST FUND	5,631
2506	SPECIAL CATEGORIES	
	DEFERRED PRESENTMENT PROVIDER DATABASE	
	CONTRACT	
	FROM REGULATORY TRUST FUND	2,930,000
2507	SPECIAL CATEGORIES	
	CHECK CASHING TRANSACTION DATABASE	
	CONTRACT	
	FROM REGULATORY TRUST FUND	151,000
2508	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM REGULATORY TRUST FUND	111,565
2509	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM REGULATORY TRUST FUND	30,545
2510	SPECIAL CATEGORIES	
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM REGULATORY TRUST FUND	34,995
2511	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM REGULATORY TRUST FUND	37,482
TOTAL: FINANCE REGULATION		
	FROM TRUST FUNDS	11,189,298
	TOTAL POSITIONS	98.00
	TOTAL ALL FUNDS	11,189,298
SECURITIES REGULATION		
	APPROVED SALARY RATE	4,850,251
2512	SALARIES AND BENEFITS	
	POSITIONS	95.00
	FROM REGULATORY TRUST FUND	6,547,346
2513	OTHER PERSONAL SERVICES	
	FROM ANTI-FRAUD TRUST FUND	32,538
	FROM REGULATORY TRUST FUND	104,466
2514	EXPENSES	
	FROM ANTI-FRAUD TRUST FUND	62,885
	FROM REGULATORY TRUST FUND	675,623
2515	OPERATING CAPITAL OUTLAY	
	FROM ANTI-FRAUD TRUST FUND	24,528
	FROM REGULATORY TRUST FUND	4,566
2516	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM ANTI-FRAUD TRUST FUND	80,049
	FROM REGULATORY TRUST FUND	349,500
2517	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM REGULATORY TRUST FUND	29,610
2518	SPECIAL CATEGORIES	

SECTION 6 - GENERAL GOVERNMENT		
SPECIFIC		
APPROPRIATION		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM REGULATORY TRUST FUND	27,253
2519	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM REGULATORY TRUST FUND	30,080
TOTAL: SECURITIES REGULATION		
	FROM TRUST FUNDS	7,968,444
	TOTAL POSITIONS	95.00
	TOTAL ALL FUNDS	7,968,444
TOTAL: FINANCIAL SERVICES, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	25,971,386
	FROM TRUST FUNDS	317,937,031
	TOTAL POSITIONS	2,596.50
	TOTAL ALL FUNDS	343,908,417
	TOTAL APPROVED SALARY RATE	128,711,836
GOVERNOR, EXECUTIVE OFFICE OF THE		
PROGRAM: GENERAL OFFICE		
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
2520	SALARIES AND BENEFITS	
	POSITIONS	124.00
	FROM GENERAL REVENUE FUND	9,115,531
	FROM GRANTS AND DONATIONS TRUST	
	FUND	226,470
2521	LUMP SUM	
	EXECUTIVE OFFICE OF THE GOVERNOR -	
	EXECUTIVE/ADMINISTRATION	
	FROM GENERAL REVENUE FUND	2,179,202
	FROM GRANTS AND DONATIONS TRUST	
	FUND	488,033
2522	LUMP SUM	
	EXECUTIVE OFFICE OF THE GOVERNOR -	
	WASHINGTON OFFICE	
	FROM GENERAL REVENUE FUND	116,858
2523	SPECIAL CATEGORIES	
	CONTINGENT - DISCRETIONARY	
	FROM GENERAL REVENUE FUND	29,244
2524	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND	25,798
	FROM GRANTS AND DONATIONS TRUST	
	FUND	8,843
2525	SPECIAL CATEGORIES	
	CHILD ABUSE PREVENTION	
	FROM GENERAL REVENUE FUND	150,000
2526	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM GENERAL REVENUE FUND	35,020
	FROM GRANTS AND DONATIONS TRUST	
	FUND	6,322
2527	DATA PROCESSING SERVICES	
	STATE DATA CENTER - AGENCY FOR STATE	
	TECHNOLOGY (AST)	
	FROM GENERAL REVENUE FUND	304,257
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
FROM GENERAL REVENUE FUND	11,955,910		
FROM TRUST FUNDS		729,668	
TOTAL POSITIONS	124.00		
TOTAL ALL FUNDS		12,685,578	

LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM

2528	SALARIES AND BENEFITS	POSITIONS	48.00	
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND			4,542,226
2529	LUMP SUM			
	LEGISLATIVE APPROPRIATION SYSTEM/PLANNING AND BUDGETING SUBSYSTEM			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND			1,231,236
2530	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND			13,410
2531	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND			13,048
2532	DATA PROCESSING SERVICES			
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND			471
2533	DATA PROCESSING SERVICES			
	OTHER DATA PROCESSING SERVICES			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND			21,470
TOTAL:	LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM			
	FROM TRUST FUNDS			5,821,861
	TOTAL POSITIONS	48.00		
	TOTAL ALL FUNDS			5,821,861

EXECUTIVE PLANNING AND BUDGETING

2534	SALARIES AND BENEFITS	POSITIONS	104.00	
	FROM GENERAL REVENUE FUND			9,059,696
2535	LUMP SUM			
	EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING			
	FROM GENERAL REVENUE FUND			762,371
2536	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS			
	FROM GENERAL REVENUE FUND			31,619
2537	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND			29,054
2538	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND			33,402

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
TOTAL: EXECUTIVE PLANNING AND BUDGETING			
FROM GENERAL REVENUE FUND			9,916,142
TOTAL POSITIONS	104.00		
TOTAL ALL FUNDS			9,916,142

PROGRAM: EMERGENCY MANAGEMENT

EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

The Division of Emergency Management must submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

	APPROVED SALARY RATE		7,009,857	
2539	SALARIES AND BENEFITS	POSITIONS	157.00	
	FROM ADMINISTRATIVE TRUST FUND . . .			1,908,194
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND			2,694,021
	FROM FEDERAL GRANTS TRUST FUND . . .			3,336,408
	FROM GRANTS AND DONATIONS TRUST FUND			634,844
	FROM OPERATING TRUST FUND			758,214
	FROM U.S. CONTRIBUTIONS TRUST FUND .			1,152,226
2540	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND . . .			495,804
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND			1,003,961
	FROM FEDERAL GRANTS TRUST FUND . . .			1,186,225
	FROM GRANTS AND DONATIONS TRUST FUND			268,717
	FROM OPERATING TRUST FUND			41,018
2541	EXPENSES			
	FROM ADMINISTRATIVE TRUST FUND . . .			398,694
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND			1,114,447
	FROM FEDERAL GRANTS TRUST FUND . . .			1,338,447
	FROM GRANTS AND DONATIONS TRUST FUND			584,964
	FROM OPERATING TRUST FUND			255,113
	FROM U.S. CONTRIBUTIONS TRUST FUND .			218,985
2542	AID TO LOCAL GOVERNMENTS			
	DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION			
	FROM FEDERAL GRANTS TRUST FUND . . .			6,342,270
2543	OPERATING CAPITAL OUTLAY			
	FROM ADMINISTRATIVE TRUST FUND . . .			15,400
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND			27,525
	FROM FEDERAL GRANTS TRUST FUND . . .			80,415
	FROM GRANTS AND DONATIONS TRUST FUND			67,100
	FROM OPERATING TRUST FUND			4,650
2544	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND			38,000
	FROM FEDERAL GRANTS TRUST FUND . . .			38,000
2545	SPECIAL CATEGORIES			
	GRANTS AND AIDS - PAYMENT FLORIDA WING/			

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

CIVIL AIR PATROL FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	49,500
2546 SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	217,273 452,186 1,304,389 3,718,737 164,258 39,369
2547 SPECIAL CATEGORIES GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	7,309,061
2548 SPECIAL CATEGORIES GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	247,393
2549 SPECIAL CATEGORIES GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	1,699,796
2550 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	10,577 18,124 25,233 10,932 3,952 9,112
2551 SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE FROM FEDERAL GRANTS TRUST FUND . . .	7,085,430

From the funds provided in Specific Appropriation 2551, \$250,000 is allocated to contract with a not-for-profit corporation to conduct a statewide public education campaign on television and radio to promote hurricane preparedness. Funds must be matched on a 3 to 1 basis for this purpose.

2552 SPECIAL CATEGORIES COMMISSION ON COMMUNITY SERVICE FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	300,000
2553 SPECIAL CATEGORIES STATEWIDE HURRICANE PREPAREDNESS AND PLANNING FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	2,064,539 421,219 100,971

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2554 SPECIAL CATEGORIES GRANTS AND AIDS - PUBLIC ASSISTANCE FROM GRANTS AND DONATIONS TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	14,039,164 189,797,658
2555 SPECIAL CATEGORIES PUBLIC ASSISTANCE - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	7,408,198 1,642,056
2556 SPECIAL CATEGORIES GRANTS AND AIDS - HAZARD MITIGATION FROM GRANTS AND DONATIONS TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	122,668 34,860,090
2557 SPECIAL CATEGORIES HAZARD MITIGATION - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	628,479 1,868,938
2558 SPECIAL CATEGORIES DISASTER ACTIVITY - STATE OBLIGATIONS FROM GRANTS AND DONATIONS TRUST FUND	938,724
2559 SPECIAL CATEGORIES GRANTS AND AIDS - SEVERE REPETITIVE LOSS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	1,219,086
2560 SPECIAL CATEGORIES GRANTS AND AIDS - PREDISASTER MITIGATION FROM FEDERAL GRANTS TRUST FUND . . .	6,689,346
2561 SPECIAL CATEGORIES GRANTS AND AIDS - HURRICANE LOSS MITIGATION FROM GRANTS AND DONATIONS TRUST FUND	9,782,766
Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes, as follows:	
Salaries and Benefits (SA #2539).....	73,407
Other Personal Services (SA #2540).....	214,717
Expenses (SA #2541).....	178,793
Operating Capital Outlay (SA #2543).....	7,500
Contracted Services (SA #2546).....	141,532
Risk Management Services (SA #2550).....	1,392
Transfer to DMS - Human Resources Services (SA #2563).....	1,342
State Data Center - Agency for State Technology (SA #2567)..	9,234
Grants and Aids - Hurricane Loss Mitigation (SA # 2561)....	6,301,581
Indirect Costs.....	70,502
These funds must be used for Hurricane Loss Mitigation programs as specified in section 215.559, Florida Statutes. The funds allocated in section 215.559(2)(a), Florida Statutes, must be distributed directly to Tallahassee Community College for the uses described in section 215.559(2)(b), Florida Statutes.	
2562 SPECIAL CATEGORIES GRANTS AND AIDS - FLOOD MITIGATION ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	7,078,374
2563 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES	

SECTION 6 - GENERAL GOVERNMENT	
SPECIFIC	
APPROPRIATION	
PURCHASED PER STATEWIDE CONTRACT	
FROM ADMINISTRATIVE TRUST FUND . . .	9,889
FROM EMERGENCY MANAGEMENT	
PREPAREDNESS AND ASSISTANCE TRUST	
FUND	17,543
FROM FEDERAL GRANTS TRUST FUND . . .	24,090
FROM GRANTS AND DONATIONS TRUST	
FUND	8,875
FROM OPERATING TRUST FUND	3,248
FROM U.S. CONTRIBUTIONS TRUST FUND .	11,487
2564 SPECIAL CATEGORIES	
FLORIDA HAZARDOUS MATERIALS PLANNING	
PROGRAM	
FROM GRANTS AND DONATIONS TRUST	
FUND	65,000
FROM OPERATING TRUST FUND	1,076,597
2565 SPECIAL CATEGORIES	
HAZARDOUS MATERIALS EMERGENCY PLANNING	
GRANT	
FROM FEDERAL GRANTS TRUST FUND . . .	814,764
2567 DATA PROCESSING SERVICES	
STATE DATA CENTER - AGENCY FOR STATE	
TECHNOLOGY (AST)	
FROM ADMINISTRATIVE TRUST FUND . . .	71,080
FROM EMERGENCY MANAGEMENT	
PREPAREDNESS AND ASSISTANCE TRUST	
FUND	107,854
FROM FEDERAL GRANTS TRUST FUND . . .	171,195
FROM GRANTS AND DONATIONS TRUST	
FUND	61,679
FROM OPERATING TRUST FUND	19,709
FROM U.S. CONTRIBUTIONS TRUST FUND .	85,603
2568 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND	
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
EMERGENCY MANAGEMENT CRITICAL FACILITY	
NEEDS	
FROM GENERAL REVENUE FUND	3,550,000
FROM GRANTS AND DONATIONS TRUST	
FUND	3,000,000
Funds in Specific Appropriation 2568 from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to 215.555(7)(c), Florida Statutes. These funds shall be used to retrofit existing facilities used as public hurricane shelters as specified in section 215.559(1)(b), Florida Statutes.	
The nonrecurring general revenue funds provided in Specific Appropriation 2568 are allocated for the construction of facilities as follows:	
Emergency Operations Center - Brevard County.....	3,000,000
Emergency Operations Center - City of Cocoa.....	500,000
Emergency Operations Center - Permanent Generator for Lift Station - City of Plantation.....	50,000
TOTAL: EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE	
FROM GENERAL REVENUE FUND	3,550,000
FROM TRUST FUNDS	330,879,853
TOTAL POSITIONS	157.00
TOTAL ALL FUNDS	334,429,853
TOTAL: GOVERNOR, EXECUTIVE OFFICE OF THE	
FROM GENERAL REVENUE FUND	25,422,052
FROM TRUST FUNDS	337,431,382
TOTAL POSITIONS	433.00
TOTAL ALL FUNDS	362,853,434
TOTAL APPROVED SALARY RATE	7,009,857

SECTION 6 - GENERAL GOVERNMENT	
SPECIFIC	
APPROPRIATION	
HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF	
PROGRAM: ADMINISTRATIVE SERVICES	
EXECUTIVE DIRECTION AND SUPPORT SERVICES	
APPROVED SALARY RATE	10,786,261
2569 SALARIES AND BENEFITS POSITIONS	252.00
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	15,236,271
FROM LAW ENFORCEMENT TRUST FUND . .	152,654
2570 OTHER PERSONAL SERVICES	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	98,748
2571 EXPENSES	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	947,013
FROM LAW ENFORCEMENT TRUST FUND . .	7,516
2572 OPERATING CAPITAL OUTLAY	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	125,478
2572A SPECIAL CATEGORIES	
ACQUISITION OF MOTOR VEHICLES	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	50,000
2573 SPECIAL CATEGORIES	
TRANSFER TO DIVISION OF ADMINISTRATIVE	
HEARINGS	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	265,490
2574 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	1,306,893
2575 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	306,157
2576 SPECIAL CATEGORIES	
DEFERRED-PAYMENT COMMODITY CONTRACTS	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	84,169
2577 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	90,724
2578 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	87,265
2579 FIXED CAPITAL OUTLAY	
SPECIAL PROJECTS AND IMPROVEMENTS -	
ADMINISTRATIVE SERVICES	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND	3,740,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES	
FROM TRUST FUNDS	22,498,378
TOTAL POSITIONS	252.00

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
TOTAL ALL FUNDS			22,498,378
PROGRAM: FLORIDA HIGHWAY PATROL			
HIGHWAY SAFETY			
APPROVED SALARY RATE	108,340,084		
2580 SALARIES AND BENEFITS	POSITIONS	2,193.00	
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			155,281,832
FROM LAW ENFORCEMENT TRUST FUND . .			4,449
2581 OTHER PERSONAL SERVICES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			6,597,467
FROM FEDERAL GRANTS TRUST FUND . . .			143,000
2582 EXPENSES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			9,043,826
FROM FEDERAL GRANTS TRUST FUND . . .			152,370
FROM LAW ENFORCEMENT TRUST FUND . .			65,475
FROM FEDERAL LAW ENFORCEMENT TRUST			
FUND			185,923
2583 OPERATING CAPITAL OUTLAY			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			428,505
FROM FEDERAL GRANTS TRUST FUND . . .			372,000
FROM FEDERAL LAW ENFORCEMENT TRUST			
FUND			252,572
2584 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			11,357,873
2585 SPECIAL CATEGORIES			
FLORIDA HIGHWAY PATROL COMMUNICATION			
SYSTEMS			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			4,018,112
FROM FEDERAL LAW ENFORCEMENT TRUST			
FUND			52,000
2586 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			1,785,529
FROM GAS TAX COLLECTION TRUST FUND .			258,609
FROM LAW ENFORCEMENT TRUST FUND . .			536,383
2587 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			16,807,786
2588 SPECIAL CATEGORIES			
FLORIDA HIGHWAY PATROL AUXILIARY			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			138,238
2589 SPECIAL CATEGORIES			
OVERTIME			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			9,075,000
FROM FEDERAL GRANTS TRUST FUND . . .			537,129

From the funds in Specific Appropriation 2589, the Department of Highway Safety and Motor Vehicles shall allocate funds as necessary to efficiently manage overtime activities of the Florida Highway Patrol.

2590 SPECIAL CATEGORIES			
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SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			325,995
2591 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			6,645,462
2592 SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			1,420,560
2594 SPECIAL CATEGORIES			
DEFERRED-PAYMENT COMMODITY CONTRACTS			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			2,219,213
2595 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			105,960
2596 SPECIAL CATEGORIES			
MOBILE DATA TERMINAL SYSTEM			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			1,522,706
2597 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			741,956
2598 FIXED CAPITAL OUTLAY			
MAINTENANCE, REPAIRS AND CONSTRUCTION -			
STATEWIDE			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			295,000
2599 FIXED CAPITAL OUTLAY			
FLORIDA HIGHWAY PATROL TRAINING ACADEMY			
DRIVING RANGE			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			2,800,000
TOTAL: HIGHWAY SAFETY			
FROM TRUST FUNDS			233,170,930
TOTAL POSITIONS	2,193.00		
TOTAL ALL FUNDS			233,170,930
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	1,812,998		
2600 SALARIES AND BENEFITS	POSITIONS	24.00	
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			2,520,373
2601 EXPENSES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			257,585
2602 OPERATING CAPITAL OUTLAY			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			8,000
2603 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM HIGHWAY SAFETY OPERATING			
TRUST FUND			19,838

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
2604	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	4,135	
2605	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	7,790	
2606	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	72,662	
2607	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	20,315	
2608	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	3,150	
2609	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	8,221	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM TRUST FUNDS	2,922,069	
	TOTAL POSITIONS	24.00	
	TOTAL ALL FUNDS	2,922,069	
COMMERCIAL VEHICLE ENFORCEMENT			
	APPROVED SALARY RATE	13,857,891	
2610	SALARIES AND BENEFITS		294.00
	POSITIONS		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	21,234,837	
2611	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	252,311	
2612	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	2,684,774	
2613	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	1,729,513	
2614	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	1,508,511	
2615	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	2,140,514	
2616	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND	2,154,397	
2617	SPECIAL CATEGORIES		

SECTION 6 - GENERAL GOVERNMENT			
SPECIFIC			
APPROPRIATION			
	OVERTIME		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		2,175,173
2618	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		890,125
2619	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		218,240
2620	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		23,020
2621	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		96,944
TOTAL: COMMERCIAL VEHICLE ENFORCEMENT			
	FROM TRUST FUNDS		35,108,359
	TOTAL POSITIONS	294.00	
	TOTAL ALL FUNDS		35,108,359
PROGRAM: MOTORIST SERVICES			
MOTORIST SERVICES			
	APPROVED SALARY RATE	50,868,582	
2622	SALARIES AND BENEFITS		1,488.00
	POSITIONS		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		69,059,588
	FROM FEDERAL GRANTS TRUST FUND . . .		186,337
	FROM GAS TAX COLLECTION TRUST FUND .		3,119,867
2623	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		870,874
	FROM FEDERAL GRANTS TRUST FUND . . .		422,666
	FROM GAS TAX COLLECTION TRUST FUND .		11,438
2624	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		12,084,498
	FROM FEDERAL GRANTS TRUST FUND . . .		390,335
	FROM GAS TAX COLLECTION TRUST FUND .		330,509
2625	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		234,866
	FROM FEDERAL GRANTS TRUST FUND . . .		538,230
	FROM GAS TAX COLLECTION TRUST FUND .		5,001
2625A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		200,000
2626	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SAFETY DATA IMPROVEMENT		
	GRANT PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .		470,325
2627	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

FROM HIGHWAY SAFETY OPERATING TRUST FUND	5,430,259
FROM FEDERAL GRANTS TRUST FUND	369,401
FROM GAS TAX COLLECTION TRUST FUND	3,040

From the funds in Specific Appropriation 2627, \$1,750,000 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided to procure advanced data analytics and fraud detection services for the purpose of automating data analysis and producing threat assessment scores for online driver license and identification card renewal transactions.

From the funds in Specific Appropriation 2627, \$300,000 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided to the American Bikers Aiming Toward Education of Florida, Inc. (ABATE) for the purpose of promoting motorcycle safety awareness through public information and education campaigns.

2628 SPECIAL CATEGORIES DOMESTIC SECURITY FROM FEDERAL GRANTS TRUST FUND	270,000
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2629 SPECIAL CATEGORIES AUTOMATED UNIFORM TRAFFIC ACCOUNTING SYSTEM FROM HIGHWAY SAFETY OPERATING TRUST FUND	913,905
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2630 SPECIAL CATEGORIES PAYMENT TO OUTSIDE CONTRACTOR FROM HIGHWAY SAFETY OPERATING TRUST FUND	6,299,454
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2631 SPECIAL CATEGORIES PURCHASE OF DRIVER LICENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND	11,088,304
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2632 SPECIAL CATEGORIES GRANTS AND AIDS - PURCHASE OF LICENSE PLATES FROM HIGHWAY SAFETY OPERATING TRUST FUND	9,799,427
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2633 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	1,548,536 67,056
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2634 SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND	159,804
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2635 SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	238,586
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2636 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	104,488 11,000
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2637 SPECIAL CATEGORIES TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,132,656
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2638 SPECIAL CATEGORIES	
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SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	562,175
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2639 FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,044,652
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TOTAL: MOTORIST SERVICES FROM TRUST FUNDS	126,967,277
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TOTAL POSITIONS	1,488.00
TOTAL ALL FUNDS	126,967,277

PROGRAM: INFORMATION SERVICES ADMINISTRATION

INFORMATION SERVICES ADMINISTRATION

APPROVED SALARY RATE	8,454,115
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2640 SALARIES AND BENEFITS POSITIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND	163.00 11,143,353
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2641 OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	262,740
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2642 EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND FROM LAW ENFORCEMENT TRUST FUND	4,486,850 213,265 3,752
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2643 OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND	333,682
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2644 SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	18,096,316 17,333
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From the funds in Specific Appropriation 2644, \$8,749,351 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided for the Motorist Modernization project. Of these funds, \$6,562,013 shall be placed in reserve. The department is authorized to submit quarterly budget amendments to request release of the funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes and based on the department's planned quarterly expenditures. The budget amendments shall include a detailed operational work plan, project spending plan, and progress made to date for each project milestone, planned and actual deliverable completion dates, planned and actual costs incurred, and any current project issues and risks being managed. The department shall submit quarterly project status reports to the Executive Office of the Governor's Office of Policy and Budget and the chairs of the Senate Committee on Appropriations and the House of Representatives Appropriations Committee.

From the funds in Specific Appropriation 2644, \$6,563,775 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided for the department to upgrade its existing database environment, implement a platform for data synchronization, establish a staging environment, implement a test data management toolset and acquire a managed disaster recovery service, all of which are necessary to support the department's Motorist Modernization project and current operations. These funds shall be placed in reserve. Contingent upon the department submitting a cost benefit analysis analyzing the different options, to include cloud computing services, for securing the

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

hardware and software necessary to support these initiatives, the department is authorized to submit budget amendments requesting release of funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed implementation plan and spend plan.

2645	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND		36,289
2646	SPECIAL CATEGORIES TAX COLLECTOR NETWORK - COUNTY SYSTEMS FROM HIGHWAY SAFETY OPERATING TRUST FUND		4,822,917
2647	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND		2,719,329
2648	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND		3,107
2649	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND		60,167
2650	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM HIGHWAY SAFETY OPERATING TRUST FUND		4,475,405
2651	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM HIGHWAY SAFETY OPERATING TRUST FUND		937
TOTAL:	INFORMATION SERVICES ADMINISTRATION FROM TRUST FUNDS		46,675,442
	TOTAL POSITIONS	163.00	
	TOTAL ALL FUNDS		46,675,442
TOTAL:	HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF FROM TRUST FUNDS		467,342,455
	TOTAL POSITIONS	4,414.00	
	TOTAL ALL FUNDS		467,342,455
	TOTAL APPROVED SALARY RATE	194,119,931	

LEGISLATIVE BRANCH

SENATE

2652	LUMP SUM SENATE FROM GENERAL REVENUE FUND		52,114,674
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HOUSE OF REPRESENTATIVES

2653	LUMP SUM HOUSE FROM GENERAL REVENUE FUND		59,083,951
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LEGISLATIVE SUPPORT SERVICES

2654	LUMP SUM		
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SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

	LEGISLATIVE SUPPORT SERVICES - SENATE FROM GENERAL REVENUE FUND	24,454,565	
	FROM GRANTS AND DONATIONS TRUST FUND		991,382
	FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND		150,435
2655	LUMP SUM LEGISLATIVE SUPPORT SERVICES - HOUSE FROM GENERAL REVENUE FUND	24,557,761	
	FROM GRANTS AND DONATIONS TRUST FUND		975,201
	FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND		145,770

From the funds in Specific Appropriations 2654 and 2655, \$164,250 in nonrecurring general revenue funds is provided for a comprehensive review of Florida's criminal justice system, including but not limited to criminal law and procedure, law enforcement, prosecution and defense of criminal offenses, the judicial and courts system, sentencing, and corrections. The review must consider these aspects of the adult criminal justice system as well as corresponding aspects of the juvenile justice system. The contract must be competitively procured. A written report of the findings and recommendations for improvements shall be provided to the Governor, President of the Senate and Speaker of the House of Representatives on or before March 1, 2017.

2656	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	349,811	
	FROM GRANTS AND DONATIONS TRUST FUND		2,508
	FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND		279
TOTAL:	LEGISLATIVE SUPPORT SERVICES FROM GENERAL REVENUE FUND	49,362,137	
	FROM TRUST FUNDS		2,265,575
	TOTAL ALL FUNDS		51,627,712

OFFICE OF PUBLIC COUNSEL

2657	LUMP SUM PUBLIC COUNSEL FROM GENERAL REVENUE FUND	2,431,400	
2658	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,392	
TOTAL:	OFFICE OF PUBLIC COUNSEL FROM GENERAL REVENUE FUND	2,433,792	
	TOTAL ALL FUNDS		2,433,792

ETHICS, COMMISSION ON

2659	LUMP SUM LOBBY REGISTRATION FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND		218,626
2660	LUMP SUM ETHICS COMMISSION FROM GENERAL REVENUE FUND	2,467,555	
2661	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND		33,800
2662	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 3,366
FROM EXECUTIVE BRANCH LOBBY
REGISTRATION TRUST FUND 279

TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND 2,504,721
FROM TRUST FUNDS 218,905

TOTAL ALL FUNDS 2,723,626

AUDITOR GENERAL

2663 LUMP SUM
AUDITOR GENERAL
FROM GENERAL REVENUE FUND 35,955,426

2664 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 61,639

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND 36,017,065

TOTAL ALL FUNDS 36,017,065

TOTAL: LEGISLATIVE BRANCH
FROM GENERAL REVENUE FUND 201,516,340
FROM TRUST FUNDS 2,484,480

TOTAL ALL FUNDS 204,000,820

LOTTERY, DEPARTMENT OF THE

From the funds provided in Specific Appropriations 2665 through 2683, the Department of the Lottery shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 17,899,646

2665 SALARIES AND BENEFITS POSITIONS 420.00
FROM OPERATING TRUST FUND 27,224,350

2666 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 200,000

2667 EXPENSES
FROM OPERATING TRUST FUND 5,488,880

2668 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 1,178,200

2669 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 340,000

From the funds provided in Specific Appropriation 2669, the Department of the Lottery may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

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2670 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 3,215,654

2671 SPECIAL CATEGORIES
INSTANT TICKET PURCHASE
FROM OPERATING TRUST FUND 51,597,164

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2671, in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2672 SPECIAL CATEGORIES
ADVERTISING AGENCY FEES
FROM OPERATING TRUST FUND 3,237,939

2673 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM OPERATING TRUST FUND 36,312,514

From the funds provided in Specific Appropriation 2673, the Department of the Lottery shall not expend in excess of \$200,000 for the development, publication, and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

2674 SPECIAL CATEGORIES
TERMINAL GAMES FEES
FROM OPERATING TRUST FUND 26,646,545

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2674 in the event terminal sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2674 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the terminals, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the department's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

2675 SPECIAL CATEGORIES
LOTTERY INSTANT TICKET VENDING MACHINES
FROM OPERATING TRUST FUND 5,010,600

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2675 to acquire additional instant ticket vending machines. Prior to the submission of any amendment that increases the number of instant ticket vending machines, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines and generate additional revenue that benefits the state. The budget amendments will be contingent upon the department's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific instant ticket machine needs and a plan for distribution of the additional machines.

2676 SPECIAL CATEGORIES
LOTTERY FULL SERVICE VENDING MACHINES
FROM OPERATING TRUST FUND 2,940,000

2677 SPECIAL CATEGORIES
RETAILER INCENTIVES
FROM OPERATING TRUST FUND 2,325,000

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2678	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND	719,447	
2679	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM OPERATING TRUST FUND	14,060	
2680	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND	120,000	
2681	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND	375,000	
2682	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND	145,536	
2683	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND	27,866	
TOTAL:	PROGRAM: LOTTERY OPERATIONS FROM TRUST FUNDS	167,118,755	
	TOTAL POSITIONS	420.00	
	TOTAL ALL FUNDS	167,118,755	
TOTAL:	LOTTERY, DEPARTMENT OF THE FROM TRUST FUNDS	167,118,755	
	TOTAL POSITIONS	420.00	
	TOTAL ALL FUNDS	167,118,755	
	TOTAL APPROVED SALARY RATE	17,899,646	

MANAGEMENT SERVICES, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 2684 through 2883 and sections 76, 77, and 90, for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease No. 720:0139, or any other lease, on behalf of any department or agency of the State of Florida by the Department of Management Services, notwithstanding any lease or contract to the contrary. The Department of Management Services is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease No. 720:0139, or any other lease.

From the funds provided in Specific Appropriations 2684 through 2845, the Department of Management Services shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

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	APPROVED SALARY RATE	5,061,599	
2684	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	80.00 161,008	6,882,203
2685	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		81,933
2686	EXPENSES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	41,497	695,893
2687	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		9,688
2688	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM OPERATING TRUST FUND	51,680	208,112 100,000
	From the funds in Specific Appropriation 2688, \$50,000 in recurring funds from the Operating Trust Fund is provided to the Department of Management Services to obtain independent and objective information technology research.		
2689	SPECIAL CATEGORIES MAIL SERVICES FROM ADMINISTRATIVE TRUST FUND		58,004
2690	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND		19,768
2691	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM ADMINISTRATIVE TRUST FUND		891,000
2692	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND		14,427
2693	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		30,538
2694	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	23,525	249,285
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	277,710	9,240,851
	TOTAL POSITIONS	80.00	
	TOTAL ALL FUNDS		9,518,561
	STATE EMPLOYEE LEASING APPROVED SALARY RATE	62,359	
2695	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND	1.00	166,585
2696	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		775

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TOTAL: STATE EMPLOYEE LEASING			
FROM TRUST FUNDS			167,360
TOTAL POSITIONS	1.00		
TOTAL ALL FUNDS			167,360

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

APPROVED SALARY RATE	9,288,042		
2697 SALARIES AND BENEFITS POSITIONS	256.50		
FROM SUPERVISION TRUST FUND			13,391,894
2698 OTHER PERSONAL SERVICES			
FROM SUPERVISION TRUST FUND			267,000
2699 EXPENSES			
FROM GENERAL REVENUE FUND	74,267		
FROM SUPERVISION TRUST FUND			5,184,033

From the funds in Specific Appropriation 2699, \$74,267 in nonrecurring funds from the General Revenue Fund is provided to the Department of Management Services pursuant to section 8 of Lease Number 720:0158 for reimbursement of tenant improvements made to leased space in the Oakland Building, owned by Protective Life Insurance Company, that was vacated by the Southwood Shared Resource Center on November 15, 2013. Prior to the release of such funds by the department, Protective Life Insurance Company shall sign a waiver releasing the state or any agency from any claims relating to the payment of unamortized tenant improvements for such leased space between the dates of July 1, 2015, and February 29, 2016.

2700 OPERATING CAPITAL OUTLAY			
FROM SUPERVISION TRUST FUND			73,727
2701 SPECIAL CATEGORIES			
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW			
ENFORCEMENT - CAPITOL POLICE			
FROM SUPERVISION TRUST FUND			6,623,621
2702 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	126,483		
FROM SUPERVISION TRUST FUND			10,427,141

From the funds in Specific Appropriation 2702, \$126,483 from the General Revenue Fund and \$646,172 from the Supervision Trust Fund are provided to contract with an independent third party consulting firm to complete a study of the aging state government facilities infrastructure located in Leon County and provide recommendations on how to manage the structures. The study shall be submitted to the Governor, President of the Senate, and Speaker of the House of Representatives by February 1, 2017.

From the funds provided in Specific Appropriation 2702, \$335,584 is provided to the Department of Management Services to outsource custodial services at the R.A. Gray Building and the Bob Martinez Center (Twin Towers) in Tallahassee.

2703 SPECIAL CATEGORIES			
DEPARTMENT OF MANAGEMENT SERVICES			
PROVISIONS FOR FACILITIES SECURITY			
FROM SUPERVISION TRUST FUND			1,148,387
2704 SPECIAL CATEGORIES			
INTERIOR REFURBISHMENT - LEASE SPACE			
FROM SUPERVISION TRUST FUND			1,932,577
2705 SPECIAL CATEGORIES			
MASTER LEASE SPACE TENANT IMPROVEMENT			
FUNDS			
FROM OPERATING TRUST FUND			177,655

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Funds in Specific Appropriation 2705 shall be placed in reserve until the Department of Management Services submits to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislative committees, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

2706 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM SUPERVISION TRUST FUND			188,451
2707 SPECIAL CATEGORIES			
STATE UTILITY PAYMENTS			
FROM SUPERVISION TRUST FUND			15,311,129

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2707 in the event utility costs exceed the amount appropriated.

2708 SPECIAL CATEGORIES			
SHARED SAVINGS PAYMENTS FOR ENERGY			
EFFICIENCY UPGRADES			
FROM SUPERVISION TRUST FUND			250,000
2709 SPECIAL CATEGORIES			
DEFERRED-PAYMENT COMMODITY CONTRACTS			
FROM SUPERVISION TRUST FUND			1,657,550
2710 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM SUPERVISION TRUST FUND			97,570
2711 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM SUPERVISION TRUST FUND			80,441
2712 SPECIAL CATEGORIES			
STATE CAPITOL - MAINTENANCE AND REPAIRS			
FROM SUPERVISION TRUST FUND			50,000
2713 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE			
TECHNOLOGY (AST)			
FROM SUPERVISION TRUST FUND			327,402
2713A FIXED CAPITAL OUTLAY			
2ND DISTRICT COURT OF APPEAL FACILITIES			
STUDY - DMS MGD			
FROM OPERATING TRUST FUND			200,000
2714 FIXED CAPITAL OUTLAY			
COMPLIANCE WITH THE AMERICANS WITH			
DISABILITIES ACT			
FROM GENERAL REVENUE FUND	3,600,000		
FROM SUPERVISION TRUST FUND			1,150,863

Funds in Specific Appropriations 2714 through 2716 shall be held in reserve contingent upon the submission of a project plan to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget detailing the request for building repair, code correction, and other deficiency projects. The

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project plan must include all high priority deficiency issues and all issues affecting life, health and safety. The project plan shall also include the facility, location, and estimated cost for each project and shall be submitted by August 1, 2016. The Department of Management Services shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

2715	FIXED CAPITAL OUTLAY LIFE SAFETY CODE COMPLIANCE PROJECTS STATEWIDE - DMS MGD FROM GENERAL REVENUE FUND	1,596,000	
2716	FIXED CAPITAL OUTLAY STATEWIDE CAPITAL DEPRECIATION - GENERAL - DMS MGD FROM GENERAL REVENUE FUND FROM SUPERVISION TRUST FUND	23,774,985	13,183,931
2717	FIXED CAPITAL OUTLAY OLD CAPITOL RENOVATION - DMS MGD FROM GENERAL REVENUE FUND	337,200	
2718	FIXED CAPITAL OUTLAY DEBT SERVICE FROM FLORIDA FACILITIES POOL CLEARING TRUST FUND		30,458,602
TOTAL:	FACILITIES MANAGEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	29,508,935	102,181,974
	TOTAL POSITIONS	256.50	
	TOTAL ALL FUNDS		131,690,909

BUILDING CONSTRUCTION

Funds provided in Specific Appropriations 2719 through 2725 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2016-2017 fiscal year shall be calculated in accordance with the formula submitted by the Department of Management Services to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

	APPROVED SALARY RATE	610,435	
2719	SALARIES AND BENEFITS POSITIONS FROM ARCHITECTS INCIDENTAL TRUST FUND	11.00	847,967
2720	EXPENSES FROM ARCHITECTS INCIDENTAL TRUST FUND		126,001
2721	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ARCHITECTS INCIDENTAL TRUST FUND		46,341
2722	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ARCHITECTS INCIDENTAL TRUST FUND		7,022
2723	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ARCHITECTS INCIDENTAL TRUST FUND		1,613
2724	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		

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	FROM ARCHITECTS INCIDENTAL TRUST FUND			3,588
2725	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM ARCHITECTS INCIDENTAL TRUST FUND			7,694
TOTAL:	BUILDING CONSTRUCTION FROM TRUST FUNDS			1,040,226
	TOTAL POSITIONS	11.00		
	TOTAL ALL FUNDS			1,040,226
PROGRAM:	SUPPORT PROGRAM			
FEDERAL PROPERTY ASSISTANCE				
	APPROVED SALARY RATE	148,876		
2726	SALARIES AND BENEFITS POSITIONS FROM SURPLUS PROPERTY REVOLVING TRUST FUND	5.00		249,878
2727	EXPENSES FROM SURPLUS PROPERTY REVOLVING TRUST FUND			82,938
2728	SPECIAL CATEGORIES CONTRACTED SERVICES FROM SURPLUS PROPERTY REVOLVING TRUST FUND			6,379
2729	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM SURPLUS PROPERTY REVOLVING TRUST FUND			2,846
2730	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM SURPLUS PROPERTY REVOLVING TRUST FUND			1,474
2731	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM SURPLUS PROPERTY REVOLVING TRUST FUND			1,455
TOTAL:	FEDERAL PROPERTY ASSISTANCE FROM TRUST FUNDS			344,970
	TOTAL POSITIONS	5.00		
	TOTAL ALL FUNDS			344,970
MOTOR VEHICLE AND WATERCRAFT MANAGEMENT				
	APPROVED SALARY RATE	339,995		
2732	SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	6.00		497,486
2733	EXPENSES FROM OPERATING TRUST FUND			58,708
2734	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND		1,761,243	99,332

From the funds in Specific Appropriation 2734, the Department of

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Management Services shall procure a commercially available solution to support a centralized Fleet Management Information System with the capacity to manage all state-owned and leased equipment pursuant to section 287.16, Florida Statutes. The solution shall replace the existing fleet management application with a solution that, at a minimum, shall have the capability to: a) manage the state-owned and leased fleet, including all equipment currently required to be tracked and the ability to track optional equipment such as heavy trucks, tractors, trailers, forklifts, heavy equipment, marine engines, and other mobile equipment; b) provide the ability to monitor and report utilization of the fleet; c) provide centralized motor vehicle replacement planning and budgeting; d) facilitate an optimized fleet acquisition process; e) manage and maintain records of the maintenance and repair of the fleet; f) monitor and manage the disposal of fleet assets; and g) provide a standard methodology for reporting fuel data. All agencies utilizing the existing fleet management application or assessed service charges for required assets will be required to transition to the new Fleet Management Information System. Additionally, the Department of Management Services shall contract with a third party consulting firm with experience in conducting independent verification and validation assessments to provide independent verification and validation for the Fleet Management Information System replacement. The contract for independent verification and validation assessment shall not exceed \$100,000.

The Department of Management Services shall provide written, quarterly project status reports with the first report due on September 30, 2016, to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget.

Table with 4 columns: Line Item, Description, Amount, and Total. Includes items 2735 through 2739 and a TOTAL section for Motor Vehicle and Watercraft Management.

PURCHASING OVERSIGHT

From the funds provided in Specific Appropriations 2740 through 2752, the Department of Management Services may establish state term contracts for airline travel, from multiple providers, for travel by state employees traveling to and from Tallahassee.

Table with 4 columns: Line Item, Description, Positions, and Amount. Includes item 2740 for Salaries and Benefits.

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Table with 4 columns: Line Item, Description, Amount, and Total. Includes items 2741 through 2747 for various services and categories.

From the funds in Specific Appropriation 2747, the Department of Management Services shall prepare an annual report on the utilization of the MyFloridaMarketPlace System. The report shall include, but not be limited to: the utilization by agency, plans for increasing utilization of the MyFloridaMarketPlace System, the amount of funds spent by agency, and the estimated return on investment for the MyFloridaMarketPlace System. The annual report shall be provided to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget. The Department of Management Services shall submit the report on June 30, 2017.

Table with 4 columns: Line Item, Description, Amount, and Total. Includes items 2748 through 2752 and a TOTAL section for Purchasing Oversight.

OFFICE OF SUPPLIER DIVERSITY

Table with 4 columns: Line Item, Description, Positions, and Amount. Includes items for Approved Salary Rate and Salaries and Benefits.

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	FROM OPERATING TRUST FUND	55,641	
2755	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND	11,573	
2756	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND	836	
2757	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND	3,166	
2758	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND	11,087	
TOTAL:	OFFICE OF SUPPLIER DIVERSITY FROM TRUST FUNDS	418,651	
	TOTAL POSITIONS	6.00	
	TOTAL ALL FUNDS	418,651	
PRIVATE PRISON MONITORING			
	APPROVED SALARY RATE	702,221	
2759	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	14.00 1,002,123	
2760	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	15,200	
2761	EXPENSES FROM GENERAL REVENUE FUND	76,046	
2762	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	3,890	
2763	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	13,056	
2764	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,950	
2765	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM GENERAL REVENUE FUND	23,169	
2766	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM GENERAL REVENUE FUND	113,489	
2767	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,267	
2768	SPECIAL CATEGORIES PRIVATE PRISONS - MAINTENANCE AND REPAIR REIMBURSEMENT FROM OPERATING TRUST FUND	1,500,000	
2769	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	4,738	

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2770	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND	7,077	
TOTAL:	PRIVATE PRISON MONITORING FROM GENERAL REVENUE FUND FROM TRUST FUNDS	1,262,005	1,500,397
	TOTAL POSITIONS	14.00	
	TOTAL ALL FUNDS		2,762,402
WORKFORCE PROGRAMS			
PROGRAM: INSURANCE BENEFITS ADMINISTRATION			
	APPROVED SALARY RATE	1,274,447	
2771	SALARIES AND BENEFITS POSITIONS FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND	22.00 382,006 21,579 1,377,103 28,249	
2772	OTHER PERSONAL SERVICES FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	14,803 140,772	
2773	EXPENSES FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND	47,531 1,984 294,096 2,875	
2774	OPERATING CAPITAL OUTLAY FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	10,000 10,000	
2775	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	6,542	
2776	SPECIAL CATEGORIES POST PAYMENT CLAIMS AUDIT SERVICES FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	400,000	

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2776 in the event the contractor identifies claim overpayments that result in compensation that exceeds the amount appropriated.

2777	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	348,505 1,099,157	
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From the funds provided in Specific Appropriation 2777, the Department of Management Services shall use certified or licensed professionals who are providing solicited services to other clients when contracting with benefit or actuarial consultants.

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2778	SPECIAL CATEGORIES		
	ADMINISTRATIVE SERVICES ONLY CONTRACT FOR		
	HEALTH INSURANCE		
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	51,100,000	

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2778 in the event administrative service payments for health insurance exceed the amount of budget authority appropriated.

2779	SPECIAL CATEGORIES		
	PRESCRIPTION DRUG CLAIMS ADMINISTRATION		
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	4,406,020	

2780	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PRETAX BENEFITS TRUST FUND	770	
	FROM STATE EMPLOYEES LIFE		
	INSURANCE TRUST FUND	201	
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	4,815	

2781	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	50,000	

2782	SPECIAL CATEGORIES		
	PAYMENT OF EMPLOYER CONTRIBUTIONS TO		
	HEALTH SAVINGS ACCOUNT CUSTODIAN		
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	1,508,000	

2783	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	4,435	

2784	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PRETAX BENEFITS TRUST FUND	3,825	
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	10,919	

2785	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM PRETAX BENEFITS TRUST FUND	2,811	
	FROM STATE EMPLOYEES HEALTH		
	INSURANCE TRUST FUND	8,750	

TOTAL:	PROGRAM: INSURANCE BENEFITS ADMINISTRATION		
	FROM TRUST FUNDS	61,285,748	

	TOTAL POSITIONS	22.00	
	TOTAL ALL FUNDS	61,285,748	

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,819,411

2786	SALARIES AND BENEFITS	POSITIONS	194.00
	FROM GENERAL REVENUE FUND		804,094
	FROM OPERATING TRUST FUND		9,821,744
	FROM OPTIONAL RETIREMENT PROGRAM		
	TRUST FUND		204,189
	FROM POLICE AND FIREFIGHTER'S		
	PREMIUM TAX TRUST FUND		800,362
	FROM RETIREE HEALTH INSURANCE		

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SUBSIDY TRUST FUND	129,696
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From the funds provided in Specific Appropriation 2786, the Department of Management Services shall expend available cash balances from the Police and Firefighter's Premium Tax Trust Fund prior to the use of general revenue funds.

Funds provided in Specific Appropriations 2786 through 2796 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

2787	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		231,029

2788	EXPENSES		
	FROM OPERATING TRUST FUND		2,627,066
	FROM OPTIONAL RETIREMENT PROGRAM		
	TRUST FUND		28,011
	FROM POLICE AND FIREFIGHTER'S		
	PREMIUM TAX TRUST FUND		104,089
	FROM RETIREE HEALTH INSURANCE		
	SUBSIDY TRUST FUND		17,817

2789	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		100,000

2790	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM OPERATING TRUST FUND		17,990

2791	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	65,500	
	FROM OPERATING TRUST FUND		4,609,581
	FROM OPTIONAL RETIREMENT PROGRAM		
	TRUST FUND		1,000
	FROM POLICE AND FIREFIGHTER'S		
	PREMIUM TAX TRUST FUND		191,355
	FROM RETIREE HEALTH INSURANCE		
	SUBSIDY TRUST FUND		40,000

2792	SPECIAL CATEGORIES		
	OVERTIME		
	FROM OPERATING TRUST FUND		122,571

2793	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND		52,633

2794	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM OPERATING TRUST FUND		148,891

2795	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND		23,571
	FROM POLICE AND FIREFIGHTER'S		
	PREMIUM TAX TRUST FUND		2,000

2796	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	324	
	FROM OPERATING TRUST FUND		52,574
	FROM OPTIONAL RETIREMENT PROGRAM		
	TRUST FUND		1,251
	FROM POLICE AND FIREFIGHTER'S		
	PREMIUM TAX TRUST FUND		3,929
	FROM RETIREE HEALTH INSURANCE		
	SUBSIDY TRUST FUND		1,043

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2797	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM OPERATING TRUST FUND		345,446
2798	PENSIONS AND BENEFITS		
	DISABILITY BENEFITS TO JUSTICES AND JUDGES		
	FROM GENERAL REVENUE FUND	1,179,340	
2799	PENSIONS AND BENEFITS		
	FLORIDA NATIONAL GUARD		
	FROM GENERAL REVENUE FUND	16,381,870	
2800	PENSIONS AND BENEFITS		
	STATE OFFICERS AND EMPLOYEES (NON-CONTRIBUTORY)		
	FROM GENERAL REVENUE FUND	315,613	
TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION			
	FROM GENERAL REVENUE FUND	18,746,741	
	FROM TRUST FUNDS		19,677,838
	TOTAL POSITIONS	194.00	
	TOTAL ALL FUNDS		38,424,579
PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION			
	APPROVED SALARY RATE	1,051,318	
2801	SALARIES AND BENEFITS	POSITIONS	15.00
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		1,365,235
Funds provided in Specific Appropriations 2801 through 2817 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:			
	FTE	\$338.14	
	OPS	\$110.41	
	Justice Administrative Commission	\$240.04	
	State Court System	\$207.55	
	County Health Department	\$240.04	
2802	OTHER PERSONAL SERVICES		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		5,000
2803	EXPENSES		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		113,762
2804	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		22,576
2805	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		9,761
2806	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		100,000
2807	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		1,691
2808	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		

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	PURCHASED PER STATEWIDE CONTRACT		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		6,849
2809	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		21,600
TOTAL: PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION			
	FROM TRUST FUNDS		1,646,474
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		1,646,474
PROGRAM: PEOPLE FIRST			
	APPROVED SALARY RATE	969,085	
2810	SALARIES AND BENEFITS	POSITIONS	15.00
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		1,341,511
2811	EXPENSES		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		104,006
2812	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		22,575
2813	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		4,018
2814	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		1,860
2815	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		6,044
2816	SPECIAL CATEGORIES		
	HUMAN RESOURCES SERVICES / STATEWIDE CONTRACT		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		32,842,972
2817	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM STATE PERSONNEL SYSTEM TRUST		
	FUND		10,855
TOTAL: PROGRAM: PEOPLE FIRST			
	FROM TRUST FUNDS		34,333,841
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		34,333,841
PROGRAM: TECHNOLOGY PROGRAM			
TELECOMMUNICATIONS SERVICES			
	APPROVED SALARY RATE	3,924,949	

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2818	SALARIES AND BENEFITS	POSITIONS	71.00
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		5,067,770
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		373,942
2819	OTHER PERSONAL SERVICES		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		374,047
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		84,290
2820	EXPENSES		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		725,821
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		514,339
2821	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTIONS TO COUNTIES - WIRELESS 911		
	TELEPHONE SYSTEMS		
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		60,289,120
2822	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTIONS TO SERVICE PROVIDERS -		
	WIRELESS 911 TELEPHONE SYSTEMS		
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		10,000,000
2823	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTIONS TO COUNTIES - NON-WIRELESS		
	E911		
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		38,146,673
2824	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTION OF COUNTY PREPAID WIRELESS		
	911		
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		27,100,000
2825	OPERATING CAPITAL OUTLAY		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		92,159
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		3,600
2826	SPECIAL CATEGORIES		
	CENTREX AND SUNCOM PAYMENTS		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		108,035,421

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2826, in the event that payments for telecommunications services exceed the amount appropriated.

2827	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		2,403,844
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		250,827

From the funds in Specific Appropriation 2827, \$349,440 is provided for staff augmentation services to transition to a new contract for the SUNCOM Network. These funds shall be placed in reserve. The department may submit budget amendments for the release of these funds in accordance with Chapter 216, Florida Statutes.

2828	SPECIAL CATEGORIES		
	FLORIDA INFORMATION RESOURCE NETWORK/ DISTRICT BANDWIDTH SUPPORT		

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	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		7,451,217
2829	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		21,569
2830	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		92,159
2831	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		1,989
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		1,149
2832	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		23,074
2833	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		515,604
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST		3,763
	TOTAL: TELECOMMUNICATIONS SERVICES		
	FROM TRUST FUNDS		261,572,377
	TOTAL POSITIONS	71.00	
	TOTAL ALL FUNDS		261,572,377
	WIRELESS SERVICES		
	APPROVED SALARY RATE		745,132
2834	SALARIES AND BENEFITS	POSITIONS	11.00
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		921,472
2835	OTHER PERSONAL SERVICES		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		91,015
2836	EXPENSES		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		263,436
2837	OPERATING CAPITAL OUTLAY		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		22,000
2838	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		3,183,800

From the funds in Specific Appropriation 2838, \$933,800 of nonrecurring funds from the Law Enforcement Radio System Trust Fund is provided for the Department of Management Services to acquire and maintain the necessary staff augmentation support and subject matter experts to assist the department in the competitive solicitation and providing other services as determined necessary by the department for procuring a land mobile radio support system based upon a Project 25 Phase II delivery methodology. The system will provide communication

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services for state and local public safety agencies. The procurement shall accomplish, but not be limited to: improved coverage, audio clarity, interoperability, and enhanced system features including GPS location service, text messaging, and central device management. The scope of the services provided by the staff augmentation support and subject matter experts should include, but not be limited to, assisting the department in completing the following tasks identified in the study referenced in Specific Appropriation 2904A of Chapter 2014-51, Laws of Florida: (1) project planning and management; (2) consultation and providing technical expertise to the department; (3) assist department as requested in the evaluation of responses; and (4) negotiation with procurement respondents as requested by the department. Additionally, staff augmentation and subject matter experts shall consult with the Joint Task Force on State Agency Law Enforcement Communications in order to evaluate any additional technical options to support the voice and data communication requirements of public safety personnel in Florida. When scoring proposals, the department shall consider, among other factors, any respondent's ability to leverage existing resources to the public's best interest. The department must release a competitive procurement and, thereafter, award a procurement for the replacement of the Statewide Law Enforcement Radio System.

The department shall provide quarterly updates on the progress of the competitive solicitation to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, and the Governor's Office of Policy and Budget.

2839	SPECIAL CATEGORIES FLORIDA INTEROPERABILITY NETWORK FROM GENERAL REVENUE FUND	1,384,943
The funds in Specific Appropriation 2839 are provided for the Florida Interoperability Network only to provide funding, if needed, in excess of available federal funding to support and maintain the Florida Interoperability Network.		
2840	SPECIAL CATEGORIES MUTUAL AID BUILD-OUT FROM GENERAL REVENUE FUND	1,156,476
The funds in Specific Appropriation 2840 are provided for the Mutual Aid Build-Out only to provide funding, if needed, in excess of available federal funding to support and maintain the Mutual Aid Build-Out.		
2841	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	1,601
2842	SPECIAL CATEGORIES STATEWIDE LAW ENFORCEMENT RADIO SYSTEM CONTRACT PAYMENT FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	18,220,000
2843	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	1,394
2843A	SPECIAL CATEGORIES PURCHASE OF REPLACEMENT RADIOS FOR THE STATEWIDE LAW ENFORCEMENT RADIO SYSTEM FROM GENERAL REVENUE FUND	7,000,000

The funds in Specific Appropriation 2843A are provided to the Department of Management Services to replace radios and associated accessories for the Florida Fish and Wildlife Conservation Commission and the Department of Business and Professional Regulation that operate on the State Agency Law Enforcement Radio System (SLERS) and that have reached their end-of-life or end of support date; all replaced radios must be able to operate dual mode operation on both P25 Phase II and EDACS EA land mobile radio support system. The funds shall be placed in reserve. The Department of Management Services shall develop an

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implementation plan which identifies by eligible state agency the number and type of radios that will be replaced and a timeline for completing the replacement. Upon submission of the plan, the department is authorized to submit budget amendments for the release of funds pursuant to provisions of section 216.177, Florida Statutes.

2844	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	4,190
2845	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	2,423
TOTAL:	WIRELESS SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	9,541,419 22,711,331
	TOTAL POSITIONS	11.00
	TOTAL ALL FUNDS	32,252,750

PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

From the funds provided in Specific Appropriations 2846 through 2854, the Public Employees Relations Commission shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PUBLIC EMPLOYEES RELATIONS

	APPROVED SALARY RATE	1,746,697
2846	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	24.00 1,378,808 1,266,291
2847	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	149,277 53,628
2848	EXPENSES FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	57,094 345,814
2849	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	37,399 5,721
2850	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	35,070 32,500
2851	SPECIAL CATEGORIES	

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	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	5,184	
	FROM PUBLIC EMPLOYEES RELATIONS		
	COMMISSION TRUST FUND		7,951
2852	SPECIAL CATEGORIES		
	ADMINISTRATIVE OVERHEAD		
	FROM GENERAL REVENUE FUND	34,314	
2853	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	5,318	
	FROM PUBLIC EMPLOYEES RELATIONS		
	COMMISSION TRUST FUND		5,068
2854	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	16,117	
	FROM PUBLIC EMPLOYEES RELATIONS		
	COMMISSION TRUST FUND		16,377
TOTAL:	PUBLIC EMPLOYEES RELATIONS		
	FROM GENERAL REVENUE FUND	1,718,581	
	FROM TRUST FUNDS		1,733,350
	TOTAL POSITIONS	24.00	
	TOTAL ALL FUNDS		3,451,931

PROGRAM: COMMISSION ON HUMAN RELATIONS

From the funds provided in Specific Appropriations 2855 through 2865, the Florida Commission on Human Relations shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

HUMAN RELATIONS

	APPROVED SALARY RATE	2,242,944	
2855	SALARIES AND BENEFITS	POSITIONS	51.50
	FROM GENERAL REVENUE FUND		3,195,193
2856	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	62,440	
	FROM OPERATING TRUST FUND		41,040
2857	EXPENSES		
	FROM GENERAL REVENUE FUND	125,243	
	FROM OPERATING TRUST FUND		282,536
2858	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	11,736	
	FROM OPERATING TRUST FUND		5,000
2859	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM GENERAL REVENUE FUND	754,493	
2860	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

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	FROM GENERAL REVENUE FUND	53,506	
	FROM OPERATING TRUST FUND		16,000
2861	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	44,117	
	FROM OPERATING TRUST FUND		102,020
2862	SPECIAL CATEGORIES		
	ADMINISTRATIVE OVERHEAD		
	FROM OPERATING TRUST FUND		111,769
2863	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND		49,163
2864	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	16,286	
	FROM OPERATING TRUST FUND		5,643
2865	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM OPERATING TRUST FUND		11,712
TOTAL:	HUMAN RELATIONS		
	FROM GENERAL REVENUE FUND	4,263,014	
	FROM TRUST FUNDS		624,883
	TOTAL POSITIONS	51.50	
	TOTAL ALL FUNDS		4,887,897

ADMINISTRATIVE HEARINGS

From the funds provided in Specific Appropriations 2866 through 2883, the Division of Administrative Hearings shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: ADJUDICATION OF DISPUTES

	APPROVED SALARY RATE	5,431,427	
2866	SALARIES AND BENEFITS	POSITIONS	65.00
	FROM OPERATING TRUST FUND		6,988,620
2867	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		18,082
2868	EXPENSES		
	FROM OPERATING TRUST FUND		1,025,647
2869	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		65,000
2870	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND		185,495
2871	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		

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	FROM OPERATING TRUST FUND		18,850
2872	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM OPERATING TRUST FUND		1,000
2873	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND		31,500
2874	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM OPERATING TRUST FUND		21,332
TOTAL: PROGRAM: ADJUDICATION OF DISPUTES			
	FROM TRUST FUNDS		8,355,526
	TOTAL POSITIONS	65.00	
	TOTAL ALL FUNDS		8,355,526
PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF			
COMPENSATION CLAIMS			
	APPROVED SALARY RATE	9,556,592	
2875	SALARIES AND BENEFITS	POSITIONS	176.00
	FROM OPERATING TRUST FUND		13,465,634
2876	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		17,836
2877	EXPENSES		
	FROM OPERATING TRUST FUND		2,695,842
2878	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		64,916
2879	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND		1,023,324
2880	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND		72,286
2881	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM OPERATING TRUST FUND		1,279
2882	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND		44,000
2883	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM OPERATING TRUST FUND		62,148
TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF			
	COMPENSATION CLAIMS		
	FROM TRUST FUNDS		17,447,265
	TOTAL POSITIONS	176.00	
	TOTAL ALL FUNDS		17,447,265
PROGRAM: AGENCY FOR STATE TECHNOLOGY			

No funds are appropriated in Specific Appropriations 2884 through 2913 and section 90 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease

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	Nos. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease, by the Agency for State Technology, including any one or more predecessor agencies, notwithstanding any lease or contract to the contrary. The Agency for State Technology is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease.		
	From the funds provided in Specific Appropriations 2884 through 2913, the Agency for State Technology shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.		
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	2,210,282	
2884	SALARIES AND BENEFITS	POSITIONS	25.00
	FROM GENERAL REVENUE FUND		2,957,608
2885	EXPENSES		
	FROM GENERAL REVENUE FUND		252,894
2886	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		10,000
2887	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		317,627
2888	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		3,483
2889	SPECIAL CATEGORIES		
	ADMINISTRATIVE OVERHEAD		
	FROM GENERAL REVENUE FUND		10,000
2890	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		8,594
2891	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND		15,424
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND		3,575,630
	TOTAL POSITIONS	25.00	
	TOTAL ALL FUNDS		3,575,630
DATA CENTER ADMINISTRATION			

Funds and positions provided in Specific Appropriations 2892 through 2913 from the Working Capital Trust Fund shall be utilized pursuant to Sections 33 and 37 of chapter 2014-221, Laws of Florida. The Agency for

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State Technology must develop a cost allocation plan that defines how each position and associated funds are cost-allocated and identifies by service how each position and funds support the Fiscal Year 2016-2017 Data Center Services Catalog.

	APPROVED SALARY RATE	3,008,152	
2892	SALARIES AND BENEFITS	POSITIONS 48.00	
	FROM WORKING CAPITAL TRUST FUND . .		4,322,626
2893	OTHER PERSONAL SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		195,594
2894	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND . .		1,086,009
2895	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND . .		27,000
2896	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		527,981
<p>From the funds provided in Specific Appropriation 2896, \$220,000 in nonrecurring funds is provided to the Agency for State Technology to collaborate with the Cybercrime Office of the Department of Law Enforcement and provide information security training to the information security managers and their staff of the state agencies that are currently customers of the State Data Center and to the information security managers and their staff of the Division of Administrative Hearings, the Division of Emergency Management, the Department of Agriculture and Consumer Services, the Department of Law Enforcement, the Department of Legal Affairs, the Office of Early Learning, the Florida Commission on Offender Review, and the Guardian Ad Litem. The information security training must be delivered by certified training providers and prior to providing the information security training, the agency must establish an information security training service within its State Data Center service catalog.</p>			
2897	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM WORKING CAPITAL TRUST FUND . .		7,800
2898	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM WORKING CAPITAL TRUST FUND . .		10,574
2899	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM WORKING CAPITAL TRUST FUND . .		17,928
TOTAL:	DATA CENTER ADMINISTRATION		
	FROM TRUST FUNDS		6,195,512
	TOTAL POSITIONS	48.00	
	TOTAL ALL FUNDS		6,195,512

STATE DATA CENTER

	APPROVED SALARY RATE	9,052,428	
2900	SALARIES AND BENEFITS	POSITIONS 158.00	
	FROM WORKING CAPITAL TRUST FUND . .		12,330,509
2901	OTHER PERSONAL SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		434,221
2902	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND . .		5,287,162
2903	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND . .		61,334

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2905	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		22,906,904

From the funds provided in Specific Appropriation 2905, \$500,000 shall be held in reserve. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a plan for how the funds will be expended for increases in customer services.

2906	SPECIAL CATEGORIES		
	CLOUD COMPUTING SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		100,000
2907	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM WORKING CAPITAL TRUST FUND . .		108,653
2908	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM WORKING CAPITAL TRUST FUND . .		5,459,127
2909	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM WORKING CAPITAL TRUST FUND . .		4,740,774
2910	SPECIAL CATEGORIES		
	DISASTER RECOVERY SERVICE		
	FROM WORKING CAPITAL TRUST FUND . .		4,527,033
2911	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM WORKING CAPITAL TRUST FUND . .		57,759
2912	DATA PROCESSING SERVICES		
	CHILDREN AND FAMILIES DATA CENTER		
	FROM WORKING CAPITAL TRUST FUND . .		52,000
2913	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		5,677,485
TOTAL:	STATE DATA CENTER		
	FROM TRUST FUNDS		61,742,961
	TOTAL POSITIONS	158.00	
	TOTAL ALL FUNDS		61,742,961
TOTAL:	MANAGEMENT SERVICES, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND		70,655,278
	FROM TRUST FUNDS		629,783,667
	TOTAL POSITIONS	1,304.00	
	TOTAL ALL FUNDS		700,438,945
	TOTAL APPROVED SALARY RATE		68,407,303

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE			
DRUG INTERDICTION AND PREVENTION			
2914	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . .		75,000
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND		305,000
2915	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND		200,000

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2916	SPECIAL CATEGORIES		
	PROJECTS, CONTRACTS AND GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . .	6,600,000	
2917	SPECIAL CATEGORIES		
	GRANTS AND AIDS TO COMMUNITY SERVICES		
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	100,000	
2918	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	10,000	
2919	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	10,000	
TOTAL: DRUG INTERDICTION AND PREVENTION			
	FROM TRUST FUNDS	7,300,000	
	TOTAL ALL FUNDS	7,300,000	
MILITARY READINESS AND RESPONSE			
	APPROVED SALARY RATE	4,113,925	
2920	SALARIES AND BENEFITS	POSITIONS	108.00
	FROM GENERAL REVENUE FUND		4,655,606
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		1,196,394
2921	OTHER PERSONAL SERVICES		
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		18,172
2922	EXPENSES		
	FROM GENERAL REVENUE FUND	4,690,563	
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		95,005
2923	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	137,810	
2924	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	40,000	
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		63,678
2925	SPECIAL CATEGORIES		
	NATIONAL GUARD TUITION ASSISTANCE		
	FROM GENERAL REVENUE FUND	3,506,900	
2926	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	413,500	
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		25,000
2927	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM GENERAL REVENUE FUND	171,000	
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		205,000
2928	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		677,082
2929	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		

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	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		30,744
	FROM CAMP BLANDING MANAGEMENT		
	TRUST FUND		8,575
2930	FIXED CAPITAL OUTLAY		
	MAINTENANCE, REPAIRS AND CONSTRUCTION -		
	STATEWIDE		
	FROM GENERAL REVENUE FUND		1,700,000
2931	FIXED CAPITAL OUTLAY		
	FLORIDA READINESS CENTERS REVITALIZATION		
	PLAN - STATEWIDE		
	FROM GENERAL REVENUE FUND		3,000,000
Funds in Specific Appropriation 2931 are provided for the restoration and revitalization of the West Palm Beach (Calloway) Armory.			
2932	FIXED CAPITAL OUTLAY		
	FACILITIES SECURITY ENHANCEMENTS		
	FROM GENERAL REVENUE FUND		2,000,000
TOTAL: MILITARY READINESS AND RESPONSE			
	FROM GENERAL REVENUE FUND	20,346,123	
	FROM TRUST FUNDS		2,288,906
	TOTAL POSITIONS	108.00	
	TOTAL ALL FUNDS		22,635,029
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	1,882,498	
2933	SALARIES AND BENEFITS	POSITIONS	26.00
	FROM GENERAL REVENUE FUND		2,637,747
2934	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		54,533
2935	EXPENSES		
	FROM GENERAL REVENUE FUND		698,015
2936	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		108,126
2937	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND		25,000
2938	SPECIAL CATEGORIES		
	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND		48,437
2939	SPECIAL CATEGORIES		
	LEGAL SERVICES CONTRACT		
	FROM GENERAL REVENUE FUND		5,000
2940	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		30,200
2941	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM GENERAL REVENUE FUND		22,000
2942	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		10,000
2943	SPECIAL CATEGORIES		
	WORKER'S COMPENSATION FOR STATE ACTIVE		
	DUTY - FLORIDA NATIONAL GUARD		
	FROM GENERAL REVENUE FUND		142,116

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2944	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	8,914	
2945	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	20,094	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	3,810,182	
	TOTAL POSITIONS	26.00	
	TOTAL ALL FUNDS		3,810,182

FEDERAL/STATE COOPERATIVE AGREEMENTS

	APPROVED SALARY RATE	10,591,744	
2946	SALARIES AND BENEFITS POSITIONS	319.00	
	FROM GENERAL REVENUE FUND	447,723	
	FROM FEDERAL GRANTS TRUST FUND		14,486,494
2947	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		87,000
2948	EXPENSES		
	FROM GENERAL REVENUE FUND	521,540	
	FROM FEDERAL GRANTS TRUST FUND		12,298,596
2949	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		747,970
2950	FOOD PRODUCTS		
	FROM FEDERAL GRANTS TRUST FUND		500,000
2951	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FEDERAL GRANTS TRUST FUND		341,950
2952	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,643,150	
	FROM FEDERAL GRANTS TRUST FUND		4,978,115

From the recurring general revenue funds in Specific Appropriation 2952, \$750,000 is provided for the Forward March Program and \$1,250,000 is provided for the About Face Program.

From the nonrecurring general revenue funds in Specific Appropriation 2952, \$500,000 is provided to the National Guard Foundation to be used exclusively to support National Guard members and their immediate families in circumstances of exceptional financial need.

2953	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM FEDERAL GRANTS TRUST FUND		920,000
2954	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM FEDERAL GRANTS TRUST FUND		30,000
2955	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND		110,378
TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS			
	FROM GENERAL REVENUE FUND	3,612,413	
	FROM TRUST FUNDS		34,500,503

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	TOTAL POSITIONS	319.00	
	TOTAL ALL FUNDS		38,112,916
TOTAL: MILITARY AFFAIRS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	27,768,718	
	FROM TRUST FUNDS		44,089,409
	TOTAL POSITIONS	453.00	
	TOTAL ALL FUNDS		71,858,127
	TOTAL APPROVED SALARY RATE	16,588,167	

PUBLIC SERVICE COMMISSION

From the funds provided in Specific Appropriations 2956 through 2986, the Public Service Commission shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: COMMISSIONERS AND ADMINISTRATIVE SERVICES

	APPROVED SALARY RATE	1,492,802	
2956	SALARIES AND BENEFITS POSITIONS	18.00	
	FROM REGULATORY TRUST FUND		2,111,665
2957	EXPENSES		
	FROM REGULATORY TRUST FUND		341,722
2958	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM REGULATORY TRUST FUND		6,859
2959	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM REGULATORY TRUST FUND		5,299
2960	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND		5,516
TOTAL: PUBLIC SERVICE COMMISSIONERS			
	FROM TRUST FUNDS		2,471,061
	TOTAL POSITIONS	18.00	
	TOTAL ALL FUNDS		2,471,061

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	3,082,160	
2961	SALARIES AND BENEFITS POSITIONS	57.00	
	FROM REGULATORY TRUST FUND		4,136,214
2962	OTHER PERSONAL SERVICES		
	FROM REGULATORY TRUST FUND		97,258
2963	EXPENSES		
	FROM REGULATORY TRUST FUND		1,076,576
2964	OPERATING CAPITAL OUTLAY		

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 FROM REGULATORY TRUST FUND 266,200

2964A SPECIAL CATEGORIES
 ACQUISITION OF MOTOR VEHICLES
 FROM REGULATORY TRUST FUND 60,000

From the funds provided in Specific Appropriation 2964A, the Public Service Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2965 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM REGULATORY TRUST FUND 263,067

2966 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM REGULATORY TRUST FUND 17,704

2967 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM REGULATORY TRUST FUND 24,148

2968 DATA PROCESSING SERVICES
 STATE DATA CENTER - AGENCY FOR STATE
 TECHNOLOGY (AST)
 FROM REGULATORY TRUST FUND 7,652

2969 DATA PROCESSING SERVICES
 OTHER DATA PROCESSING SERVICES
 FROM REGULATORY TRUST FUND 45,699

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
 FROM TRUST FUNDS 5,994,518
 TOTAL POSITIONS 57.00
 TOTAL ALL FUNDS 5,994,518

LEGAL SERVICES
 APPROVED SALARY RATE 1,681,520

2970 SALARIES AND BENEFITS POSITIONS 27.00
 FROM GENERAL REVENUE FUND 72,013
 FROM REGULATORY TRUST FUND 2,122,496

2971 OTHER PERSONAL SERVICES
 FROM REGULATORY TRUST FUND 17,000

2972 EXPENSES
 FROM GENERAL REVENUE FUND 5,984
 FROM REGULATORY TRUST FUND 348,768

2973 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM REGULATORY TRUST FUND 37,955

2974 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM REGULATORY TRUST FUND 8,663

2975 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 338
 FROM REGULATORY TRUST FUND 10,085

TOTAL: LEGAL SERVICES
 FROM GENERAL REVENUE FUND 78,335

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 FROM TRUST FUNDS 2,544,967

TOTAL POSITIONS 27.00
 TOTAL ALL FUNDS 2,623,302

PROGRAM: UTILITY REGULATION AND CONSUMER ASSISTANCE

UTILITY REGULATION
 APPROVED SALARY RATE 7,437,042

2976 SALARIES AND BENEFITS POSITIONS 146.00
 FROM GENERAL REVENUE FUND 113,949
 FROM REGULATORY TRUST FUND 9,711,438

2977 OTHER PERSONAL SERVICES
 FROM REGULATORY TRUST FUND 86,330

2978 EXPENSES
 FROM GENERAL REVENUE FUND 20,260
 FROM REGULATORY TRUST FUND 1,299,063

2979 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM REGULATORY TRUST FUND 181,968

2980 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM REGULATORY TRUST FUND 44,280

2981 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 675
 FROM REGULATORY TRUST FUND 46,209

TOTAL: UTILITY REGULATION
 FROM GENERAL REVENUE FUND 134,884
 FROM TRUST FUNDS 11,369,288

TOTAL POSITIONS 146.00
 TOTAL ALL FUNDS 11,504,172

AUDITING AND PERFORMANCE ANALYSIS
 APPROVED SALARY RATE 1,501,193

2982 SALARIES AND BENEFITS POSITIONS 29.00
 FROM REGULATORY TRUST FUND 1,997,871

2983 EXPENSES
 FROM REGULATORY TRUST FUND 375,375

2984 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM REGULATORY TRUST FUND 12,955

2985 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM REGULATORY TRUST FUND 8,958

2986 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM REGULATORY TRUST FUND 10,077

TOTAL: AUDITING AND PERFORMANCE ANALYSIS
 FROM TRUST FUNDS 2,405,236

TOTAL POSITIONS 29.00
 TOTAL ALL FUNDS 2,405,236

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 TOTAL: PUBLIC SERVICE COMMISSION

FROM GENERAL REVENUE FUND	213,219	
FROM TRUST FUNDS		24,785,070
TOTAL POSITIONS	277.00	
TOTAL ALL FUNDS		24,998,289
TOTAL APPROVED SALARY RATE	15,194,717	

REVENUE, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 2987 through 3039 and section 62 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 730:0239 or 730:M139, or any other lease, by the Department of Revenue, notwithstanding any lease or contract to the contrary. The Department of Revenue is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 730:0239 or 730:M139, or any other lease.

From the funds provided in Specific Appropriations 2987 through 3039, the Department of Revenue shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization if required by HB 5003, and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 15, 2016, for the period of April 1, 2016, through June 30, 2016, and quarterly thereafter.

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	13,665,082	
2987 SALARIES AND BENEFITS POSITIONS	261.00	
FROM GENERAL REVENUE FUND	10,210,075	
FROM FEDERAL GRANTS TRUST FUND		5,910,882
FROM OPERATING TRUST FUND		2,341,707
2988 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND		73,740
2989 EXPENSES		
FROM GENERAL REVENUE FUND	355,008	
FROM FEDERAL GRANTS TRUST FUND		461,726
FROM OPERATING TRUST FUND		1,324,170
2990 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	6,929	
FROM OPERATING TRUST FUND		17,985
2991 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	1,215,169	
FROM FEDERAL GRANTS TRUST FUND		2,358,859
FROM OPERATING TRUST FUND		66,509
2992 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	318,346	
FROM FEDERAL GRANTS TRUST FUND		281,028
FROM OPERATING TRUST FUND		1,153,170

SECTION 6 - GENERAL GOVERNMENT
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2993 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	29,334	
FROM FEDERAL GRANTS TRUST FUND		6,288
FROM OPERATING TRUST FUND		58,122
2994 SPECIAL CATEGORIES		
TENANT BROKER COMMISSIONS		
FROM OPERATING TRUST FUND		350,000
2995 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	16,864	
2996 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	1,395,366	
FROM FEDERAL GRANTS TRUST FUND		153,670
FROM OPERATING TRUST FUND		233,048
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	13,547,091	
FROM TRUST FUNDS		14,790,904
TOTAL POSITIONS	261.00	
TOTAL ALL FUNDS		28,337,995
PROPERTY TAX OVERSIGHT		
APPROVED SALARY RATE	7,786,251	
2997 SALARIES AND BENEFITS POSITIONS	169.00	
FROM GENERAL REVENUE FUND	10,628,220	
FROM CERTIFICATION PROGRAM TRUST FUND		208,138
2998 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND		21,170
2999 EXPENSES		
FROM GENERAL REVENUE FUND		885,509
3000 AID TO LOCAL GOVERNMENTS		
AERIAL PHOTOGRAPHY AND MAPPING		
FROM GENERAL REVENUE FUND	265,870	
FROM CERTIFICATION PROGRAM TRUST FUND		876,266
From the funds in Specific Appropriation 3000, \$265,870 in nonrecurring funds from the General Revenue Fund is provided to the Department of Revenue to fund aerial photography and mapping for counties with a population of 50,000 or less.		
3001 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND		16,012
3002 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND		60,000
From the funds provided in Specific Appropriation 3002, the Department of Revenue may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
3003 SPECIAL CATEGORIES		
PROPERTY APPRAISER AND TAX COLLECTOR CERTIFICATION PROGRAM		
FROM CERTIFICATION PROGRAM TRUST FUND		485,000

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APPROPRIATION		
3004	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	258,311
3005	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	156,428
3006	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	22,000
3006A	SPECIAL CATEGORIES FISCALLY CONSTRAINED COUNTIES - CONSERVATION LANDS FROM GENERAL REVENUE FUND	501,972
3007	SPECIAL CATEGORIES FISCALLY CONSTRAINED COUNTIES FROM GENERAL REVENUE FUND	24,700,073
TOTAL:	PROPERTY TAX OVERSIGHT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	37,515,565 1,569,404
	TOTAL POSITIONS	169.00
	TOTAL ALL FUNDS	39,084,969
CHILD SUPPORT ENFORCEMENT		
	APPROVED SALARY RATE	75,165,341
3008	SALARIES AND BENEFITS POSITIONS 2,288.00 FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	34,979,587 1,479,411 70,798,470
3009	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	280,411 175,833 973,486
3010	EXPENSES FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	7,575,371 13,336 14,813,585
3011	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	189,648 368,140
3012	SPECIAL CATEGORIES TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND	2,241,987
3013	SPECIAL CATEGORIES CHILD SUPPORT ENFORCEMENT ANNUAL FEE FROM GENERAL REVENUE FUND	2,080,000
3014	SPECIAL CATEGORIES PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND FROM CHILD SUPPORT INCENTIVE TRUST FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE	17,816,545 32,782,300

SECTION 6 - GENERAL GOVERNMENT		
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APPROPRIATION		
	TRUST FUND	1,107,103
	FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND	954,031
	FROM FEDERAL GRANTS TRUST FUND	66,835,896
3015	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	446,684 867,088
3016	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	98,994 192,164
3017	FINANCIAL ASSISTANCE PAYMENTS CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS FROM CHILD SUPPORT INCENTIVE TRUST FUND	750,000
3018	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	60,730 117,902
3019	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	471,246 914,770
	The funds provided in Specific Appropriation 3019 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.	
TOTAL:	CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	66,241,203 193,143,515
	TOTAL POSITIONS	2,288.00
	TOTAL ALL FUNDS	259,384,718
GENERAL TAX ADMINISTRATION		
	APPROVED SALARY RATE	93,016,152
3020	SALARIES AND BENEFITS POSITIONS 2,244.00 FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	79,877,757 19,629,569 29,961,439
3021	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	6,292 72,100
3022	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	1,543,383 4,440,366 13,768,593
3023	AID TO LOCAL GOVERNMENTS GRANTS AND AID TO LOCAL GOVERNMENT/ DISTRIBUTION TO CLERKS OF COURT FROM THE CLERKS OF THE COURT TRUST FUND	40,902,734
3024	AID TO LOCAL GOVERNMENTS EMERGENCY DISTRIBUTIONS FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND	21,407,042
3025	AID TO LOCAL GOVERNMENTS	

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INMATE SUPPLEMENTAL DISTRIBUTION			
FROM LOCAL GOVERNMENT HALF-CENT			
SALES TAX CLEARING TRUST FUND . . .		592,958	
3026 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	64,556		
FROM FEDERAL GRANTS TRUST FUND . . .		27,701	
FROM OPERATING TRUST FUND		608,081	
3027 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	4,193,292		
FROM FEDERAL GRANTS TRUST FUND . . .		1,357,735	
FROM OPERATING TRUST FUND		2,912,229	
3028 SPECIAL CATEGORIES			
PURCHASE OF SERVICES - COLLECTION AGENCIES			
FROM OPERATING TRUST FUND		2,500,000	
3029 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	560,025		
FROM OPERATING TRUST FUND		536,836	
3030 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	214,749		
FROM OPERATING TRUST FUND		127,251	
TOTAL: GENERAL TAX ADMINISTRATION			
FROM GENERAL REVENUE FUND	86,460,054		
FROM TRUST FUNDS		138,844,634	
TOTAL POSITIONS	2,244.00		
TOTAL ALL FUNDS		225,304,688	
PROGRAM: INFORMATION SERVICES PROGRAM			
INFORMATION TECHNOLOGY			
APPROVED SALARY RATE	7,646,158		
3031 SALARIES AND BENEFITS POSITIONS	170.00		
FROM GENERAL REVENUE FUND	4,422,870		
FROM FEDERAL GRANTS TRUST FUND . . .		2,134,803	
FROM OPERATING TRUST FUND		3,968,876	
3032 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	172,260		
FROM FEDERAL GRANTS TRUST FUND . . .		120,772	
FROM OPERATING TRUST FUND		29,252	
3033 EXPENSES			
FROM GENERAL REVENUE FUND	1,000		
FROM FEDERAL GRANTS TRUST FUND . . .		218,073	
FROM OPERATING TRUST FUND		2,049,004	
3034 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	2,233		
FROM FEDERAL GRANTS TRUST FUND . . .		227,029	
FROM OPERATING TRUST FUND		274,310	
3035 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	681,257		
FROM FEDERAL GRANTS TRUST FUND . . .		1,977,349	
FROM OPERATING TRUST FUND		1,332,100	
3036 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	2,444		
FROM FEDERAL GRANTS TRUST FUND . . .		15,995	
FROM OPERATING TRUST FUND		16,199	

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3037 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM FEDERAL GRANTS TRUST FUND . . .			7,100
FROM OPERATING TRUST FUND			240,000
3038 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)			
FROM GENERAL REVENUE FUND	367,859		
FROM FEDERAL GRANTS TRUST FUND . . .			35,812
FROM OPERATING TRUST FUND			1,671,544
3039 DATA PROCESSING SERVICES			
NORTHWEST REGIONAL DATA CENTER (NWRDC)			
FROM GENERAL REVENUE FUND	1,533,484		
FROM FEDERAL GRANTS TRUST FUND . . .			130,535
FROM OPERATING TRUST FUND			1,166,212
The funds provided in Specific Appropriation 3039 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.			
From the funds provided in Specific Appropriation 3039, \$1,304,043 in recurring funds and \$195,957 in nonrecurring funds from the General Revenue Fund are provided for the Department of Revenue to acquire a managed security service. These funds may not be used to acquire contract support personnel for security residency services.			
TOTAL: INFORMATION TECHNOLOGY			
FROM GENERAL REVENUE FUND		7,183,407	
FROM TRUST FUNDS			15,614,965
TOTAL POSITIONS	170.00		
TOTAL ALL FUNDS			22,798,372
TOTAL: REVENUE, DEPARTMENT OF			
FROM GENERAL REVENUE FUND	210,947,320		
FROM TRUST FUNDS			363,963,422
TOTAL POSITIONS	5,132.00		
TOTAL ALL FUNDS			574,910,742
TOTAL APPROVED SALARY RATE	197,278,984		
STATE, DEPARTMENT OF			
No funds are appropriated in Specific Appropriations 3040 through 3108A and sections 86, 87 and 90, for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida pursuant to State of Florida Lease Nos. 720:0139 or 450:0110, or any other lease, by the Department of State, notwithstanding any lease or contract to the contrary. The Department of State is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139 or 450:0110, or any other lease.			
PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATIVE SERVICES			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	5,364,730		
3040 SALARIES AND BENEFITS POSITIONS	96.00		
FROM GENERAL REVENUE FUND	5,650,836		
FROM FEDERAL GRANTS TRUST FUND . . .			1,369,919
FROM RECORDS MANAGEMENT TRUST FUND .			86,108
3041 OTHER PERSONAL SERVICES			
FROM FEDERAL GRANTS TRUST FUND . . .			12,661
FROM LAND ACQUISITION TRUST FUND . .			67,733

SECTION 6 - GENERAL GOVERNMENT			
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APPROPRIATION			
3042	EXPENSES		
	FROM GENERAL REVENUE FUND	591,350	
	FROM FEDERAL GRANTS TRUST FUND		6,555
3043	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,250	
3044	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	168,475	
3045	SPECIAL CATEGORIES		
	LITIGATION EXPENSES		
	FROM GENERAL REVENUE FUND	300,000	
3046	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	31,921	
3047	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	28,529	
3048	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	26,896	
	FROM FEDERAL GRANTS TRUST FUND		3,992
3049	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	1,531,578	
3050	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	15,000	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	8,345,835	
	FROM TRUST FUNDS		1,546,968
	TOTAL POSITIONS	96.00	
	TOTAL ALL FUNDS		9,892,803

PROGRAM: ELECTIONS

ELECTIONS

	APPROVED SALARY RATE	2,155,709	
3051	SALARIES AND BENEFITS		
	POSITIONS	56.00	
	FROM GENERAL REVENUE FUND	1,167,694	
	FROM FEDERAL GRANTS TRUST FUND		1,929,002
3052	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	87,150	
	FROM FEDERAL GRANTS TRUST FUND		318,195
3053	EXPENSES		
	FROM GENERAL REVENUE FUND	725,950	
	FROM FEDERAL GRANTS TRUST FUND		604,437
3054	AID TO LOCAL GOVERNMENTS		
	SPECIAL ELECTIONS		
	FROM GENERAL REVENUE FUND	478,000	
3055	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	10,086	
	FROM FEDERAL GRANTS TRUST FUND		3,125
3056	SPECIAL CATEGORIES		
	ADVERTISING OF PROPOSED AMENDMENTS TO THE		

SECTION 6 - GENERAL GOVERNMENT			
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	CONSTITUTION		
	FROM GENERAL REVENUE FUND		540,000
3057	SPECIAL CATEGORIES		
	VOTING SYSTEMS ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND		525,000
3058	SPECIAL CATEGORIES		
	STATEWIDE VOTER REGISTRATION SYSTEM - HELP		
	AMERICA VOTE ACT (HAVA)		
	FROM FEDERAL GRANTS TRUST FUND		2,787,751
3059	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		283,502
	FROM FEDERAL GRANTS TRUST FUND		300,058
3060	SPECIAL CATEGORIES		
	ASSISTANCE FOR INDIVIDUALS WITH		
	DISABILITIES		
	FROM FEDERAL GRANTS TRUST FUND		800,000
3061	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		92,715
3062	SPECIAL CATEGORIES		
	ELECTION FRAUD PREVENTION		
	FROM GENERAL REVENUE FUND		445,379
3063	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		29,669
3064	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FEDERAL ELECTION		
	ACTIVITIES (HELP AMERICA VOTE ACT)		
	FROM FEDERAL GRANTS TRUST FUND		3,000,000

Funds in Specific Appropriation 3064 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

Also, before a county supervisor of elections receives funds for any software or hardware technology, including, but not limited to any emerging technology that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results, the software or technology must first be certified or approved, whichever is applicable by the Department of State. Additionally, before the Supervisor can receive funds for emerging or enhancing technology, the county supervisor of elections and the chairperson of the county governing body must certify that the county has purchased and made available sufficient equipment for casting and counting ballots to meet the needs of the county electors including reducing the wait time at the polls during the early voting period and on election day for the next regularly scheduled general election.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of

SECTION 6 - GENERAL GOVERNMENT
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State any unspent funds remaining on June 30 of each fiscal year.

Table with columns for item number, description, and amounts. Includes items 3065 (Special Categories), 3066 (Data Processing Services), and totals for ELECTIONS and ALL FUNDS.

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

Table detailing historical resources with columns for item number, description, approved salary rate, and positions. Includes items 3067 (Salaries and Benefits), 3068 (Other Personal Services), 3069 (Expenses), 3070 (Operating Capital Outlay), 3071 (Lump Sum), 3072 (Special Categories - Contracted Services), and 3073 (Special Categories - Grants).

From the funds in Specific Appropriation 3073, \$1,500,000 of recurring funds from the Land Acquisition Trust Fund, and \$268,535 of nonrecurring general revenue funds is provided for the 2016-2017 Small Matching Grants ranked list in its entirety, as provided on the Department of State website.

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Table showing fund sources for Section 6: FROM FEDERAL GRANTS TRUST FUND (3,931) and FROM LAND ACQUISITION TRUST FUND (20,641).

Table with columns for item number, description, and amounts. Includes items 3076 (Special Categories), 3077 (Data Processing Services), and 3077A (Grants and Aids to Local Governments).

From the funds in Specific Appropriation 3077A, \$10,790,346 of nonrecurring general revenue funds is provided for the 2016-2017 Special Categories Grants ranked list to fund items ranked 1 through 37, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3077A shall be allocated as follows:

Table listing allocations for item 3077A, including Pioneer Museum, Bethel African Methodist Episcopal Church Restoration, St. Petersburg, Marjory Stoneman Douglas Biscayne Nature Center, Historic Wauchula City Hall, Vizcaya Museum, Clearwater Historical Society, Hotel Ponce De Leon, USS Adams Museum, Deering Estate, William Weech American Legion, Wells Built Museum, American Legion Orange Baker Post, Masonic Lodge, Jake Galther House, Historic Captain Jeffries House, and Historic Seminole Theater.

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION
FROM GENERAL REVENUE FUND 18,080,928
FROM TRUST FUNDS 9,040,198
TOTAL POSITIONS 53.00
TOTAL ALL FUNDS 27,121,126

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

Table detailing commercial recordings and registrations with columns for item number, description, approved salary rate, and positions. Includes items 3078 (Salaries and Benefits), 3079 (Expenses), 3080 (Operating Capital Outlay), 3081 (Special Categories - Contracted Services), and 3082 (Special Categories).

SECTION 6 - GENERAL GOVERNMENT
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RICO ACT - ALIEN CORPORATIONS			
FROM GENERAL REVENUE FUND	261,369		
3083 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	91,007		
3084 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	5,880		
3085 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	39,026		
3086 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE			
TECHNOLOGY (AST)			
FROM GENERAL REVENUE FUND	43,606		
TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS			
FROM GENERAL REVENUE FUND	7,390,019		
TOTAL POSITIONS	102.00		
TOTAL ALL FUNDS		7,390,019	

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE	2,844,095		
3087 SALARIES AND BENEFITS POSITIONS	69.00		
FROM GENERAL REVENUE FUND	1,332,781		
FROM FEDERAL GRANTS TRUST FUND . . .		1,460,577	
FROM RECORDS MANAGEMENT TRUST FUND .		1,062,041	
3088 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	73,251		
FROM FEDERAL GRANTS TRUST FUND . . .		234,688	
FROM RECORDS MANAGEMENT TRUST FUND .		71,759	
3089 EXPENSES			
FROM GENERAL REVENUE FUND	1,601,831		
FROM FEDERAL GRANTS TRUST FUND . . .		426,392	
FROM RECORDS MANAGEMENT TRUST FUND .		485,249	
3090 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - LIBRARY COOPERATIVES			
FROM GENERAL REVENUE FUND	2,000,000		
3091 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - LIBRARY GRANTS			
FROM GENERAL REVENUE FUND	22,298,834		
FROM FEDERAL GRANTS TRUST FUND . . .		2,150,606	
3092 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	24,960		
FROM FEDERAL GRANTS TRUST FUND . . .		40,498	
FROM RECORDS MANAGEMENT TRUST FUND .		9,740	
3093 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	226,633		
FROM FEDERAL GRANTS TRUST FUND . . .		501,966	
FROM RECORDS MANAGEMENT TRUST FUND .		187,059	
3094 SPECIAL CATEGORIES			
LIBRARY RESOURCES			
FROM GENERAL REVENUE FUND	484,388		
FROM FEDERAL GRANTS TRUST FUND . . .		3,304,848	

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3095 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		23,112	
3096 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND		18,101	
FROM FEDERAL GRANTS TRUST FUND . . .			7,308
FROM RECORDS MANAGEMENT TRUST FUND .			3,724
3097 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		16,819	
FROM FEDERAL GRANTS TRUST FUND . . .			8,544
FROM RECORDS MANAGEMENT TRUST FUND .			7,850
3097A FIXED CAPITAL OUTLAY			
LIBRARY CONSTRUCTION GRANTS			
FROM GENERAL REVENUE FUND		3,000,000	

From the funds in Specific Appropriation 3097A, \$2,000,000 of nonrecurring general revenue funds is provided for the 2016-2017 Library Construction Grants ranked list in its entirety, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3097A shall be allocated to the East Lake Community Library in Palm Harbor.

TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES

FROM GENERAL REVENUE FUND	31,100,710		
FROM TRUST FUNDS			9,962,849
TOTAL POSITIONS	69.00		
TOTAL ALL FUNDS			41,063,559

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

APPROVED SALARY RATE	1,251,557		
3098 SALARIES AND BENEFITS POSITIONS	35.00		
FROM GENERAL REVENUE FUND	698,497		
FROM FEDERAL GRANTS TRUST FUND . . .		444,473	
FROM LAND ACQUISITION TRUST FUND . .		716,865	
3099 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	14,163		
FROM LAND ACQUISITION TRUST FUND . .			90,272
3100 EXPENSES			
FROM GENERAL REVENUE FUND	153,370		
FROM FEDERAL GRANTS TRUST FUND . . .		24,568	
FROM LAND ACQUISITION TRUST FUND . .		651,418	
3101 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - ARTS GRANTS			
FROM FEDERAL GRANTS TRUST FUND . . .			232,231
3102 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	1,100		
3102A SPECIAL CATEGORIES			
GRANTS AND AIDS - CULTURE BUILDS FLORIDA			
FROM GENERAL REVENUE FUND	1,682,209		
3103 SPECIAL CATEGORIES			
GRANTS AND AIDS - CULTURAL AND MUSEUM			
GRANTS			
FROM GENERAL REVENUE FUND	16,585,000		
FROM GRANTS AND DONATIONS TRUST			

SECTION 6 - GENERAL GOVERNMENT
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FUND 4,000,000

From the funds in Specific Appropriation 3103, \$5,000,000 of recurring general revenue funds, \$10,000,000 of nonrecurring general revenue funds, and \$4,000,000 of nonrecurring funds from the Grants and Donations Trust Fund is provided for the 2016-2017 General Program Support ranked list in its entirety, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3103 shall be allocated as follows:

- U.S. Space Walk of Fame Museum - Titusville..... 600,000
Florida Orchestra Residency Program..... 750,000
Adrienne Arsht Center Performing Arts Program..... 65,000
Spady Museum..... 20,000
Actor's Playhouse Performing Arts Program..... 150,000

3103A SPECIAL CATEGORIES
GRANTS AND AIDS - FINE ARTS ENDOWMENT
FROM GENERAL REVENUE FUND 480,000

3103B SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN
HERITAGE PRESERVATION NETWORK
FROM GENERAL REVENUE FUND 400,000

Funds in Specific Appropriation 3103B shall be provided to the Florida African American Heritage Preservation Network (FAAHPN) to be used as follows: (a) 70 percent for grants to its affiliate organizations for technology and equipment acquisitions, content and exhibit development, preservation of documents and artifacts, or other eligible expense as determined by the FAAHPN; (b) 15 percent for FAAHPN activities that serve affiliates, including, but not limited to, informational and technical assistance, professional development, marketing and promotions, regional or statewide conferences, or other activities that benefit the organization or its affiliates; and (c) 15 percent for FAAHPN administrative costs. The FAAHPN shall submit an annual report of expenditures, including grant funds disbursed, to the Department of State in a format approved by the department. No affiliate organization may be awarded more than 5 percent of the total amount of grants awarded pursuant to this appropriation.

3104 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 90,709
FROM FEDERAL GRANTS TRUST FUND 18,000
FROM LAND ACQUISITION TRUST FUND 25,000

3104A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENDOWMENT FOR
THE HUMANITIES
FROM GENERAL REVENUE FUND 500,000

3105 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 16,884

3105A SPECIAL CATEGORIES
FLORIDA HOLOCAUST MUSEUM - ST. PETERSBURG
FROM GENERAL REVENUE FUND 750,000

3106 SPECIAL CATEGORIES
HOLOCAUST DOCUMENTATION AND EDUCATION
CENTER
FROM GENERAL REVENUE FUND 357,000

3107 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,094
FROM LAND ACQUISITION TRUST FUND 5,796

3108 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,251
FROM FEDERAL GRANTS TRUST FUND 1,797

3108A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES -
CULTURAL FACILITIES PROGRAM
FROM GENERAL REVENUE FUND 22,338,751

From the funds in Specific Appropriation 3108A, \$11,906,424 of nonrecurring general revenue funds is provided for the 2016-2017 Cultural Facilities ranked list in its entirety, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3108A shall be allocated as follows:

- Polk Museum of Art - Lakeland..... 150,000
Norton Museum of Art - West Palm Beach..... 1,000,000
Tampa Theatre..... 1,000,000
Orlando Science Center..... 750,000
Military Museum of South Florida - Miami-Dade County..... 1,500,000
Navy SEAL Museum - Fort Pierce..... 100,000
African Museum of Arts and Culture - Miami Gardens..... 110,000
Ruth Eckerd Hall Expansion..... 2,000,000
Clearwater Marine Aquarium Dolphin Pool Construction..... 1,000,000
Florida Agricultural Museum..... 500,000
Forest Capital Hall Renovation..... 152,327
YSPB's Choir in the Glades..... 100,000
PIAG Museum..... 250,000
Sankofa Project - Black Cultural Tourism..... 1,000,000
The Peter Powell Roberts Museum of Art & Culture..... 250,000
Dunedin Museum Expansion..... 395,000
New Smyrna Beach East Coast Surf Museum..... 175,000

TOTAL: CULTURAL AFFAIRS
FROM GENERAL REVENUE FUND 44,081,028
FROM TRUST FUNDS 6,210,420
TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 50,291,448

TOTAL: STATE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 112,960,561
FROM TRUST FUNDS 37,090,269
TOTAL POSITIONS 411.00
TOTAL ALL FUNDS 150,050,830
TOTAL APPROVED SALARY RATE 17,284,127

TOTAL OF SECTION 6
FROM GENERAL REVENUE FUND 818,628,798
FROM TRUST FUNDS 3,748,191,376
TOTAL POSITIONS 18,644.25
TOTAL ALL FUNDS 4,566,820,174

SECTION 7 - JUDICIAL BRANCH

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM
PROGRAM: SUPREME COURT
COURT OPERATIONS - SUPREME COURT

SECTION 7 - JUDICIAL BRANCH			
SPECIFIC			
APPROPRIATION			
	APPROVED SALARY RATE	6,266,347	
3109	SALARIES AND BENEFITS	POSITIONS	99.00
	FROM GENERAL REVENUE FUND		4,795,808
	FROM STATE COURTS REVENUE TRUST		
	FUND		3,504,549
3110	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		323,876
	FROM STATE COURTS REVENUE TRUST		
	FUND		60,090
3111	EXPENSES		
	FROM GENERAL REVENUE FUND		931,578
3112	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		19,371
3113	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		381,565
3114	SPECIAL CATEGORIES		
	DISCRETIONARY FUNDS OF THE CHIEF JUSTICE		
	FROM GENERAL REVENUE FUND		15,000

Funds in Specific Appropriation 3114 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.

EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	10,413,433	
3120	SALARIES AND BENEFITS	POSITIONS	188.50
	FROM GENERAL REVENUE FUND		5,960,528
	FROM ADMINISTRATIVE TRUST FUND		342,439
	FROM STATE COURTS REVENUE TRUST		
	FUND		4,979,280
	FROM COURT EDUCATION TRUST FUND		1,268,555
	FROM FEDERAL GRANTS TRUST FUND		1,306,337
3121	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		184,241

SECTION 7 - JUDICIAL BRANCH			
SPECIFIC			
APPROPRIATION			
	FROM ADMINISTRATIVE TRUST FUND		225,104
	FROM STATE COURTS REVENUE TRUST		
	FUND		31,473
	FROM COURT EDUCATION TRUST FUND		105,540
	FROM FEDERAL GRANTS TRUST FUND		115,003
3122	EXPENSES		
	FROM GENERAL REVENUE FUND		1,608,602
	FROM ADMINISTRATIVE TRUST FUND		284,676
	FROM COURT EDUCATION TRUST FUND		1,904,449
	FROM FEDERAL GRANTS TRUST FUND		552,006
	FROM GRANTS AND DONATIONS TRUST		
	FUND		142,355
3123	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		176,329
	FROM ADMINISTRATIVE TRUST FUND		50,000
	FROM COURT EDUCATION TRUST FUND		10,000
	FROM FEDERAL GRANTS TRUST FUND		111,376
3124	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		342,030
	FROM ADMINISTRATIVE TRUST FUND		151,000
	FROM COURT EDUCATION TRUST FUND		106,105
	FROM FEDERAL GRANTS TRUST FUND		352,893
	FROM GRANTS AND DONATIONS TRUST		
	FUND		102,000
3125	SPECIAL CATEGORIES		
	FLORIDA CASES SOUTHERN 2ND REPORTER		
	FROM GENERAL REVENUE FUND		625,344
3126	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		31,548
3127	SPECIAL CATEGORIES		
	COMPUTER SUBSCRIPTION SERVICES		
	FROM GENERAL REVENUE FUND		181,450
3128	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		11,648
	FROM COURT EDUCATION TRUST FUND		7,500
	FROM FEDERAL GRANTS TRUST FUND		5,500
3129	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		38,457
	FROM ADMINISTRATIVE TRUST FUND		221
	FROM COURT EDUCATION TRUST FUND		4,127
	FROM FEDERAL GRANTS TRUST FUND		4,216
3130	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND		2,115,345
	FROM ADMINISTRATIVE TRUST FUND		150,000
	FROM FEDERAL GRANTS TRUST FUND		80,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND		11,275,522
	FROM TRUST FUNDS		12,392,155
	TOTAL POSITIONS		188.50
	TOTAL ALL FUNDS		23,667,677

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3130A AID TO LOCAL GOVERNMENTS

SECTION 7 - JUDICIAL BRANCH
SPECIFIC
APPROPRIATION

SMALL COUNTY COURTHOUSE FACILITIES			
FROM GENERAL REVENUE FUND	350,000		
The funds in Specific Appropriation 3130A are provided for the renovation or restoration of small county courthouses as follows:			
Glades County Courthouse.....	350,000		
3130B AID TO LOCAL GOVERNMENTS			
COUNTY COURTHOUSE EXPANSION			
FROM GENERAL REVENUE FUND	2,000,000		
The funds in Specific Appropriation 3130B are provided for the renovation, restoration or expansion of county courthouses as follows:			
Charlotte County Justice Center.....	1,000,000		
Okealoosa County Courthouse.....	1,000,000		
3130C SPECIAL CATEGORIES			
COURTHOUSE EMERGENCY RENOVATION AND REPAIRS			
FROM GENERAL REVENUE FUND	300,000		
The funds in Specific Appropriation 3130C shall be used to address maintenance issues in the Nassau County Courthouse.			
3131 SPECIAL CATEGORIES			
DUE PROCESS CONTINGENCY FUND			
POSITIONS	9.00		
The positions authorized in Specific Appropriation 3131 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.			
TOTAL: COURT OPERATIONS - ADMINISTERED FUNDS			
FROM GENERAL REVENUE FUND	2,650,000		
TOTAL POSITIONS	9.00		
TOTAL ALL FUNDS		2,650,000	

PROGRAM: DISTRICT COURTS OF APPEAL

The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a review of the Florida District Courts of Appeal to determine whether the current jurisdictional boundaries fairly and effectively distribute the workload of the circuit courts. OPPAGA shall identify options for rearranging the districts' boundaries to improve workload distribution and reduce costs to the court system. The Office of the State Courts Administrator (OSCA) shall provide OPPAGA with requested data to complete its study, including circuit and appellate workload data. The study shall be provided to the Governor, President of the Senate, Speaker of the House of Representatives, and Chief Justice of the Florida Supreme Court no later than February 1, 2017.

COURT OPERATIONS - APPELLATE COURTS

APPROVED SALARY RATE	30,469,006		
3132 SALARIES AND BENEFITS POSITIONS 445.00			
FROM GENERAL REVENUE FUND	27,508,422		
FROM ADMINISTRATIVE TRUST FUND . . .		1,858,066	
FROM STATE COURTS REVENUE TRUST FUND		11,977,483	
3133 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	140,007		

SECTION 7 - JUDICIAL BRANCH
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3134 EXPENSES			
FROM GENERAL REVENUE FUND	3,101,286		
FROM ADMINISTRATIVE TRUST FUND . . .			94,669
3135 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	85,364		
FROM ADMINISTRATIVE TRUST FUND . . .			27,000
3136 SPECIAL CATEGORIES			
COMPENSATION TO RETIRED JUDGES			
FROM GENERAL REVENUE FUND	51,790		
3137 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	595,074		
3138 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	140,873		
3139 SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS			
FROM STATE COURTS REVENUE TRUST FUND			6,890
3140 SPECIAL CATEGORIES			
DISTRICT COURT OF APPEAL LAW LIBRARY			
FROM GENERAL REVENUE FUND	162,797		
3141 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	580,686		
3142 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	104,945		
FROM ADMINISTRATIVE TRUST FUND . . .			2,222
3142A SPECIAL CATEGORIES			
TRANSFER TO THE DEPARTMENT OF MANAGEMENT SERVICES - SECOND DISTRICT COURT OF APPEALS STUDY			
FROM GENERAL REVENUE FUND	200,000		

From the funds in Specific Appropriation 3142A, \$200,000 in nonrecurring general revenue funds is provided to contract for a study of the courthouse space and location needs of the Second District Court of Appeal. The study shall 1) Evaluate the current courthouse facilities and locations of the court. The evaluation will include, but not be limited to, review and consideration of: total square footage, space configuration, parking, and parcel-size needs of the court; the caseload of the court based on judicial circuits from which the cases on appeal originate; the geographic boundaries of the district; the population dispersion of the district; the city of residence of users and staff of the court; and the availability of existing buildings to house the court or land for construction of a courthouse. 2) Estimate the costs for any necessary repairs or renovations for operating the courthouse facility and property in Lakeland, Polk County. 3) Provide a market analysis of the facility and property in Lakeland, Polk County, including but not limited to an assessment of the commercial and non-commercial uses of property in the surrounding area and the identification of and the feasibility of potential alternative public and private uses of the facility and property. 4) Recommend whether maintaining separate facilities and locations or consolidating in one facility and location better benefits users and facilitates the effective operation of the court and provide a cost-benefit analysis of location options. 5) Depending upon the study's recommendations on maintaining separate facilities and locations or consolidating in one facility or location, recommend the most desirable location or locations for the court by city or county considering the business and operational case for that location or locations. The Office of the State Court Administrator shall submit the study to the President of the Senate,

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Speaker of the House of Representatives, Chief Justice of the Supreme Court, and Chief Judge of the Second District Court of Appeal by December 31, 2016.

3143	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	171,100	
3144	FIXED CAPITAL OUTLAY		
	FOURTH DISTRICT COURT OF APPEAL NEW		
	COURTHOUSE CONSTRUCTION - DMS MGD		
	FROM GENERAL REVENUE FUND	7,509,276	
3146	FIXED CAPITAL OUTLAY		
	3RD DCA - COURT BUILDING REMODELING FOR		
	SECURITY AND BUILDING SYSTEM UPGRADES -		
	DMS MGD		
	FROM GENERAL REVENUE FUND	6,482,222	
TOTAL:	COURT OPERATIONS - APPELLATE COURTS		
	FROM GENERAL REVENUE FUND	46,833,842	
	FROM TRUST FUNDS		13,966,330
	TOTAL POSITIONS	445.00	
	TOTAL ALL FUNDS		60,800,172

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

	APPROVED SALARY RATE	201,190,715	
3147	SALARIES AND BENEFITS	POSITIONS	2,954.00
	FROM GENERAL REVENUE FUND	225,193,618	
	FROM ADMINISTRATIVE TRUST FUND . . .		194,380
	FROM STATE COURTS REVENUE TRUST		
	FUND	46,323,599	
	FROM FEDERAL GRANTS TRUST FUND . . .		6,702,602
3148	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	994,535	
	FROM STATE COURTS REVENUE TRUST		
	FUND	163,098	
	FROM FEDERAL GRANTS TRUST FUND . . .		25,748
3149	EXPENSES		
	FROM GENERAL REVENUE FUND	6,158,862	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,928
	FROM FEDERAL GRANTS TRUST FUND . . .		110,616
3150	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	286,883	
3151	SPECIAL CATEGORIES		
	CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
	FROM GENERAL REVENUE FUND	2,042,854	
3152	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
	FROM GENERAL REVENUE FUND	4,743,240	
	FROM FEDERAL GRANTS TRUST FUND . . .		200,000

From the funds in Specific Appropriation 3152, \$3,500,000 in recurring general revenue funds and \$500,000 in nonrecurring general revenue funds shall be distributed to the 27 Children's Advocacy Centers throughout Florida based on the proportion of children served by each center during calendar year 2015. This funding may not be used to supplant local government reductions in Children's Advocacy Center funding. Any reductions in local government funding for the centers shall result in the withholding of funds appropriated in this line item.

From the funds in Specific Appropriation 3152, the Florida Network of Children's Advocacy Centers may spend up to \$80,000 for contract monitoring and oversight.

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From the funds in Specific Appropriation 3152, \$100,000 in recurring general revenue funds is provided to the Walton County Children's Advocacy Center for child advocacy services.

From the funds in Specific Appropriation 3152, \$300,000 in recurring general revenue funds shall be used to support child protection teams operating in Children's Advocacy Centers. These funds may not be used for administrative support.

From the funds in Specific Appropriation 3152, \$50,000 in nonrecurring general revenue funds and \$200,000 nonrecurring funds from the Federal Grants Trust Fund are provided to the Nancy J. Cotterman Children's Advocacy and Rape Crisis Center for child advocacy services.

3153	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM GENERAL REVENUE FUND	2,015,249	

3154	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		13,138,610

From the funds in Specific Appropriation 3154, \$5,000,000 in recurring general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol- or opioid-addicted individuals involved in the criminal justice system, individuals who have a high likelihood of criminal justice involvement, or who are in court-ordered, community-based drug treatment. The Office of the State Courts Administrator shall use the funds to contract with a non-profit entity for the purpose of distributing the medication.

From the funds in Specific Appropriation 3154, \$1,500,000 in nonrecurring general revenue funds is provided to the Friends of the Children's Advocacy Center of Brevard to secure a permanent building for the Children's Advocacy Center.

From the funds in Specific Appropriation 3154, \$260,000 in nonrecurring general revenue funds is provided to the Grove Counseling Center to provide treatment services for the Seminole County Juvenile Drug Court.

From the funds in Specific Appropriation 3154, \$5,000,000 in recurring general revenue funds and \$400,000 in nonrecurring general revenue funds are provided for treatment services for offenders in post-adjudicatory drug court programs in Broward, Escambia, Hillsborough, Marion, Okaloosa, Orange, Pinellas, Polk, and Volusia counties. Each program shall serve prison-bound offenders (at least 50 percent of participants shall have Criminal Punishment Code scores of greater than 44 points but no more than 60 points) and shall make residential treatment beds available for clients needing residential treatment.

From the funds in Specific Appropriation 3154, \$250,000 in nonrecurring general revenue funds is provided for gap funding for housing and wraparound behavioral health treatment services provided by the Miami-Dade Homeless Trust for individuals referred by the 11th Judicial Circuit Criminal Mental Health Project and participating in jail diversion programs.

From the funds in Specific Appropriation 3154, \$200,000 in nonrecurring general revenue funds is provided to the Second Judicial Circuit Mental Health Court to fully restore both the misdemeanor and felony dockets in all counties of the Second Circuit.

3155	SPECIAL CATEGORIES		
	DOMESTIC VIOLENCE OFFENDER MONITORING		
	PROGRAM		
	FROM GENERAL REVENUE FUND	316,000	

The funds in Specific Appropriation 3155 are provided to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.

3156 SPECIAL CATEGORIES

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RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,095,011	
3157 SPECIAL CATEGORIES		
STATEWIDE GRAND JURY - EXPENSES		
FROM GENERAL REVENUE FUND	143,310	
3158 SPECIAL CATEGORIES		
VETERANS COURT		
FROM GENERAL REVENUE FUND	2,542,032	

Recurring general revenue funds in Specific Appropriation 3158 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:

Alachua.....	150,000
Clay.....	150,000
Duval.....	200,000
Escambia.....	150,000
Leon.....	125,000
Okaloosa.....	150,000
Orange.....	200,000
Pasco.....	150,000
Pinellas.....	150,000

Nonrecurring general revenue funds in Specific Appropriation 3158 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:

Duval.....	112,032
Hillsborough.....	150,000
Manatee.....	150,000
Pasco.....	150,000
Pinellas.....	150,000
Sarasota.....	150,000
Seminole.....	150,000

From the funds in Specific Appropriation 3158, \$105,000 in nonrecurring general revenue funds is provided to the Collier County Veterans Treatment Court to divert veterans with mental health and substance abuse treatment needs from the criminal justice system. The funds will be used for an outreach worker, case manager, and the Veterans Helping Veterans mentor program at the David Lawrence Mental Health Center in Collier.

3159 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	134,574	
3160 SPECIAL CATEGORIES		
MEDIATION/ARBITRATION SERVICES		
FROM GENERAL REVENUE FUND	3,107,619	
3161 SPECIAL CATEGORIES		
STATE COURTS DUE PROCESS COSTS		
FROM GENERAL REVENUE FUND	19,955,792	
FROM ADMINISTRATIVE TRUST FUND		1,104,930
3162 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	669,213	
FROM FEDERAL GRANTS TRUST FUND		32,807
3163 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	97,902	
TOTAL: COURT OPERATIONS - CIRCUIT COURTS		
FROM GENERAL REVENUE FUND	282,635,304	
FROM TRUST FUNDS		54,861,708
TOTAL POSITIONS	2,954.00	

SECTION 7 - JUDICIAL BRANCH
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TOTAL ALL FUNDS			337,497,012
COURT OPERATIONS - COUNTY COURTS			
APPROVED SALARY RATE	57,313,280		
3164 SALARIES AND BENEFITS		644.00	
FROM GENERAL REVENUE FUND			78,654,839
FROM STATE COURTS REVENUE TRUST FUND			5,589,377
3165 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND			15,000
3166 EXPENSES			
FROM GENERAL REVENUE FUND			3,093,912
3167 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND			15,000
3168 SPECIAL CATEGORIES			
ADDITIONAL COMPENSATION FOR COUNTY JUDGES			
FROM GENERAL REVENUE FUND			75,000
3169 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND			204,000
3170 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND			103,694
3171 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND			78,792
3172 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND			147,079
TOTAL: COURT OPERATIONS - COUNTY COURTS			
FROM GENERAL REVENUE FUND			82,387,316
FROM TRUST FUNDS			5,589,377
TOTAL POSITIONS	644.00		
TOTAL ALL FUNDS			87,976,693
PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION			
JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS			
APPROVED SALARY RATE	286,805		
3173 SALARIES AND BENEFITS		4.00	
FROM GENERAL REVENUE FUND			368,397
3174 EXPENSES			
FROM GENERAL REVENUE FUND			160,205
3175 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND			5,442
3176 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND			240,475
3177 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND			5,461
3178 SPECIAL CATEGORIES			
LITIGATION EXPENSES			

SECTION 7 - JUDICIAL BRANCH
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Table with 2 columns: Description and Amount. Includes 'FROM GENERAL REVENUE FUND' with amount 231,294 and 'TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS' with amount 1,012,411.

Table with 2 columns: Description and Amount. Includes 'TOTAL: STATE COURT SYSTEM' with amount 433,641,675 and 'TOTAL APPROVED SALARY RATE' with amount 305,939,586.

Table with 2 columns: Description and Amount. Includes 'TOTAL OF SECTION 7' with amount 433,641,675 and 'TOTAL ALL FUNDS' with amount 524,015,884.

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS - FISCAL YEAR 2016-2017

Statement of Purpose

This section provides instructions for implementing the Fiscal Year 2016-2017 salary and benefit adjustments provided in this act. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

Salary increases provided under this section shall be pro-rated based on the full-time equivalency of the employee's position. Employees classified as other personnel services employees are not eligible for an increase.

(1) EMPLOYEE AND OFFICER COMPENSATION

The elected officers, members of commissions, and designated employees shall be paid at the annual rate, listed below, for the 2016-2017 fiscal year; however, these salaries may be reduced on a voluntary basis.

Table with 2 columns: Position and Salary. Includes Governor (130,273), Lieutenant Governor (124,851), Chief Financial Officer (128,972), Attorney General (128,972), Agriculture, Commissioner of (128,972), Supreme Court Justice (162,200), Judges - District Courts of Appeal (154,140), Judges - Circuit Courts (146,080), Judges - County Courts (138,020), State Attorneys (154,140), Public Defenders (154,140), Commissioner - Public Service Commission (131,036), Public Employees Relations Commission Chair (96,789), Public Employees Relations Commission Commissioners (45,862).

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Table with 2 columns: Description and Amount. Includes 'Commissioner - Parole' (91,724) and 'Criminal Conflict and Civil Regional Counsels' (105,000). Includes a note: 'None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.'

(2) SPECIAL PAY ISSUES

Effective July 1, 2016, recurring funds are appropriated in Specific Appropriation 1962A to:

(a) The Department of Agriculture and Consumer Services to provide a \$2,000 annual salary increase to each unit member of the Florida State Fire Service bargaining unit and each employee in the following job classes: Forest Area Supervisor (7622); Forestry Operations Administrator (7634); and the Forestry Program Administrator (7636); and non-special risk certified firefighters and non-special risk fire support staff employed by the Florida Forest Service.

(b) The Florida Department of Law Enforcement from trust funds to increase the base rate of pay for Crime Laboratory Analyst Supervisors (8466) to \$72,000 annually or provide a minimum 10.0 percent increase over current salary; and to increase the salaries of current employees in certain job classes, as follows: \$10,000 for Crime Laboratory Analyst (8463) and \$12,000 for Senior Crime Laboratory Analyst (8464).

(c) The Department of Military Affairs from the General Revenue Fund to grant military personnel of the Florida National Guard on full-time military duty a pay raise to comply with section 250.10(1), Florida Statutes.

(3) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance and State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program and the State Disability Insurance Program premiums.

(b) State Health Insurance Plans and Benefits

1. For the period July 1, 2016, through June 30, 2017, the Department of Management Services shall continue within the State Group Insurance Program State Group Health Insurance Standard Plans, State Group Health Insurance High Deductible Plans, State Group Health Maintenance Organization Standard Plans and State Group Health Maintenance Organization High Deductible Plans.

2. For the period July 1, 2016, through June 30, 2017, the benefits provided under each of the plans shall be those benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts and benefit documents, and other such health benefits as approved by the Legislature.

3. Effective July 1, 2016, the state health insurance plans, as defined in subsection (3)(b), shall limit plan participant cost sharing (deductibles, coinsurance and copayments) for covered in-network medical services, the amount of which shall not exceed the annual cost sharing limitations for individual coverage or for family coverage as provided by the U.S. Department of Health and Human Services pursuant to the provisions of the federal Patient Protection and Affordable Care Act of 2010 and the Internal Revenue Code. Medical and prescription drug cost sharing amounts incurred by a plan participant for covered in-network services shall be aggregated to record the participant's total amount of plan cost sharing, which shall not exceed the annual cost sharing limitations. The plan shall pay 100 percent of covered in-network services for a plan participant during the applicable calendar year once the federal cost share limitations are reached.

4. The high deductible health plans shall continue to include an integrated Health Savings Account (HSA). Such plans and accounts shall be administered in accordance with the requirements and limitations of

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federal provisions related to the Medicare Prescription Drug Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account, as authorized in section 110.123(12), Florida Statutes, of \$41.66 for employees with individual coverage and \$83.33 for employees with family coverage.

(c) State Health Insurance Premiums for the Period July 1, 2016, through June 30, 2017.

1. State Paid Premiums

a. For the coverage period beginning August 1, 2016, through December 31, 2016, the state share of the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative and judicial branch agencies shall continue at \$591.52 per month for individual coverage and \$1,264.06 per month for family coverage.

b. For the coverage period beginning January 1, 2017, the state share of the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative and judicial branch agencies shall increase, effective December 1, 2016, from \$591.52 to \$642.84 per month for individual coverage and from \$1,264.06 to \$1,379.60 for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the state share of the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 1962A to pay the incremental cost of the premium increase, effective December 1, 2016.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits as follows, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay-all" benefits.

i. For the coverage period beginning August 1, 2016, through December 31, 2016, the state share of the State Group Health Insurance Standard Plan Premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall continue to be \$637.34 per month for individual coverage and \$1,429.06 per month for family coverage.

ii. For the coverage period beginning January 1, 2017, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective December 1, 2016, from \$637.34 to \$684.50 per month for individual coverage and from \$1,429.06 to \$1,529.60 for family coverage.

iii. For the coverage period beginning August 1, 2016, through December 31, 2016, the state share of the State Group Health Insurance Standard Plan Premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall continue to be \$714.54 per month for family coverage.

iv. For the coverage period beginning January 1, 2017, the state share of the State Group Health Insurance Standard Program premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall increase, effective December 1, 2016, from \$714.54 to \$764.80 per month for family coverage.

v. For the coverage period beginning August 1, 2016, through December 31, 2016, the state share of the State Group Health Insurance High Deductible Plan premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall continue to be \$598.18 per month for individual coverage and \$1,298.36 per month for family coverage.

vi. For the coverage period beginning January 1, 2017, the state share of the State Group Health Insurance High Deductible Plan premiums to the executive, legislative, and judicial branch agencies, for employees with

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enhanced benefits, excluding Spouse Program participants, shall increase, effective December 1, 2016, from \$598.18 to \$649.50 per month for individual coverage and from \$1,298.36 to \$1,413.90 per month for family coverage.

vii. For the coverage period beginning August 1, 2016, through December 31, 2016, the state share of the State Group Health Insurance High Deductible Plan Program premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall continue to be \$649.18 per month for family coverage.

viii. For the coverage period beginning January 1, 2017, the state share of the State Group Health Insurance High Deductible Plan Program premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall increase, effective December 1, 2016, from \$649.18 to \$706.96 per month for family coverage.

2. Premiums Paid by Employees

a. For the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the standard plans shall continue to be \$50 per month for individual coverage and \$180 per month for family coverage.

b. For the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the high deductible health plans shall continue to be \$15 per month for individual coverage and \$64.30 per month for family coverage.

c. For the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the standard plans and the high deductible health plans shall continue to be \$8.34 for individual coverage and \$30 per month for family coverage for employees filling positions with "agency payroll" benefits.

d. For the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the standard plans and the high deductible plans shall continue to be \$15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code.

3. Premiums paid by Medicare Participants

a. For the coverage period beginning August 1, 2016, through December 31, 2016, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be \$359.61 for "one eligible", \$1,036.90 for "one under/one over", and \$719.22 for "both eligible."

b. For the coverage period beginning January 1, 2017, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective December 1, 2016, from \$359.61 to \$388.38 for "one eligible", from \$1,036.90 to \$1,119.85. for "one under/one over", and from \$719.22 to \$776.76 for both eligible.

c. For the coverage period beginning August 1, 2016, through December 31, 2016, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be \$271.07 for "one eligible", \$849.19 for "one under/one over", and \$542.15 for "both eligible."

d. For the coverage period beginning January 1, 2017, the monthly premiums for Medicare participants participating in the State Group High Deductible Plan shall increase, effective December 1, 2016, from \$271.07 to \$292.76 for "one eligible", from \$849.19 to \$917.13 for "one under/one over", and from \$542.15 to \$585.51 for "both eligible."

e. For the coverage period beginning August 1, 2016, the monthly premiums for Medicare participants enrolled in a Health Maintenance Organization Standard Plan or High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected state-contracted Health Maintenance Organization.

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4. Premiums paid by "Early Retirees"

a. For the coverage period beginning August 1, 2016, an "early retiree" participating in the State Group Health Insurance Standard Plan shall continue to pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period beginning August 1, 2016, through December 31, 2016, an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall continue to pay a monthly premium equal to \$564.86 for individual coverage and \$1,245.03 for family coverage.

c. For the coverage period beginning January 1, 2017, the monthly premiums for an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall increase, effective December 1, 2016, from \$564.86 to \$616.18 for individual coverage and from \$1,245.03 to \$1,360.57 for family coverage.

5. Premiums paid by COBRA participants

a. For the coverage period beginning August 1, 2016, a COBRA participant participating in the State Group Health Insurance Program shall continue to pay a premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the Program.

6. The premiums provided in this Section, for the coverage period beginning January 1, 2017, are contingent upon HB 7089 not becoming law.

(d) Under the State Employees' Prescription Drug Program, the following shall apply:

1. Supply limits shall continue as provided in subsection 110.12315, Florida Statutes.

2. For the period July 1, 2016, through June 30, 2017, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

- a. \$7 co-payment for generic drugs with card;
- b. \$30 for preferred brand name drug with card;
- c. \$50 for nonpreferred brand name drug with card;
- d. \$14 for generic mail-order drug;
- e. \$60 for preferred brand name mail order drug;
- f. \$100 for nonpreferred brand name mail order drug.

3. For the period July 1, 2016, through June 30, 2017, coinsurance for the State Group Health Insurance High Deductible Plan shall continue as provided in section 110.12315(11), Florida Statutes.

4. Effective July 1, 2016, and notwithstanding the provisions of subparagraph 2. to the contrary, for the purpose of encouraging an individual to change from brand name drugs to generic drugs, the department may continue to waive co-payments for a six month supply of a generic statin or a generic proton pump inhibitor.

5. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

6. The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order by participants of the Preferred Provider Organization option only. Effective July 1, 2016, those drugs on the maintenance list may initially be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order, unless a retail pharmacy agrees to provide 90 day prescriptions for such drugs for no more than the reimbursement paid for prescriptions fulfilled by mail order, including the dispensing fee. Notwithstanding subparagraph (d)2., and for the period beginning July 1, 2016, the co-payments for such 90 day prescriptions at a retail pharmacy shall be \$14 for generic drugs with a card, \$60 for preferred brand name drugs with a card, and \$100 for nonpreferred name brand drugs with a card. This paragraph is

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contingent on House Bill 5003 or similar legislation becoming law.

(e) The State Employees' Prescription Drug Program shall provide coverage for smoking cessation prescription drugs; however, members shall be responsible for appropriate co-payments and deductibles when applicable.

(4) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. Each agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for employees who are required to be a member of the Florida Bar as a condition of employment.

4. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

(b) All state branches, departments, and agencies which have established or approved personnel policies for the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2016-2017 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2016-2017 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

(c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators, and as breath test operators/inspectors, and may grant temporary special duty pay additives to law enforcement officers who perform additional duties as offshore patrol vessel crew members, as special operations group members, and as long-term covert investigators.

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(e) The Department of Highway Safety and Motor Vehicles may grant special duty pay additives of \$2,000 for law enforcement officers who perform additional duties as K-9 handlers; felony officers; criminal interdiction officers; criminal investigation and intelligence officers; new recruit background checks and training, and technical support officers; drug recognition experts; hazardous material squad members; compliance investigation squad members; or motor cycle squad members. In addition, the department may provide a critical market pay additive of \$1,300 to non-sworn Florida Highway Patrol personnel working and residing in Miami-Dade and Broward counties and provide a \$5,000 critical market pay additive, or, in lieu thereof, an equivalent salary adjustment that was made during Fiscal Year 2015-2016, for sworn law enforcement officers living and residing in the following counties: Hillsborough, Orange, Pinellas, Duval, Marion and Escambia Counties. These critical market pay additives shall be granted during the time the employee resides in, and is assigned duties within, those counties.

(f) The Fish and Wildlife Conservation Commission is authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, Monroe County, Broward County, or Miami-Dade County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006; and the Department of Highway Safety and Motor Vehicles is authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(g) The Department of Transportation is authorized to continue its training program for employees in the areas of transportation engineering, right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(h) The Department of Highway Safety and Motor Vehicles is authorized to continue to grant a pay additive of \$162.50 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(i) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c), Florida Statutes, does not apply to additives authorized in this paragraph.

(j) Contingent upon the availability of funds, and at the agency head's discretion, each agency is authorized to grant competitive pay adjustments to address retention, pay inequities, or other staffing issues. The agency is responsible for retaining sufficient documentation justifying any adjustments provided herein.

(k) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans. The Chief Justice may exempt judicial branch employees from the performance evaluation requirements of this paragraph.

(l) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(6) COLLECTIVE BARGAINING

(a) All collective bargaining issues at impasse between the State of

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Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, the Teamsters Local Union No. 2011, and the Florida Nurses Association relating to wages and other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION," Item "(2) SPECIAL PAY ISSUES," Item "(4) OTHER BENEFITS," and Item "(5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS" and other legislation enacted to implement this act.

(b) All collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists and the Police Benevolent Association relating to insurance benefits shall be resolved herein pursuant to the instructions provided under Item "(3) BENEFITS: HEALTH, LIFE AND DISABILITY INSURANCE" and any other legislation enacted to implement this act.

SECTION 9. The unexpended balance of funds provided to the Department of Education Florida School for the Deaf and Blind for Koger Hall Construction from the General Revenue Fund in Specific Appropriation 25 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2016-2017 to the Department of Education Florida School for the Deaf and Blind for Gore Hall remodeling.

SECTION 10. Pursuant to section 1013.40, Florida Statutes, the specified Florida College System institutions are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Florida Keys Community College - Acquire land/facilities and remodel/renovate facilities for instructional, office, support space and parking, from donations and local funds, as an annex of the State Board of Education approved Main (Key West) Campus.

2. Indian River State College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved Main (Ft. Pierce) Campus, Chastain (Stuart) Center, Mueller (Vero Beach) Special Purpose Center, Pruitt (Port St. Lucie) Center, Marine Science Special Purpose Center, Human Development & Resources Special Purpose Center, and the Dixon Hendry (Okeechobee) Center using local funds.

3. Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved North Campus, Kendall Campus, Wolfson Campus, Medical Campus, Homestead Campus, Interamerican Campus, Hialeah Campus, West Campus, and Entrepreneurial Educational Center using local funds.

4. Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking, for future growth and development of a new campus/center in Northwest Miami-Dade County, Northeast Miami-Dade County, and/or Miami Beach, subject to State Board of Education approval using local funds.

5. Pensacola State College - Construct a Welding Technology Building from local funds at the State Board of Education approved Pensacola Campus.

6. Pensacola State College - Construct a Visual Arts Building addition from local funds at the State Board of Education approved Pensacola Campus.

7. Seminole State College of Florida - Acquire land with or without facilities and construct/remodel/renovate facilities for instructional, office, meeting room, auditorium, support space, and parking, utilizing

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private-public partnership funding, as an annex of the State Board of Education approved Main (Sanford/Lake Mary) Campus and/or Altamonte Springs Campus.

8. Seminole State College of Florida - Lease land with facilities and remodel/renovate facilities for instructional, office, support space and parking, as an annex of the State Board of Education approved Main (Sanford/Lake Mary) Campus and/or Altamonte Springs Campus using local funds.

9. State College of Florida, Manatee-Sarasota - Acquire land/facilities with local funds for future growth and development of a new campus/center in Manatee or Sarasota County, subject to State Board of Education approval, and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking.

10. Tallahassee Community College - Acquire land/facilities for instructional and support services and parking, to support the mission of the State Board of Education approved Wakulla Center using local funds.

11. Valencia College - Construct an academic and support services facility (Building 09 - Film, Sound, and Music Technology / Plant Operations) from local funds at the State Board of Education approved East Campus.

12. Valencia College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking, from local funds at the State Board of Education approved campuses, centers, and special purpose centers.

13. Valencia College - Acquire land/facilities from local funds for future growth and development of a new campus/center in Southwest Orange County, Southeast Orange County, and/or Northeast Osceola County, subject to State Board of Education approval.

SECTION 11. Pursuant to section 1013.74 and section 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation of Education and General space within the building. Each facility is a main campus unless otherwise noted.

University of Florida - Innovation HUB Phase II - Design and construction of Phase II of the Florida Innovation Hub at UF. Multi-level technology building with conference rooms and office and laboratory space, 50,000 gsf.

University of Florida - Wilmont Gardens - will be used for horticultural research and teaching activities, 3,682 gsf.

University of Florida - Addiction Research Center in Yon Hall - Repurposing of vacated Living Well Auxiliary spaces in Yon Hall to house Addiction Research Center, 6,750 gsf.

UF - IFAS/Storage Building Fisheries - equipment storage for Fisheries and Aquatic Sciences, 5,000 gsf. Located at Gainesville.

UF -IFAS/Equipment Storage Wildlife - equipment storage for the Wildlife Ecology and Conservation Department, 3,200 gsf. Located at Gainesville.

UF - IFAS/Beef Teaching Facility Animal Sciences (B0891) - A teaching facility to be located at Sand Hill for the Beef Teaching unit, 22,940 gsf. Located at Gainesville.

UF -IFAS/ Greenhouse Multi-department (B1223) - New eight bay greenhouse at the on-campus Fifield greenhouse complex, 9,920 gsf. Located at Gainesville.

UF -IFAS/ Land Management Building Ordway-Swisher Biological Station (B2242) - Newly acquired building to support land management of the Ordway-Swisher Biological Station, 2,080 gsf. Located at Homestead.

UF -IFAS/ Really Nolen Cabin Ordway-Swisher Biological Station (B2270) - residence to house visiting scientists, 912 gsf. Located at Melrose.

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UF -IFAS/ Storage Building Ordway-Swisher Biological Station (B2271) - storage building to store research equipment, 336gsf. Located at Melrose.

UF -IFAS/ Equipment Storage Citrus REC (B7129) - equipment storage building, 280 gsf. Located at Lake Alfred.

UF -IFAS/ Graduate Residence (B7201) - Graduate student residence in support of Equine Sciences Center, 1,120 gsf. Located at Lowell.

UF -IFAS/ Mix/Load Facility Indian River REC (B7393) - New mix-load facility in support of grove management, 512 gsf. Located at Ft. Pierce.

UF -IFAS/ Equipment Storage Plant Science REU (B7531) - Farm equipment storage, 12,000 gsf. Located at Citra.

UF -IFAS/ Field Building Suwannee Valley Agricultural Extension Center (B8307) - New field building to protect irrigation control system, 220 gsf. Located at Live Oak.

UF -IFAS/ Equipment Storage Tropical Aquaculture Lab (B9411) - Equipment storage building for expanding research programs at Tropical Aquaculture facility, 2,720 gsf. Located at Ruskin.

UF -IFAS/Marine Lab Research Office Nature Coast Biological Station (B1850) - Research office building needed for Nature Coast Biological Station research activities and outreach programs, 1,789 gsf. Located at Cedar Key.

UF -IFAS/Pavilion Nature Coast Biological Station (B1852) - Pavilion is needed for Nature Coast Biological Station research activities and outreach programs, 396 gsf. Located at Cedar Key.

UF -IFAS/Franklin County Extension Office Extension (B1901) - Building will be used to support aquaculture research activities and extension outreach for Franklin County, 6,504 gsf. Located at Apalachicola.

UF -IFAS/Aquaculture Facility Extension (B1902) - Building will be used to support aquaculture research activities for Franklin County, 1,344 gsf. Located at Apalachicola.

UF -IFAS/Equipment Storage Extension (B1903) - Building will be used to support aquaculture research activities and extension outreach for Franklin County, 638 gsf. Located at Apalachicola.

UF -IFAS/Storage Building Extension (B1904) - Building will be used to support aquaculture research activities and extension outreach for Franklin County, 240 gsf. Located at Apalachicola.

UF -IFAS/Bunkhouse Ordway-Swisher Biological Station (B2280) - Bunkhouse will be used to house visiting scientists, 3,798 gsf. Located at Hawthorne.

UF -IFAS/Storage Building Ordway-Swisher Biological Station (B2281) - Will be used to store equipment in support of research, 200 gsf. Located at Hawthorne.

UF -IFAS/Storage Building Ordway-Swisher Biological Station (B2285) - Residence will be used to house visiting scientists, 1,286 gsf. Located at Hawthorne.

UF -IFAS/Equipment Building Suwannee Valley Agricultural Extension Center (B8309) - Will be used to protect irrigation controls, 252 gsf. Located at Live Oak.

UF -IFAS/Equipment Storage Jay (B8420) - Equipment storage building needed to support farm operations equipment at the West Florida Research and Education Unit, 120 gsf. Located at Jay.

Florida State University - JMS Building (Building No. 2021) - The Building will be donated to FSU, will house an entrepreneurial innovation center, 20,000 gsf.

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University of Central Florida - BPW Building - Will house the College of Education Marriage and Family Research Institute, 4,038 gsf.

University of Central Florida - Institute for Hospitality in Healthcare at Lake Nona - Offices, classrooms, teaching labs, 36,000 gsf.

University of Central Florida - District Energy IV Plant - Offices, 13,000 gsf.

University of Central Florida - CREOL - Research labs, 2,756 gsf.

Florida International University - Ecology Laboratory Module - Teaching and research lab, 1,218 gsf.

Florida International University - Bayview Housing Academic Space - Advising and student study space open to all FIU students, 3,760 gsf.

Florida International University - University City Prosperity Project - Covered pedestrian Bridge, 2 elevators and 2 stairway plazas, 6,121 gsf.

SECTION 12. Pursuant to section 1010.62 and section 1013.171, Florida Statutes, and section 11(d) and (f), Art. VII of the State Constitution, the following fixed capital outlay projects may be constructed, acquired, and financed by a university or university direct support organization. Financing mechanisms include any form of approved debt or bonds authorized by the Board of Governors.

No state appropriation of funds will be associated with these projects. The Legislature has provided the Board of Governors general authority to consider debt financing for most classes of projects. However, certain athletic and commercial facilities require specific Legislative authorization as a prerequisite condition for these projects. Legislative authorization does not supersede any of the requirements for Board of Governors review and approval of all projects to be financed from debt.

Florida Atlantic University - Hotel Conference Center

Florida State University - Hotel Convention Center

University of Central Florida - Refinance UCF Foundation Properties

University of Central Florida - Bio-Medical Annex Renovation and Expansion

SECTION 13. The sum of \$2,800,000 from the unexpended balance of funds appropriated for the Florida Gulf Coast University South Access Road project in Specific Appropriation 21 of chapter 2015-232, Laws of Florida, is hereby reverted.

SECTION 14. There is hereby appropriated for Fiscal Year 2015-16 to the Department of Education \$12,860,148 in fixed capital outlay funds from the School District and Community College District Capital Outlay and Debt Service Trust Fund to community colleges and school districts pursuant to Section 9, Article XII, of the State Constitution. This section shall take effect upon becoming law.

SECTION 15. The sum of \$2,100,000 from the Educational Enhancement Trust Fund in Specific Appropriation 4 of chapter 2015-232, Laws of Florida, for Florida's Bright Futures Scholarship Program is hereby reverted.

SECTION 16. The unexpended balance of funds provided to the Department of Education from the General Revenue Fund in Specific Appropriation 62 of chapter 2015-232, Laws of Florida, for Access to Better Learning and Education Grants is hereby reverted.

SECTION 17. The unexpended balance of funds provided to the Department of Education from the General Revenue Fund in Specific Appropriation 65 of chapter 2015-232, Laws of Florida, for Florida Resident Access Grants is hereby reverted.

SECTION 18. The unexpended balance of funds provided for the Department of Education Workforce Student Information System in Specific

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Appropriation 118 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 19. The unexpended balance of funds provided to the Department of Education for the Personal Learning Scholarship Accounts in Specific Appropriation 105 and Section 27 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for the Fiscal Year 2016-2017 for the Gardiner Scholarship Program.

SECTION 20. The sum of \$5,885,430 from the General Revenue Fund in Specific Appropriation 91 of chapter 2015-232, Laws of Florida, for Class Size Reduction is hereby reverted.

SECTION 21. The Legislature hereby adopts by reference for the 2015-2016 fiscal year the alternate compliance calculation amounts as the reduction calculation to the class size operating categorical fund required by section 1003.03(4), Florida Statutes, as set forth in Budget Amendment EOG 00091 as submitted on February 16, 2016, by the Governor on behalf of the Commissioner of Education for approval by the Legislative Budget Commission. The Commissioner of Education shall modify payments to school districts as required by section 1003.03(4), Florida Statutes, for the 2015-2016 fiscal year. This section is effective upon becoming law.

SECTION 22. The sum of \$16,276,673 in nonrecurring funds from the General Revenue Fund is appropriated for Fiscal Year 2015-2016 to the Agency for Health Care Administration to cover deficits in the Medicaid Program. This section shall take effect upon becoming law.

SECTION 23. The sum of \$410,555 in nonrecurring funds from the General Revenue Fund is appropriated for Fiscal Year 2015-2016 to the Agency for Health Care Administration to cover deficits in the Florida KidCare Program. This section shall take effect upon becoming law.

SECTION 24. In the event the Federal Centers for Medicaid and Medicare Services reduces the federal matching percentage related to the Preadmission Screening and Resident Review (PASRR) activities within the Department of Elder Affairs, the Agency for Health Care Administration shall transfer sufficient funds from the Grants and Donations Trust Fund to fund the budget need within the Department of Elder Affairs.

SECTION 25. The unexpended balance of funds provided in Specific Appropriation 187A of chapter 2015-232, Laws of Florida, to the Agency for Health Care Administration for Primary Care Grants are reverted and appropriated for the same purpose for Fiscal Year 2016-2017.

SECTION 26. From the funds appropriated in Specific Appropriation 213 of chapter 2015-232, Laws of Florida, to the Agency for Health Care Administration, \$1,400,000 from the Tobacco Settlement Trust Fund shall revert immediately. This section shall take effect upon becoming law.

SECTION 27. The sum of \$1,400,000 in nonrecurring funds from the General Revenue Fund is appropriated for Fiscal Year 2015-2016 to the Agency for Health Care Administration to cover deficits in the Medicaid Program. This section shall take effect upon becoming law.

SECTION 28. Funds provided in Specific Appropriation 200 of chapter 2015-232, Laws of Florida, shall be allocated in the order presented in the proviso, and in accordance with section 409.909, Florida Statutes. The sum of \$1,600,000 provided for internal medicine, shall be proportionally allocated for internal medicine residency positions in hospitals with greater than twenty-five percent Medicaid and charity care as reported to the Agency for Health Care Administration on or before July 1, 2015 and only for residency positions newly approved July 2013 for internal medicine and filled in Fiscal Year 2014-2015 and Fiscal Year 2015-2016. This section shall take effect upon becoming law.

SECTION 29. The sum of \$3,649,549 from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 39 of chapter 2015-232, Laws of Florida, shall be released from the Lump Sum - Home and Community Based Services Waiver category and transferred to the Home and Community Based Services Waiver category for Fiscal Year 2015-2016. The nonrecurring sum of \$5,912,749 is appropriated to the

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the Agency for Persons with Disabilities from the Operations and Maintenance Trust Fund to the Home and Community Based Services Waiver category for Fiscal Year 2015-2016. The nonrecurring sum of \$9,562,298 from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration in the Home and Community Based Services Waiver category for Fiscal Year 2015-2016. These funds are provided to implement revised 1:1 ratio service rates effective April 1, 2016 due to the expansion of minimum wage requirements under the U.S. Department of Labor Fair Standards to Domestic Service Rule. This section shall take effect upon becoming law.

SECTION 30. The sum of \$14,395,136 from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 39 of chapter 2015-232, Laws of Florida, shall revert June 30, 2016.

SECTION 31. The sum of \$6,369,667 from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 39 of chapter 2015-232, Laws of Florida, shall revert and is appropriated for the Fiscal Year 2016-2017 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any requests for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver costs.

SECTION 32. The unexpended balance in Section 40 of chapter 2015-232, Laws of Florida, provided to the Agency for Persons with Disabilities for the Home and Community Based Services Waiver shall revert and is appropriated for Fiscal Year 2016-2017 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any requests for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Waiver costs.

SECTION 33. The unexpended balance of funds provided in Specific Appropriation 251 of chapter 2015-232, Laws of Florida, provided to the Agency for Persons with Disabilities for the Home and Community Based Services Waiver shall revert and is appropriated for Fiscal Year 2016-2017 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting the release of funds pursuant to chapter 216, Florida Statutes. Any request for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver costs.

SECTION 34. The unexpended balance in Section 41, chapter 2015-232, Laws of Florida, provided to the Agency for Persons with Disabilities for the Client Data Management System and Electronic Visit Verification system shall revert and is appropriated to the Agency for Persons with Disabilities for Fiscal Year 2016-2017 in the Home and Community Based Services Administration category for the same purpose and shall be placed in reserve. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a detailed operational work and spending plan.

SECTION 35. The unexpended balance of funds provided to the Department of Children and Families in Specific Appropriation 316 and Section 46, Chapter 2015-232, Laws of Florida, for motor vehicle insurance for children in foster care, shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Children and Families for the same purpose.

SECTION 36. The unexpended balance of funds appropriated to the Department of Children and Families in Specific Appropriation 377K of chapter 2015-232, Laws of Florida, for Central Receiving Facilities shall revert and is appropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 37. The unexpended balance of funds provided in Specific Appropriation 302A, chapter 2015-232, Laws of Florida, for the Substance Abuse and Mental Health Financial and Services Accountability Management System, shall revert and is appropriated for Fiscal Year 2016-2017 to

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the department for the same purpose.

SECTION 38. The nonrecurring sum of \$4,000,000 from the Welfare Transition Trust Fund is appropriated for Fiscal Year 2015-2016 in the Lump Sum - Shared Risk Fund for Community-Based Providers of Child Welfare Services Category. This section shall take effect upon becoming law.

SECTION 39. The sum of \$1,000,000 from the General Revenue Fund in Section 42, chapter 2015-232, Laws of Florida provided to the Department of Children and Families in the Lump Sum - Sexually Violent Predator category for operational costs shall revert immediately and is appropriated for Fiscal Year 2015-2016 for state mental health facilities deficits. This section shall take effect upon becoming law.

SECTION 40. From the funds appropriated in Specific Appropriation 377B of chapter 2015-232, Laws of Florida, the amount of \$42,163 shall revert immediately and is appropriated for Fiscal Year 2015-2016 to Hardee Help Center for the purchase of a van. This section shall take effect upon becoming law.

SECTION 41. The unexpended balance of funds appropriated to the Department of Children and Families in Specific Appropriation 319A of chapter 2015-232, Laws of Florida, for state employee adoption benefits shall revert and is appropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 42. The Department of Children and Families shall perform a reconciliation for each Community-Based Care Lead Agency of the funding provided in Specific Appropriation 323 and Section 45, chapter 2015-232, Laws of Florida, for maintenance adoption subsidies and the actual expenditures. Any surplus of funding shall, if necessary, be re-allocated to lead agencies that have a deficit, or revert June 30, 2016. This section shall take effect upon becoming law.

SECTION 43. The unexpended balance of funds provided in Specific Appropriation 361A of chapter 2015-232, Laws of Florida, and distributed to the Department of Children and Families to the Challenge Grant Program authorized by section 420.622(4), Florida Statutes, shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 44. The unexpended balance of funds from the General Revenue Fund provided to the Department of Children and Families in Specific Appropriation 377L of chapter 2015-232, Laws of Florida, to contract with a nonprofit organization for the distribution and associated medical costs of naltrexone extended-release injectable medication to treat alcohol and opioid dependency shall revert and is appropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 45. The sum of \$500,000 of unexpended funds provided in Section 48, chapter 2015-232, Laws of Florida, provided to the Department of Elder Affairs for the United Home Care Assisted Living Facility - Miami Dade, shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 46. The unexpended balance of funds provided to the Department of Health for the Ed and Ethel Moore Alzheimer's Disease Research Program in Specific Appropriation 454B and Section 50, chapter 2015-232, Laws of Florida, shall revert and is appropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 47. The unexpended balance of funds from the General Revenue Fund provided to the Department of Health for the James and Esther King Biomedical Research Program in Section 53 of chapter 2015-232, Laws of Florida, shall revert and is appropriated to Specific Appropriation 468 for Fiscal Year 2016-2017 for the same purpose.

SECTION 48. The unexpended balance of funds from the General Revenue Fund provided to the Department of Health for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program in Section 54 of chapter 2015-232, Laws of Florida, shall revert and is appropriated to Specific Appropriation 468 for Fiscal Year 2016-2017 for the same purpose.

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SECTION 49. The unexpended balance of funds from the General Revenue Fund in Section 56, chapter 2015-232, Laws of Florida, provided to the Department of Veterans' Affairs for Entrepreneur Training shall revert and is appropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 50. The unexpended balance of funds from the General Revenue Fund in Section 57, chapter 2015-232, Laws of Florida, provided to the Department of Veterans' Affairs for Work Force Training Grants shall revert and is appropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 51. The unexpended balance of funds appropriated to the Department of Corrections in Specific Appropriation 703 of chapter 2015-232, Laws of Florida, for implementation of an automated time and attendance system for all prison facilities statewide shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 52. The unexpended balance of \$375,000 in general revenue funds appropriated to the Public Defenders in Section 61 of chapter 2015-232, Laws of Florida, for the development of a uniform statewide public defender caseload management network shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 53. The sum of \$4,500,000 from nonrecurring general revenue funds is hereby appropriated to the Justice Administrative Commission for Fiscal Year 2015-2016 to address the Commission's projected current year due process payment deficits. This section is effective upon becoming law.

SECTION 54. The sum of \$900,000 from nonrecurring general revenue funds is hereby appropriated to the Criminal Conflict and Civil Regional Counsels for Fiscal Year 2015-2016 to address the Counsels' operational deficits. This section is effective upon becoming law.

SECTION 55. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 1258 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2016-2017 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 56. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 1984C of chapter 2015-232, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG #B2016-0014, is hereby reverted and reappropriated for Fiscal Year 2016-2017 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 57. The sum of \$2,665,733 from the Operating Trust Fund provided to the Florida Department of Law Enforcement in Specific Appropriation 1280 of chapter 2015-232, Laws of Florida, for the replacement of the Computerized Criminal History System (CCH) in the Qualified Expenditure Category, shall revert and is reappropriated to the Florida Department of Law Enforcement for Fiscal Year 2016-2017 for the same purpose.

SECTION 58. The unexpended balance of funds appropriated to the state court in Specific Appropriation 3169 of chapter 2015-232, Laws of Florida, for the funding of naltrexone extended-release injectable medication shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 59. From the funds appropriated in Specific Appropriation 3162 of chapter 2015-232, Laws of Florida, to the State Court System, \$6,000,000 from the State Court Revenue Trust Fund shall revert immediately. This section shall take effect upon becoming law.

SECTION 60. There is hereby appropriated for Fiscal Year 2015-2016, \$6,000,000 in nonrecurring funds from the General Revenue Fund to the State Court System for operating expenditures. This section shall take effect upon becoming law.

SECTION 61. The unexpended balance of funds appropriated to the state

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courts in Specific Appropriation 3151 of chapter 2015-232, Laws of Florida, for the compensation of retired judges shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 62. Effective upon becoming law, the Chief Financial Officer is hereby authorized to transfer, using nonoperating authority, the nonrecurring sum of \$12,900,000 from the General Revenue Fund to the Clerks of the Court Trust Fund in the Department of Revenue to address the Clerks of the Courts' projected budget deficits for court-related functions in County Fiscal Year 2015-2016.

SECTION 63. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for storm damages associated with Tropical Storm Debby pursuant to budget amendment EOG #B2013-0213, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2016-0005, shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 64. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for domestic security issues in Specific Appropriation 1979A of chapter 2014-51, Laws of Florida, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2016-0005, shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 65. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services from the Agricultural Emergency Eradication Trust Fund for oyster planting activities in Specific Appropriation 1490 of chapter 2014-51, Laws of Florida, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2016-0005, shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 66. The unexpended balance of funds from the General Revenue Fund provided to Department of Business and Professional Regulation in Specific Appropriation 1991 of chapter 2015-232, Laws of Florida, for the payment of legal services shall revert and is appropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 67. The unexpended balance of funds provided to the Department of Business and Professional Regulation in Specific Appropriation 2005A of chapter 2015-232, Laws of Florida, for the implementation of the Florida Business Information Portal shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose. The department is authorized to procure contracted services as needed to assist in the implementation of the Florida Business Information Portal.

SECTION 68. The unexpended balance of funds in the Coastal Protection Trust Fund provided to the Department of Environmental Protection in Section 75, chapter 2015-232, Laws of Florida, by BP for Natural Resource Damage Assessment shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Environmental Protection for the same purpose.

SECTION 69. The sum of \$1,861,540 provided to the Department of Environmental Protection in Specific Appropriation 1645 of chapter 2014-51, Laws of Florida, for Springs Restoration shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Environmental Protection for Springs Restoration projects. Funds may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs.

SECTION 70. The unexpended balance of funds provided to the Department of Environmental Protection for the East Pass Inlet Management Plan in Specific Appropriation 1653 of chapter 2014-51, Laws of Florida, shall revert and is appropriated for Fiscal Year 2015-2016 to the Department of Environmental Protection to manage the project in coordination with the department's management of the Norriego Point Restoration and Recreation Natural Resource Damages Assessment project. This section is effective upon becoming law.

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SECTION 71. The unexpended balance of funds provided to the Department of Environmental Protection to be transferred to the Southwest Florida Water Management District in chapter 2014-151, Laws of Florida, shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Environmental Protection to be transferred to the Southwest Florida Water Management District for the Heritage Lake Estates Conservation Easement in Pasco County for flood protection. These funds are in addition to the funds provided in Specific Appropriation 1589A.

SECTION 72. The sum of \$4,517,821 is appropriated from the Internal Improvement Trust Fund to the Department of Environmental Protection for the 2015-2016 fiscal year for continued legal representation in the Florida vs. Georgia case before the United States Supreme Court. This section is effective upon becoming law.

SECTION 73. The sum of \$9,783,656 from the Federal Grants Trust Fund within the Department of Environmental Protection shall be transferred using nonoperating budget authority pursuant to section 216.181(12), Florida Statutes, to the Federal Grants Trust Fund within the Department of Agriculture and Consumer Services for the approved Gulf Coast Ecosystem Restoration Council projects in the state of Florida.

SECTION 74. The sum of \$515,776 from the funds released to the Department of Financial Services in Specific Appropriation 2331A of chapter 2015-232, Laws of Florida, for the Pre-Design, Development, and Implementation phase of the replacement of the Florida Accounting Information Resource (FLAIR) Subsystem and Cash Management Subsystem (CMS) is hereby reverted. This section is effective upon becoming law.

SECTION 75. The sum of \$9,915,800 from the State Personnel System Trust Fund in Specific Appropriation 2826 of chapter 2015-232, Laws of Florida, for the transition to a new human resource system provider is hereby reverted. This section is effective upon becoming law.

SECTION 76. The unexpended balance of funds from the Supervision Trust Fund provided to the Department of Management Services in Section 87 of chapter 2015-232, Laws of Florida, shall revert and is appropriated for Fiscal Year 2016-2017 in the Facilities Management Information System category.

SECTION 77. The unexpended balance of funds from the Communications Working Capital Trust Fund provided to the Department of Management Services in Specific Appropriation 2841 of chapter 2015-232, Laws of Florida, for staff augmentation services to transition to a new contract for the SUNCOM Network shall revert and is appropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 78. From the funds appropriated in Specific Appropriations 3021 and 3022 of chapter 2015-232, Laws of Florida, to the Department of Revenue for Fiscally Constrained Counties, \$3,216,911 from the General Revenue Fund shall revert immediately. This section is effective upon becoming law.

SECTION 79. The Department of Economic Opportunity is hereby authorized to transfer, using nonoperating budget authority, \$4,000,000 from the Special Employment Security Administration Trust Fund to the Employment Security Administration Trust Fund in Fiscal Year 2016-2017.

SECTION 80. The unexpended balance of funds provided to the Department of Economic Opportunity for the State Small Business Credit Initiative in section 101 of chapter 2015-232, Laws of Florida, including the unreleased balance of funds held in reserve, shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 81. The unexpended balance of funds provided to the Florida Housing Finance Corporation pursuant to EOG #B2013-0367 for a fee-for-service basis to HUD certified housing counseling agencies throughout the state to provide foreclosure counseling services for homeowners at risk of losing their homes to foreclosure shall continue to be used for that purpose and post-loan modification counseling, counseling after foreclosure has occurred, financial literacy, pre-purchase counseling services for homeowners, location-specific housing counseling activities, and marketing outreach to distressed homeowners in Florida who may benefit from foreclosure counseling. This

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section is effective upon becoming law.

SECTION 82. The unobligated funds in the Florida Housing Finance Corporation Guarantee Fund Program shall be used by the Florida Housing Finance Corporation for the State Apartment Incentive Loan Program. This section is effective upon becoming law.

SECTION 83. The unexpended balance of funds in Specific Appropriation 2634 of chapter 2015-232, Laws of Florida, provided to the Department of Highway Safety and Motor Vehicles for renovations of a state owned facility located on Hillsborough Avenue in Tampa, Florida shall revert immediately. This section is effective upon becoming law.

SECTION 84. The unexpended balance of funds provided to the Department of Highway Safety and Motor Vehicles for the First Net State and Local Implementation Grants in section 95 of chapter 2015-232, Laws of Florida, is reverted and reappropriated to the department for Fiscal Year 2016-2017 for the same purpose. In the event the Governor appoints a new state point of contact who is not an employee of the department, the department is authorized to transfer the remaining balance of such funds to the state agency employing the new state point of contact, subject to the notice and objection procedures of section 216.177, Florida Statutes. This section is effective upon becoming law.

SECTION 85. Funds provided in Specific Appropriation 2593 of chapter 2015-232, Laws of Florida, may be used pursuant to section 321.04, Florida Statutes. This section is effective upon becoming law.

SECTION 86. The unexpended balance of funds provided to the Department of State from the Federal Grants Trust Fund for the implementation of the Online Voter Registration System in Section 3 of chapter 2015-36, Laws of Florida, is reverted and reappropriated to the department for Fiscal Year 2016-2017 for the same purpose.

SECTION 87. The nonrecurring sum of \$95,000 is appropriated from the General Revenue Fund to the Department of State for Fiscal Year 2015-2016 for a library grant to the Sarasota County Libraries. This section is effective upon becoming law.

SECTION 88. From the funds appropriated to the Department of Transportation in chapter 2012-118, Laws of Florida, for the Central Polk Parkway, the department shall use these funds to complete all outstanding contracts for the initial 30 percent design (Phase 32), and these funds shall not be used for any other purpose. This section is effective upon becoming law.

SECTION 89. The sums of \$5,479,579 from the General Revenue Fund and \$4,449,079 from trust funds in Specific Appropriation 1984 of chapter 2015-232, Laws of Florida, for the transition to a new human resource system provider are hereby reverted. This section is effective upon becoming law.

SECTION 90. The nonrecurring sums of \$8,121,059 in trust fund authority and \$25,000 from the General Revenue Fund are appropriated to Administered Funds for Fiscal Year 2015-2016 in Lump Sum - Northwood Centre Relocation appropriation category. The funds are provided for expenditures associated with relocating state agencies and departments at the Northwood Centre in Tallahassee, Florida. The Executive Office of the Governor may allocate the funds to the Department of Business and Professional Regulation, the Department of Children and Families, the Department of Economic Opportunity, the Department of Management Services, the Department of State and the Agency for State Technology. The Agency for State Technology may only acquire hardware and software that is necessary to complete the relocation; no hardware or software may be acquired to enhance or upgrade the services currently provided by the State Data Center. This section is effective upon becoming law.

SECTION 91. The unexpended balance of funds provided to the Executive Office of the Governor, Division of Emergency Management, for domestic security projects in Specific Appropriation 1984C of chapter 2015-232, Laws of Florida, subsequently distributed through budget amendment EOG # 2016-B0014, and the unexpended balance of funds provided for Fiscal Year 2015-2016 to the Executive Office of the Governor, Division of Emergency Management, pursuant to section 92 of chapter 2015-232, Laws of Florida,

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are reverted and reappropriated for Fiscal Year 2016-2017 to the division for the same purpose.

SECTION 92. The unexpended balance of funds provided to the Executive Office of the Governor, Division of Emergency Management for the federal Emergency Management Performance Grant for Fiscal Year 2015-2016 in Specific Appropriations 2555 and 2564 of chapter 2015-232, Laws of Florida, and the unexpended balance of funds provided for Fiscal Year 2015-2016 in section 93 of chapter 2015-232, Laws of Florida, are reverted and reappropriated for Fiscal Year 2016-2017 to the division for the same purpose.

SECTION 93. The unexpended balance of funds provided to the Executive Office of the Governor, Division of Emergency Management for the State and Local Implementation Grant for Fiscal Year 2015-2016 in section 94 of chapter 2015-232, Laws of Florida, is reverted and reappropriated for Fiscal Year 2016-2017 to the division for the same purpose.

SECTION 94. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-B0339 as submitted on February 15, 2016, by the Governor on behalf of the Agency for Health Care Administration for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 95. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-B0354 as submitted on February 15, 2016, by the Governor on behalf of the Agency for Health Care Administration for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 96. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0294 as submitted on February 15, 2016, by the Governor on behalf of the Agency for Persons with Disabilities for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section shall take effect upon becoming law.

SECTION 97. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0258 as submitted by the Governor on February 17, 2016, on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 98. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0297 as submitted on February 15, 2016, by the Governor on behalf of the Department of Children and Families for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section shall take effect upon becoming law.

SECTION 99. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0343 as submitted on February 15, 2016, by the Governor on behalf of the Department of Children and Families for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section shall take effect upon becoming law.

SECTION 100. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0346 as submitted on January 26, 2016, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

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SECTION 101. The Legislature hereby adopts by reference the changes to the approved fixed capital outlay budget as set forth in Budget Amendment EOG #B2016-0374 submitted February 25, 2016, by the Governor on behalf of the Department of Environmental Protection for approval by the Legislative Budget Commission. The Governor shall modify the approved fixed capital outlay budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 102. The Legislature hereby adopts by reference the changes to the approved budget as set forth in Budget Amendment EOG #B2016-0319 as submitted by the Governor on February 15, 2016, on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section shall take effect upon becoming law.

SECTION 103. The Legislature hereby adopts by reference the changes to the approved budget as set forth in Budget Amendment EOG #B2016-0311 as submitted by the Governor on February 15, 2016, on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section shall take effect upon becoming law.

SECTION 104. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0345 as submitted on January 26, 2016, by the Governor on behalf of the Justice Administrative Commission for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 105. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2016-0338 as submitted on January 26, 2016, by the Governor on behalf of the Florida Department of Law Enforcement for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 106. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, \$307,884,713 from unobligated cash balance amounts specified from the following trust funds shall be transferred to the General Revenue Fund for Fiscal Year 2016-2017:

AGENCY FOR HEALTH CARE ADMINISTRATION	
Grants and Donations Trust Fund.....	32,500,000
Medical Care Trust Fund.....	10,000,000
Health Care Trust Fund.....	5,000,000
FLORIDA DEPARTMENT OF VETERANS AFFAIRS	
Federal Grants Trust Fund.....	1,400,000
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Division of Florida Condominiums, Timeshares and Mobile	
Homes Trust Fund.....	3,000,000
Professional Regulation Trust Fund.....	2,000,000
Hotel and Restaurant Trust Fund.....	1,000,000
DEPARTMENT OF ECONOMIC OPPORTUNITY	
Local Government Housing Trust Fund.....	86,500,000
State Housing Trust Fund.....	30,414,438
State Economic Enhancement and Development Trust Fund....	55,000,000
DEPARTMENT OF EDUCATION	
Institutional Assessment Trust Fund.....	3,000,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Air Pollution Control Trust Fund.....	5,000,000
Inland Protection Trust Fund.....	45,000,000
Permit Fee Trust Fund.....	1,000,000
Solid Waste Management Trust Fund.....	2,000,000
Water Quality Assurance Trust Fund.....	70,275
DEPARTMENT OF FINANCIAL SERVICES	
Insurance Regulatory Trust Fund.....	10,000,000
Regulatory Trust Fund/Office of Financial Regulation.....	5,000,000
DEPARTMENT OF MANAGEMENT SERVICES	
Operating Trust Fund - Purchasing.....	4,000,000

SECTION 106
SPECIFIC
APPROPRIATION
FISH AND WILDLIFE CONSERVATION COMMISSION

Invasive Plant Control Trust Fund.....	4,000,000
Non-game Wildlife Trust Fund.....	2,000,000

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year, except for funds from the Local Government Housing Trust Fund and the State Housing Trust Fund, which shall transfer fifty percent by March 1, 2017, and fifty percent by June 30, 2017.

This section shall take effect upon becoming law.

SECTION 107. The Chief Financial Officer is hereby authorized to transfer \$30,700,000 from the General Revenue Fund to the Budget Stabilization Fund for Fiscal Year 2016-2017, as required by s.19(g) Article III of the Constitution of the State of Florida.

SECTION 108. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 109. Except as otherwise provided herein, this act shall take effect July 1, 2016, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2016, then it shall operate retroactively to July 1, 2016.

TOTAL THIS GENERAL APPROPRIATION ACT

FROM GENERAL REVENUE FUND	30,281,503,087
FROM TRUST FUNDS	52,067,387,405
TOTAL POSITIONS	113,416.32
TOTAL ALL FUNDS	82,348,890,492
TOTAL APPROVED SALARY RATE	4,988,271,837

On motion by Senator Lee, the Conference Committee Report on **HB 5001** was adopted. **HB 5001** passed, as amended by the Conference Committee Report, and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, and **HB 5101** which come before the Senate for a vote on March 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

By direction of the President, the following Conference Committee Report was read:

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5003, as amended by the Conference Committee Report.

Bob Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5003

The Honorable Steve Crisafulli
Speaker, House of Representatives

March 10, 2016

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act relating to Implementing the 2016-2017 General Appropriations Act.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1 (951174).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

- | | |
|-------------------------------------|--|
| <i>s/ Richard Corcoran, Chair</i> | <i>s/ Jim Boyd, Vice Chair</i> |
| <i>s/ Janet H. Adkins, At Large</i> | <i>s/ Larry Ahern</i> |
| <i>s/ Ben Albritton, At Large</i> | <i>s/ Bruce Antone</i> |
| <i>s/ Frank Ariles</i> | <i>s/ Dennis K. Baxley, At Large</i> |
| <i>s/ Jason T. Brodeur</i> | <i>s/ Doug Broxson</i> |
| <i>s/ Colleen Burton</i> | <i>s/ Matthew H. "Matt" Caldwell</i> |
| <i>s/ Daphne D. Campbell</i> | <i>s/ Gwyndolen "Gwyn" Clarke-Reed</i> |
| <i>s/ Neil Combee</i> | <i>s/ Robert "Bob" Cortes</i> |
| <i>s/ John Cortes</i> | <i>s/ Fredrick W. "Fred" Costello</i> |
| <i>s/ Janet Cruz, At Large</i> | <i>s/ W. Travis Cummings</i> |
| <i>s/ Jose Felix Diaz, At Large</i> | <i>s/ Brad Drake</i> |
| <i>s/ Dwight Dudley</i> | <i>s/ Heather Fitzenhagen</i> |
| <i>s/ Erik Fresen</i> | <i>Reggie Fullwood</i> |
| <i>s/ Matt Gaetz, At Large</i> | <i>s/ Julio Gonzalez</i> |
| <i>s/ Tom Goodson</i> | <i>s/ James W. "J.W." Grant</i> |
| <i>s/ Gayle B. Harrell</i> | <i>s/ Walter Bryan "Mike" Hill</i> |
| <i>s/ Matt Hudson</i> | <i>s/ Clay Ingram</i> |
| <i>s/ Kristin Jacobs</i> | <i>s/ Mia L. Jones, At Large</i> |
| <i>s/ Shevrin D. "Shev" Jones</i> | <i>s/ Dave Kerner</i> |
| <i>s/ Mike LaRosa</i> | <i>s/ Chris Latvala</i> |
| <i>s/ Larry Lee, Jr.</i> | <i>s/ MaryLynn "ML" Magar</i> |
| <i>s/ Debbie Mayfield</i> | <i>s/ Larry Metz</i> |
| <i>s/ Mike Miller</i> | <i>s/ George R. Moraitis, Jr.</i> |
| <i>s/ Amanda Murphy</i> | <i>At Large</i> |
| <i>s/ Ed Narain</i> | <i>s/ Jeanette M. Nunez</i> |
| <i>s/ Jose R. Oliiva, At Large</i> | <i>s/ H. Marlene O'Toole, At Large</i> |
| <i>s/ Mark S. Pafford, At Large</i> | <i>s/ Kathleen C. Passidomo</i> |
| <i>s/ W. Keith Perry</i> | <i>s/ Kathleen M. Peters</i> |
| <i>s/ Cary Pigman</i> | <i>s/ Ray Pilon</i> |
| <i>s/ Bobby Powell</i> | <i>s/ Jake Raburn</i> |
| <i>s/ Holly Raschein, At Large</i> | <i>s/ Daniel D. "Dan" Raulerson</i> |
| <i>s/ Lake Ray</i> | <i>s/ Paul Renner</i> |
| <i>s/ David Richardson</i> | <i>s/ Ray Wesley Rodrigues</i> |
| <i>At Large</i> | <i>s/ Hazelle P. "Hazel" Rogers</i> |
| <i>s/ Darryl Ervin Rouson</i> | <i>s/ Irving "Irv" Slosberg</i> |
| <i>s/ Jimmie T. Smith</i> | <i>s/ Ross Spano</i> |

Cynthia A. Stafford
 At Large
s/ Charlie Stone
s/ Victor Manuel "Vic" Torres, Jr.
s/ Barbara Watson
s/ John Wood, At Large
s/ Dana D. Young, At Large

s/ Richard Stark
s/ Cyndi Stevenson
s/ Dwayne L. Taylor
s/ Carlos Trujillo, At Large
s/ Alan B. Williams, At Large
s/ Ritch Workman, At Large

Managers on the part of the House

s/ Tom Lee, Chair
s/ Thad Altman
s/ Aaron Bean
s/ Jeff Brandes
s/ Dwight Bullard
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Anitere Flores, At Large
s/ Bill Galvano, At Large
s/ Audrey Gibson
s/ Alan Hays
s/ Travis Hutson
s/ Jack Latvala
s/ Gwen Margolis, At Large
s/ Joe Negron
s/ Maria Lorts Sachs
s/ Wilton Simpson
s/ Eleanor Sobel
s/ Kelli Stargel

s/ Lizbeth Benacquisto
 Vice Chair
s/ Rob Bradley
s/ Oscar Braynon II
s/ Jeff Clemens
s/ Nancy C. Detert
s/ Greg Evers
s/ Don Gaetz
s/ Rene Garcia
s/ Denise Grimsley, At Large
s/ Dorothy L. Hukill
s/ Arthenia L. Joyner, At Large
s/ John Legg
s/ Bill Montford
s/ Garrett Richter, At Large
s/ David Simmons, At Large
s/ Christopher L. Smith, At Large
s/ Darren Soto
s/ Geraldine F. "Geri" Thompson

Conferees on the part of the Senate

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5003, relating to implementing appropriations, provides the following substantive modifications for the 2016-2017 fiscal year:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2016-2017.

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 94.

Section 4 provides that any district school board that generates less than \$2 million dollars in revenue from one mill of ad valorem tax shall contribute 0.75 mill, rather than 1.5 mills, for Fiscal Year 2016-2017, to the cost of funded special facilities projects.

Sections 5 and 36 require the auditor general to conduct annual financial audits of the Florida School for the Deaf and the Blind.

Section 6 reauthorizes the Florida College System (FCS) Performance Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the FCS institutions' performance on specified metrics. Funding for the FCS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from the Florida College System Program Fund.

Section 7 establishes the Distinguished Florida College System program which recognizes the highest performing Florida Colleges.

Sections 8 and 36 amend the preeminent state research universities program by modifying the academic and research excellence standards and requiring the Board of Governors (BOG) to designate each state university that meets at least six of the 12 academic and research excellence standards as an "emerging preeminent state research university."

Section 9 reauthorizes the State University System (SUS) Performance-Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the state universities' performance on specified metrics. Funding for the SUS Performance Based Incentive consists of a state

investment, plus an institutional investment consisting of funds redistributed from SUS base funding.

Sections 10 and 11 amend s. 1008.46, F.S., to change the date for the Board of Governors annual accountability report from December 31 to March 15.

Sections 12 and 36 amend s. 1009.23, F.S., to cap the distance learning fee that Florida colleges can charge students taking distance learning courses to \$15 per credit hour.

Sections 13 and 36 amend s. 1009.24, F.S., to cap the average distance learning fee that state universities can charge students taking distance learning courses to \$30 per credit hour.

Sections 14, 15, 16, 17, and 36 amend ss. 1009.50, 1009.505, 1009.51, and 1009.52, Florida Statutes, to maximize the current allocation of state need-based financial aid by adding a prioritization of award to eligible students. Postsecondary financial aid offices are required to complete an analysis of need for each eligible student to include all sources of funds available to the student (Pell Grant, scholarships, and all other aid).

Sections 18, 19, 20, 21, 22, 23, and 36 provide changes, for the 2016-2017 fiscal year, to the calculation of multiple components of the Florida Education Finance Program (FEFP), including:

- Authorizing a recalculation of the ESE Guaranteed Allocation based on actual FTE as reported on the October FTE survey.
- Providing funding for the 300 lowest performing elementary schools through funds allocated in the Supplemental Academic Instruction (SAI) and the Research-Based Reading Instruction Allocation categoricals and amends the SAI calculation.
- Modifying the sparsity supplement calculation to compute the sparsity supplement for larger eligible districts with a full-time equivalent (FTE) student membership of between 20,000 and 24,000, by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.
- Amending the Florida Digital Classrooms Allocation to provide each district with a \$500,000 minimum and requiring school districts to use the digital classroom allocation to purchase enough devices to achieve a 1:1 device ratio in the largest grade group for each school in grades 3-10.
- Reauthorizing the federally connected student supplement to provide funding to school districts to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must also be eligible for federal impact aid funds, pursuant to Title VIII of the Elementary and Secondary Education Act of 1965.
- Removing the requirement for an adjustment to be made to a district's funding in the FEFP based on an FTE reporting error that is not corrected by the district within the FTE reporting amendment periods.
- Conforming a cross-reference in s.1011.71, F.S., changed as a result of the addition of the federally connected student supplement as a new subsection of law in s.1011.62, F.S.

Sections 24 and 36 amend s. 1012.39, F.S., to require district school boards to notify a student performing a clinical field experience of the availability of educator liability insurance under s. 1012.75, Florida Statutes, and prohibits a postsecondary educational institution or district school board from requiring a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience.

Section 25 creates s. 1012.731, F.S., to codify the Florida Best and Brightest Teacher Scholarship Program which awards highly effective teachers who have demonstrated a high level of academic achievement based on their SAT or ACT score being at or above the 80th percentile.

Section 26 requires the Department of Education to administer an educator liability insurance program, which provides a minimum of \$2 million in liability coverage for all full-time public school instructional personnel.

Sections 27 and 36 amend s. 1013.64, F.S., to adjust the capital outlay full-time equivalent (COFTE) calculations to be consistent with Florida Education Finance Program (FEFP) FTE calculations relative to facilities space needs and COFTE determination procedures.

Sections 28 and 29 extend the Adults with Disabilities Pilot Program through July 1, 2017.

Sections 30 and 36 extend the date by which Florida Polytechnic University must meet statutory deadlines by one year.

Section 31 establishes the Florida Center for the Partnerships for Arts Integrated Teaching (PAInT) within the University of South Florida Sarasota-Manatee and specifies goals such as research on policies and practices related to arts integrated teaching, partnerships, and dissemination of information.

Section 32 authorizes the Florida Fund for Minority Teachers, Inc., to expend up to \$250,000 from available funds for administration, including administration of the required training program and purchase of an online management and administration system.

Sections 33 and 36 authorizes Florida ABLE, Inc., to:

- Postpone the implementation date of the Florida ABLE program until December 31, 2016, if necessary, due to:
 - o Final regulations being issued by the United States Secretary of the Treasury, or
 - o Determination that an equivalent alternative to implementation of a qualified ABLE program in Florida becomes available through contracting with another state at a significant savings to the State.
- Determine whether or not to require residency as a condition of participation based on market research and estimated operating revenues and costs.

Section 34 directs the Office of Early Learning not to adopt a kindergarten readiness rate for the 2014-2015 or 2015-2016 academic year and specifies that any Voluntary Prekindergarten (VPK) Education provider on probation in 2013-2014 will remain on probation.

Sections 35, 36, and 23 extend for an additional year the authority for school districts to levy the Prior Period Funding Adjustment Millage (PPFAM) before the final taxable value is certified with technical clarifications to ensure that the PPFAM is not levied multiple times for the same year.

Section 36 provides for the expiration of changes to statutes in the Implementing Bill.

Section 37 provides that the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated March 8, 2016, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs.

Sections 38 and 39 amend s. 393.063, F.S., to add Down syndrome and Phelan-McDermid syndrome to the definition of "Developmental disability" and provides a definition of Phelan-McDermid syndrome.

Sections 40 and 41 amend s. 393.065, F.S., to provide parameters to the Agency for Persons with Disabilities for removing clients from the wait list for home and community-based waiver services and provides client prioritization for that process.

Section 42 provides requirements to the Agency for Persons with Disabilities for setting iBudget amounts for clients receiving home and community-based waiver services. Provides parameters under which a client's iBudget amount may be increased.

Sections 43 and 44 provide that, in the event HB 1083 or similar legislation fails to become law during the 2016 Legislative Session, and notwithstanding the expiration date in s. 24 of ch. 2015-222, L.O.F., subsection (15) of s. 393.067, F.S., is reenacted.

Sections 45 and 46 provide that, in the event HB 1083 or similar legislation fails to become law during the 2016 Legislative Session, and notwithstanding the expiration date in s. 26 of ch. 2015-222, L.O.F., subsection (4) of s. 393.18, F.S., is reenacted, and subsections (5) and (6) of that section are amended.

Section 47 amends s. 296.37(3), F.S., for the 2016-2017 fiscal year, to maintain the personal needs allowance for residents of state veterans' nursing homes at \$105 per month. Otherwise, the amount would fall to \$35 per month on July 1, 2016.

Section 48 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between AHCA and DOH for the CMS Network for the implementation of Statewide Medicaid Managed Care, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

Section 49 provides that, notwithstanding s. 409.991, F.S., for the 2016-2017 fiscal year, funds provided for training purposes shall be allocated to community-based care lead agencies based on a training needs assessment conducted by the Department of Children and Families.

Section 50 provides that, in the event HB 1335 or similar legislation does not become law during the 2016 legislative session, the AHCA must ensure that nursing facility residents eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days.

Section 51 provides that, in the event HB 1335 or similar legislation does not become law during the 2016 legislative session, the AHCA and the Department of Elder Affairs (DOEA) must prioritize individuals for enrollment in the Long Term Care waiver using a frailty based screening instrument resulting in a prioritization score and shall enroll individuals in the Long Term Care waiver in accordance with the assigned priority score as funds are available. The AHCA may adopt rules, pursuant to s. 409.919, F.S., and enter into interagency agreements necessary to administer s. 409.979(3), F.S. Any rules or interagency agreements adopted by the AHCA relating to the scoring process may delegate to the DOEA, pursuant to 409.978, F.S., responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and responsibility for defending, as needed, the scores assigned to persons on the Long Term Care waiver waitlist in any resulting Medicaid fair hearings. The DOEA may delegate the provision of notice of Medicaid fair hearing rights to its contractors.

Section 52 amends s. 409.911, F.S., to provide that, notwithstanding the provisions of s. 409.911, F.S., for the 2016-2017 state fiscal year, the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 GAA.

Section 53 amends s. 409.9113, F.S., to provide that, notwithstanding the provisions of s. 409.9113, F.S., for the 2016-2017 state fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 GAA.

Section 54 amends s. 409.9119, F.S., to provide that, notwithstanding the provisions of s. 409.9119, F.S., for the 2016-2017 state fiscal year, for hospitals achieving full compliance under 409.9119(3), the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 GAA.

Section 55 amends s. 893.055(17), F.S., to provide that, for the 2016-2017 fiscal year only, the Department of Health may use state funds appropriated in the 2016-2017 General Appropriations Act to administer the prescription drug monitoring program. Also provides that neither the state attorney general nor the department may use funds received as part of a settlement agreement to administer the program.

Section 56 amends s. 216.262, F.S., to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue funds during the 2016-2017 fiscal year for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating

Conference forecasts. The additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population, and are subject to Legislative Budget Commission review and approval.

Section 57 authorizes the Department of Legal Affairs to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

Section 58 amends s. 932.7055, F.S., relating to the disbursement of proceeds from the sale of forfeited property, to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

Section 59 amends s. 215.18, F.S., to provide the Chief Justice the authority to request a trust fund loan.

Section 60 prohibits the DOC from transferring funds from salaries and benefits to any other appropriations category without the approval of the Legislative Budget Commission.

Section 61 authorizes the DOC to transfer funds from categories other than fixed capital outlay into the Inmate Health Services category subject to the notice, review, and objection procedures of s. 216.177, F.S.

Section 62 requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities and to report any deficiencies to the Department of Revenue. If the Department of Juvenile Justice determines that a county has not met its obligations, it must direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from shared revenue funds provided to the county under s. 218.23, F.S. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

Sections 63 and 64 amend s. 27.5304, F.S., to permit the Legislature to increase the statutory compensation limits for fees paid to court-appointed attorneys in two case categories: noncapital, nonlife felonies, and life felonies. These changes allow the Legislature to increase flat fees paid to attorneys in these categories in the General Appropriations Act.

Section 65 requires the Department of Management Services (DMS) to organize a work group to develop a sworn law enforcement career development plan for certain bargaining units represented by the Florida Police Benevolent Association (PBA).

Section 66 permits the Justice Administrative Commission to provide funds to compensate the clerks of court for juror compensation, juror lodging and meals, and jury-related personnel costs.

Section 67 prohibits the payment of reimbursement or application of credits to a nonfiscally constrained county for any previous overpayment of juvenile detention costs to offset detention share costs owed pursuant to s. 985.686, F.S., or any other law in Fiscal Year 2016-2017. The section is contingent upon CS/SB 1322 becoming law.

Section 68 requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2019.

Sections 69 and 70 reenact s. 624.502, F.S., to require that fees for service of process against the Department of Financial Services or Office of Insurance Regulation be deposited to the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund.

Sections 71 and 72 reenact s. 282.709, F.S., relating to the Joint Task Force on State Agency Law Enforcement Communications, by removing a representative from the Department of Transportation from the task force.

Section 73 provides that the online procurement system transaction fee authorized in ss. 287.042(1)(h)1 and 287.057(22)(c), F.S., will remain at 0.7 percent for the 2016-2017 fiscal year only.

Section 74 provides that the EOG is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the General Appropriations Act between agencies, in order to align the budget authority granted with the utilization rate of each department.

Section 75 notwithstanding s. 216.292(2)(a), F.S., which authorizes agency budget transfers of up to 5 percent of approved budget between categories. Except for transfers approved pursuant to sections 74 of the Implementing Bill, agencies are prohibited from transferring funds from a data center appropriation category to a category other than a data center appropriation category.

Section 76 provides that the EOG is authorized to transfer funds appropriated in the appropriations category "expenses" between agencies in order to allocate a reduction relating to SUNCOM Services.

Section 77 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Risk Management Insurance" between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 78 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Transfer to DMS-Human Resources Services Purchased Per Statewide Contract" of the 2016-2017 General Appropriations Act between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 79 defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee (ESC) membership and the process for ESC meetings and decisions.

Section 80 authorizes the EOG to transfer funds between appropriation categories, with 14 days' notice, for the relocation of state agencies located in the Northwood Centre by July 1, 2016, notwithstanding s. 216.292(2), (3), and (4), F.S.

Section 81 notwithstanding s. 161.143, F.S., relating to beach inlet projects. This provision requires the Department of Environmental Protection (DEP) to make available at least 10 percent of the total amount appropriated for each fiscal year for statewide beach management for the three highest-ranked projects on the current year's inlet management project list. For the 2016-2017 fiscal year, the amount allocated for inlet management funding is provided in the GAA.

Section 82 amends s. 259.105, F.S., related to the distribution of proceeds in the Florida Forever Trust Fund, to provide: \$15,156,206 to only the Division of State Lands within the DEP for the Board of Trustees Florida Forever Priority List land acquisition projects; \$35 million to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71, F.S.; and \$10 million to the Florida Communities Trust for projects acquiring conservation or recreation lands benefiting individuals with unique abilities. This section authorizes the DEP to waive the local government match requirements for projects acquiring conservation and recreational lands for individuals with unique abilities. If funds provided to acquire conservation and recreational lands to enhance recreation opportunities for individuals with unique abilities have not been awarded by May 1, 2017, funds may be awarded to redevelop or renew outdoor recreational facilities on public land.

Section 83 requires that a minimum of \$3 million of the Fiscal Year 2016-2017 funding for the Florida Development Assistance Program (FRDAP) be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities and that the DEP establish a separate application process for such projects. A definition for these projects is provided.

Section 84 expands the powers of the Florida Communities Trust to include the authority necessary to undertake, coordinate, and fund projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities and provides a definition for these projects.

Section 85 amends s. 216.181(11)(d), F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the DEP for fixed capital outlay projects. The increase in fixed capital outlay budget authority is authorized for funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation, the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act), or from British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Any continuing commitment for future appropriations by the Legislature must be specifically identified.

Sections 86 and 87 eliminate certain revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund within the DEP which are used to determine the excise tax rates that supports the expenditures within the trust fund.

Section 88 establishes a solid waste management closure account within the Solid Waste Management Trust Fund within the DEP, to provide funding for the closing and long-term care of solid waste management facilities. This section allows the DEP to use funds from the Solid Waste Management Trust Fund to pay for these activities, if other funding is insufficient or otherwise unavailable.

Section 89 amends s. 403.7095, F.S., to require the DEP to award \$3 million in grant funds, in Fiscal Year 2015-2016, equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program. Also, requires the DEP to award \$3 million in grant funds, in Fiscal Year 2016-2017, equally to counties having populations of fewer than 110,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program.

Section 90 amends s. 215.18(3), F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and exclusively in accordance with Art. X, s. 28 of the Florida Constitution. This transfer is a temporary loan and the funds must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

Section 91 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the DEP, the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year.

Sections 92 and 93 authorizes the transfer of interest earnings from the Inland Protection Trust Fund to the Water Quality Assurance Trust Fund within the DEP as authorized in the General Appropriations Act.

Section 94 excludes copayment requirements, reporting requirements, and funding cap limits for petroleum contamination sites cleaned up with non-traditional or innovative technologies that are approved by the DEP.

Section 95 reenacts s. 376.3071(4)(q), F.S., related to the Inland Protection Trust Fund, stating that the DEP may not seek recovery or reimbursement of funds from another agency for state-funded petroleum contamination site rehabilitation.

Section 96 requires the Department of Highway Safety and Motor Vehicles to continue to contract with Prison Rehabilitation Industries and Diversified Enterprises, Inc., (PRIDE) for manufacturing license plates, provided that the cost is the same as that paid by the department during fiscal year 2013-2014. This section requires PRIDE to seek bids for the reflectorized sheeting used on the license plates and return 70 percent of savings to the department.

Section 97 provides that, notwithstanding s. 339.2818(2)(b), F.S., the DOT may use appropriated funds to serve any county with a population of 170,000 or less through the Small County Outreach Program (SCOP) in the 5-year work program for the 2016-2017 fiscal year.

Section 98 amends s. 339.135(4)(i) and (5)(b), F.S., to require the Department of Transportation (DOT) to fund a statewide system of multi-use trails and related facilities. The section also provides that the funding appropriated may not impact any existing projects for multi-use trails and related facilities that are in the work program as of July 1, 2016.

This section also amends s. 339.135(4)(j) and (5)(c), F.S., to authorize the DOT to use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of projects costs for production-ready eligible projects. Preference must be given to projects that support the state's economic regions or have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), F.S., and that have an increased level of non-state match.

Sections 99 and 100 reenact s. 341.302(10), F.S., to authorize the DOT to approve and provide matching grant funding for railroad quiet zones for the 2016-2017 fiscal year.

Sections 101 and 102 amend s. 339.2816(3) and (4), F.S., to allow the DOT to use up to \$50 million from the State Transportation Trust Fund for the purposes of funding the Small County Road Assistance Program (SCRAP) in the 5-year work program and allows the use of SCRAP funds for the widening of existing lanes to address critical safety concerns as part of a resurfacing or reconstruction project for the 2016-2017 fiscal year.

Section 103 amends s. 420.9072, F.S., relating to the State Housing Initiatives Partnership (SHIP) Program, to provide exceptions to the limitations on using SHIP funds for rent subsidies and to allow counties and eligible municipalities to use up to 25 percent of available SHIP funds for rental housing.

Section 104 amends s. 420.5087, F.S., relating to the State Apartment Incentive Loan (SAIL) Program, to change requirements for reserving percentages of available SAIL funding for specified tenant groups to reflect the projected housing needs for those groups. Additionally, notwithstanding requirements that SAIL funds be used for housing for very-low income persons and specified percentages of the units in SAIL projects be reserved for persons or families of specified income levels, the Florida Housing Finance Corporation is directed to issue, during Fiscal Year 2016-2017, a notice of fund availability for \$20 million for loans to construct workforce housing to serve primarily low-income persons.

Section 105 amends s. 427.013, F.S., to authorize the Commission for the Transportation Disadvantaged to make distributions during Fiscal Year 2016-2017 to community transportation coordinators:

- That do not receive federal Urbanized Area Formula Funds to provide transportation disadvantaged services; and
- As competitive grants to support transportation projects to enhance access to specified activities, to assist in development of transportation systems in nonurbanized areas, to promote efficient coordination of services, to support inner-city bus transportation, and to encourage private transportation providers to participate.

Section 106 provides that, notwithstanding s. 216.292(2), (3), and (4), F.S., the Department of Highway Safety and Motor Vehicles may transfer up to \$6,563,775 between appropriation categories, to realign

funds based on the completion of a cost benefit analysis evaluating different options for hardware and software needed for the department.

Sections 107 and 108 amend s. 339.135(7)(g) and (h), F.S., by requiring Legislative Budget Commission (LBC) approval of any work program amendment that adds a project, construction phase, right-of-way phase, or public transportation phase over \$5 million. The DOT must provide a narrative description, a written justification, and an explanation for such project or phase addition. The LBC chair and vice chair, the Senate President, and the House Speaker may jointly authorize approval of the amendment if an LBC meeting cannot be held within 30 days of amendment submission.

Sections 109 and 110 provide that for the 2015-2016 and 2016-2017 fiscal years, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to the Lieutenant Governor, at his or her discretion, and to a Cabinet member if the department deems such assignment appropriate or in response to a threat, if requested by such Cabinet member.

Sections 111 and 112 reenact amendments to s. 216.292(2)(a), F.S., that remove language limiting scope of legislative review of "five percent" budget transfers. The Legislature would continue to be able to object that a proposed action exceeds delegated authority or is contrary to legislative policy and intent.

Section 113 provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the General Appropriations Act or by the Legislative Budget Commission.

Section 114 amends s. 112.24, F.S., to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action, pursuant to s. 216.177, F.S. This requirement applies to state employee reassignments regardless of which agency (sending or receiving) is responsible for pay and benefits of assigned employee.

Section 115 maintains legislative salaries at the July 1, 2010, level.

Sections 116 and 117 amend s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act.

Section 118 provides that, in order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state.

Section 119 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 120 provides that, notwithstanding s. 112.061, F.S., costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed 150 dollars per day. An employee may expend his or her own funds for any lodging expenses in excess of 150 dollars.

Section 121 directs the executive branch agencies and judicial branch agencies to collaborate with the EOG to implement a statewide travel management system and utilize the system.

Sections 122 and 123 reenact amendments to s. 110.12315, F.S., that: modify copayments associated with the state employees' group health insurance program consistent with decisions that have been

made in the General Appropriations Act; authorize the Department of Management Services, for the state employees' prescription drug program, to negotiate the pharmacy dispensing fee, to implement a 90-day supply limit program for certain maintenance drugs at retail pharmacies for state employees under certain circumstances, and to maintain a list of maintenance drugs and preferred brand name drugs; and provide that copayments for state employees for a 90-day supply of prescription drugs at a retail pharmacy will be the same as a 90-day supply through mail order.

Section 124 provides that a state agency may not enter into a contract containing a nondisclosure clause that prohibits a contractor from disclosing to members or staff of the Legislature information relevant to the performance of the contract.

Section 125 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 126 provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 127 provides a severability clause.

Section 128 provides an effective date.

Conference Committee Amendment (566703) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2016-2017 fiscal year.*

Section 2. *In order to implement Specific Appropriations 7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2016-2017 fiscal year in the document titled "Public School Funding: The Florida Education Finance Program," dated March 8, 2016, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2017.*

Section 3. *In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2016-2017 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 94 of the 2016-2017 General Appropriations Act. This section expires July 1, 2017.*

Section 4. *In order to implement Specific Appropriation 23 of the 2016-2017 General Appropriations Act and notwithstanding s. 1013.64(2), Florida Statutes, any district school board that generates less than \$2 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mills for the 2016-2017 fiscal year toward the cost of funded special facilities construction projects. This section expires July 1, 2017.*

Section 5. In order to implement Specific Appropriation 113 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (2) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with populations of fewer than 150,000, according to the most recent federal decennial statewide census, and the Florida School for the Deaf and the Blind.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 6. In order to implement Specific Appropriations 12 and 126 of the 2016-2017 General Appropriations Act, section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and the minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.

(3)(a) Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board that specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the prior fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) The State Board of Education shall adopt rules to administer this section.

(7) This section expires July 1, 2017.

Section 7. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System institution program.—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College System institutions.

(1) **EXCELLENCE STANDARDS.—**The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) **DISTINGUISHED COLLEGE DESIGNATION.—**The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) **DISTINGUISHED COLLEGE SUPPORT.—**A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

(4) **EXPIRATION.—**This section expires July 1, 2017.

Section 8. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsections (1), (2), (3), and (5) through (8) of section 1001.7065, Florida Statutes, are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) **STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.—**A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state ~~research~~ universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) **ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—**~~Effective July 1, 2013,~~ The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point

scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national pre-eminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state research university that annually meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) as a preeminent state research university.

(b) The Board of Governors shall designate each state university that annually meets at least six of the 12 academic and research excellence standards identified in subsection (2) as an emerging preeminent state research university.

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM UNIVERSITY SUPPORT.—

(a) A state research university that is designated as a preeminent state research university, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year

benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the pre-eminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the prior fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.—A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs in residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

~~(6)(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 6-credit 9-to-12-credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.~~

~~(7)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that each a designated preeminent state research university and each designated emerging preeminent state research university is free from unnecessary restrictions.~~

Section 9. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsections (1), (2), (3) and subsection (6) of section 1001.92, Florida Statutes, are amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System.

(a) The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access; and other metrics approved by the board in a formally noticed meeting.

(b) The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model metrics shall consist of the state's investment in appropriation for per-

formance funding, ~~including increases in base funding~~ plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System; in an amount provided in the General Appropriations Act. *The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding.* The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based *funding model metrics*.

(3)(a) A state university that fails to meet the Board of Governors' minimum *institutional investment performance funding eligibility* threshold shall have ~~a portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university that is determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(6) *The Board of Governors shall adopt regulations to administer this section.*

(7)(6) This section expires July 1, 2017 ~~2016~~.

Section 10. In order to implement Specific Appropriation 154 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 13 of chapter 2015-222, Laws of Florida, subsection (1) of section 1008.46, Florida Statutes, is reenacted to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of teaching, research, and service inherent in the missions of the state universities.

(1) By March 15 of each year, the Board of Governors shall submit an annual accountability report providing information on the implementation of performance standards, actions taken to improve university achievement of performance goals, the achievement of performance goals during the prior year, and initiatives to be undertaken during the next year. The accountability reports shall be designed in consultation with the Governor's Office, the Office of Program Policy Analysis and Government Accountability, and the Legislature.

Section 11. *The text of s. 1008.46(1), Florida Statutes, as carried forward from chapter 2015-222, Laws of Florida, in this act, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 12. In order to implement Specific Appropriations 12 and 126 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (16) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(16)(a) *Effective July 1, 2016, each Florida College System institution may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.735, a ~~per credit hour~~ distance learning course user fee not to exceed \$15 per credit hour. An increase in an institution's current distance learning fee must be approved by the State Board of Education.* For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(b) ~~The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs.~~ By September 1 of each year, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended.

Section 13. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (17) of section 1009.24, Florida Statutes, is amended to read:

1009.24 State university student fees.—

(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.735, a ~~per credit hour~~ distance learning course fee. *The average distance learning fee amount assessed by a state university may not exceed \$30 per credit hour.* For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(b) The amount of the distance learning course fee may not exceed the additional costs ~~that of the services provided which~~ are attributable to the ~~development and delivery of the~~ distance learning course. If the distance learning course fee is assessed by a state university, the institution may not assess duplicative fees to cover the additional costs.

(c) *By September 1 of each year, each board of trustees shall report to the Board of Governors the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the total amount of revenue was expended.*

(d)(e) If an institution assesses the distance learning fee, the institution must provide a link to the catalog within the advising and distance learning sections of the institution's website, using a graphic and description provided by the Complete Florida Plus Program, informing students of the catalog.

Section 14. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(2)(a) State student assistance grants through the program may be made only to degree-seeking students who enroll in at least 6 semester hours, or the equivalent per term, and who meet the general requirements for student eligibility as provided in s. 1009.40, except as

otherwise provided in this section. The grants shall be awarded annually for the amount of demonstrated unmet need for the cost of education, *after the expected family contribution and all other aid available to the student is accounted for, but ~~and~~* may not exceed an amount equal to the average prior academic year cost of tuition fees and other registration fees for 30 credit hours ~~at state universities~~ or such other amount as specified in the General Appropriations Act, to any recipient. A demonstrated unmet need of less than \$200, *after the expected family contribution and all other aid available to the student is accounted for*, shall render the applicant ineligible for a state student assistance grant. Recipients of the grants must have been accepted at a state university or Florida College System institution authorized by Florida law. A student is eligible for the award for 110 percent of the number of credit hours required to complete the program in which enrolled, except as otherwise provided in s. 1009.40(3).

~~(b) A student applying for a Florida public student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.~~

~~(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:~~

- ~~1. Pell Grants and other federal aid.~~
- ~~2. State grants and scholarships, including merit awards.~~
- ~~3. Institutional awards for merit or need.~~
- ~~4. Private awards for merit or need.~~
- ~~5. Any other grant or scholarship available to the student for use toward the cost of education.~~

~~Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.~~

~~(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.~~

~~(e) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.~~

Section 15. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (3) and paragraph (a) of subsection (4) of section 1009.505, Florida Statutes, are amended to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

(3)(a) Student assistance grants through the program may be made only to certificate-seeking students enrolled at least half-time in a public postsecondary career certificate program who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually to any recipient for the amount of demonstrated unmet need for the cost of education, *after the expected family contribution and all other aid available to the student is accounted for, but ~~and~~* may not exceed the average annual cost of tuition and registration fees or such other

amount as specified in the General Appropriations Act. A demonstrated unmet need of less than \$200, *after the expected family contribution and all other aid available to the student is accounted for*, shall render the applicant ineligible for a grant under this section. Recipients of the grants must have been accepted at a Florida College System institution authorized by Florida law or a career center operated by a district school board under s. 1001.44. A student is eligible for the award for 110 percent of the number of clock hours required to complete the program in which enrolled.

~~(b) A student applying for a Florida public postsecondary career education student assistance grant shall be required to apply for the Pell Grant. A Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student; however, a Pell Grant entitlement shall not be required as a condition of receiving a grant under this section.~~

~~(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:~~

- ~~1. Pell Grants and other federal aid.~~
- ~~2. State grants and scholarships, including merit awards.~~
- ~~3. Institutional awards for merit or need.~~
- ~~4. Private awards for merit or need.~~
- ~~5. Any other grant or scholarship available to the student for use toward the cost of education.~~

~~Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.~~

~~(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.~~

~~(e) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.~~

(4)(a) The funds appropriated for the Florida Public Postsecondary Career Education Student Assistance Grant Program shall be distributed to eligible Florida College System institutions and district school boards in accordance with a formula approved by the department under s. 1009.50(3).

Section 16. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida private student assistance grants from the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees, *after the expected family contribution and all other aid available to the student is accounted for, but ~~and~~* may not exceed an amount equal to the average tuition and other registration fees for 30 credit hours at state universities plus \$1,000 per aca-

demographic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than \$200, *after the expected family contribution and all other aid available to the student is accounted for*, shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic corporation by the state. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida private student assistance grant shall be required to apply for the Pell Grant. ~~The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.~~

(c) *Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:*

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Private awards for merit or need.
5. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the *highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources*, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e) ~~(d)~~ Each participating institution shall report, to the department by the established date, the *eligible students eligible for the program for to whom grant moneys are disbursed* each academic term. Each institution shall also report *in a manner and by a date prescribed by the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.*

Section 17. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida postsecondary student assistance grants through the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees, *after the expected family contribution and all other aid available to the student is accounted for, but and* may not exceed an amount equal to the average prior academic year cost of tuition and other registration fees for 30 credit hours ~~at state universities~~ plus \$1,000 per academic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than \$200, *after the expected family contribution and all other aid available to the student is accounted for*, shall render the ap-

plicant ineligible for a Florida postsecondary student assistance grant. Recipients of such grants must have been accepted at a postsecondary institution that is located in the state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or
2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. ~~The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.~~

(c) *Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:*

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Private awards for merit or need.
5. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the *highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources*, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e) ~~(d)~~ Each participating institution shall report, to the department by the established date, the *eligible students eligible for the program for to whom grant moneys are disbursed* each academic term. Each institution shall also report *in a manner and by a date prescribed by the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.*

Section 18. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, paragraph (f) of subsection (1), paragraph (a) of subsection (4), paragraph (b) of subsection (7), and paragraph (a) of subsection (9) of section 1011.62, Florida Statutes, are reenacted and amended, and paragraph (e) of subsection (1) of that section is amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be fol-

lowed in determining the annual allocation to each district for operation:

(e) Funding model for exceptional student education programs.—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated ~~initially annually~~ to each school district in the amount provided in the General Appropriations Act. These funds shall be ~~supplemental in addition to the funds appropriated for the basic funding level on the basis of FTE student membership in the Florida Education Finance Program,~~ and the amount allocated for each school district shall ~~not~~ be recalculated ~~once during the year, based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount.~~ These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. ~~The categorical fund funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the 2016-2017 2015-2016 fiscal year, each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of~~

the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective ~~in~~ teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers may not be included in the 300 schools. For the 2016-2017 ~~2015-2016~~ fiscal year, ~~designation of the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment the same schools as identified for the 2014-2015 fiscal year.~~ After this requirement has been met, supplemental instruction strategies may include, but are not limited to: *use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size reduction, an extended school year, intensive skills development in summer school, and other methods of* ~~for~~ improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. *Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that shall have a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.*

~~4.3.~~ Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

5.4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

~~6.5.~~ Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d) 3.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most re-

cent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b). Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not *in excess of* ~~to exceed~~ four.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. For the ~~2016-2017~~ ~~2015-2016~~ fiscal year, in each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. For the ~~2016-2017~~ ~~2015-2016~~ fiscal year, ~~designation of the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment~~ ~~the same schools as identified for the 2014-2015 fiscal year~~. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading

development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.

Section 19. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, paragraph (g) is added to subsection (12) of section 1011.62, Florida Statutes, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

(g) *For the 2016-2017 fiscal year, notwithstanding paragraph (c), each school district shall be provided a minimum of \$500,000, with the remaining balance of the allocation to be distributed based on each district's proportion of the total K-12 full-time equivalent enrollment. Each district's digital classrooms allocation plan must give preference to funding the number of devices that comply with the requirements of s. 1001.20(4)(a)1.b. and that are needed to allow each school to administer the Florida Standards Assessments to an entire grade at the same time. If the district's digital classrooms allocation plan does not include the purchase of devices, the district must certify in the plan that the district currently has sufficient devices to allow each school to administer the Florida Standards Assessments in the manner described in this paragraph. This paragraph expires July 1, 2017.*

Section 20. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, subsection (13) of section 1011.62, Florida Statutes, is reenacted and amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—

The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. ~~The student has~~ ~~Resides with~~ a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this ~~category~~ ~~condition~~.

2. ~~The student resides on~~ eligible federally owned Indian lands. Students with disabilities shall also be reported separately for this ~~category~~ ~~condition~~.

3. ~~The student resides with a civilian parent who lives or works on~~ eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional

percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(d) *This subsection expires July 1, 2017.*

Section 21. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, paragraph (b) of subsection (15) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an *under allocation or over allocation* ~~underallocation or overallocation~~ for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. *An under allocation in a prior year caused by a school district's error may not be the basis for a positive allocation adjustment for the current year.* Beginning with the 2011-2012 fiscal year, if a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

Section 22. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, subsection (1) of section 1011.71, Florida Statutes, is reenacted to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 23. *The amendments made by this act to ss. 1011.62(1)(e) and (f), (4)(a) and (e), (7)(b), (9)(a), (12)(g), and (13) and 1011.71, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 24. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, subsection (3) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(3) A student who is enrolled in a state-approved teacher preparation program in a postsecondary educational institution that is approved by rules of the State Board of Education and who is jointly assigned by the postsecondary educational institution and a district school board to perform a clinical field experience under the direction of a regularly employed and certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the district school board. *The district school board providing the clinical field experience shall notify the student electronically or in writing of the availability of educator liability insurance under s. 1012.75. A postsecondary educational institution or district school board may not require a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.*

Section 25. In order to implement Specific Appropriation 103 of the 2016-2017 General Appropriations Act, section 1012.731, Florida Statutes, is created to read:

1012.731 *The Florida Best and Brightest Teacher Scholarship Program.*-

(1) *The Legislature recognizes that, second only to parents, teachers play the most critical role within schools in preparing students to achieve a high level of academic performance. The Legislature further recognizes that research has linked student outcomes to a teacher's own academic achievement. Therefore, it is the intent of the Legislature to designate teachers who have achieved high academic standards during their own education as Florida's best and brightest teacher scholars.*

(2) *There is created the Florida Best and Brightest Teacher Scholarship Program to be administered by the Department of Education. The scholarship program shall provide categorical funding for scholarships to be awarded to classroom teachers, as defined in s. 1012.01(2)(a), who have demonstrated a high level of academic achievement.*

(3)(a) *To be eligible for a scholarship, a classroom teacher must have achieved a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks in effect when the classroom teacher took the assessment and have been evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded, unless the classroom teacher is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34.*

(b) *In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her SAT or ACT score demonstrating that the classroom teacher scored at or above the 80th percentile based on the National Percentile Ranks in effect when the teacher took the assessment. Once a classroom teacher is deemed eligible by the school district, including teachers deemed eligible in the 2015-2016 fiscal year, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34.*

(4) *Annually, by December 1, each school district shall submit to the department the number of eligible classroom teachers who qualify for the scholarship.*

(5) *Annually, by February 1, the department shall disburse scholarship funds to each school district for each eligible classroom teacher to receive a scholarship as provided in the General Appropriations Act. A scholarship in the amount provided in the General Appropriations Act shall be awarded to every eligible classroom teacher. If the number of eligible classroom teachers exceeds the total appropriation authorized in the General Appropriations Act, the department shall prorate the per-teacher scholarship amount.*

(6) *Annually, by April 1, each school district shall award the scholarship to each eligible classroom teacher.*

(7) For purposes of this section, the term “school district” includes the Florida School for the Deaf and the Blind and charter school governing boards.

(8) This section expires July 1, 2017.

Section 26. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (3) of section 1012.75, Florida Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive force.—

(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel’s professional capacity. For purposes of this subsection, the terms “full-time,” “part-time,” and “administrative personnel” shall be defined by the individual district school board. For purposes of this subsection, the term “instructional personnel” has the same meaning as provided in s. 1012.01(2).

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 27. In order to implement Specific Appropriation 19 of the 2016-2017 General Appropriations Act, subsection (3) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(3)(a) Each district school board shall receive an amount from the Public Education Capital Outlay and Debt Service Trust Fund to be calculated by computing the capital outlay ~~full-time equivalent~~ membership as determined by the department. Such membership must include, but is not limited to:

1. K-12 students and *prekindergarten exceptional students* for whom the school district provides the educational facility, except hospital- and homebound part-time students; and

2. Students who are career education students, and adult disabled students and who are enrolled in school district career centers.

(b) The capital outlay ~~full-time equivalent~~ membership shall be determined for *prekindergarten exceptional education students*, kindergarten through the 12th grade, and for career centers by *counting the averaging the unweighted full-time equivalent* student membership for the second and third surveys and comparing the results on a school-by-school basis with the Florida Inventory of School Houses. *If the prior academic year’s third survey count is higher than the current year’s second survey count when comparing the results on a school-by-school basis with the Florida Inventory of School Houses, the prior year’s third survey count shall be used on a school-by-school basis for determining the current capital outlay membership. The Florida Inventory of School Houses shall be updated with the current capital outlay membership count as soon as practicable after verification of the capital outlay membership.*

(c) The capital outlay ~~full-time equivalent~~ membership by grade level organization shall be used in making the following calculations. The capital outlay ~~full-time equivalent~~ membership by grade level organization for the 4th prior year must be used to compute the base-year allocation. The capital outlay ~~full-time equivalent~~ membership by grade-level organization for the prior year must be used to compute the growth over the highest of the 3 years preceding the prior year. From the total amount appropriated by the Legislature pursuant to this subsection, 40 percent shall be allocated among the base capital outlay ~~full-time equivalent~~ membership and 60 percent among the growth capital outlay ~~full-time equivalent~~ membership. The allocation within each of these groups shall be prorated to the districts based upon each district’s percentage of base and growth capital outlay full-time membership. The most recent 4-year capital outlay ~~full-time equivalent~~ membership data shall be used in each subsequent year’s calculation for

the allocation of funds pursuant to this subsection. If a change, correction, or recomputation of data during any year results in a reduction or increase of the calculated amount previously allocated to a district, the allocation to that district shall be adjusted *accordingly* ~~correspondingly~~. If such recomputation results in an increase or decrease of the calculated amount, such additional or reduced amounts shall be added to or reduced from the district’s future appropriations. However, no change, correction, or recomputation of data shall be made subsequent to 2 years following the initial annual allocation.

~~(d)(b)~~ Funds accruing to a district school board from the provisions of this section shall be expended on needed projects as shown by survey or surveys under the rules of the State Board of Education.

~~(e)(e)~~ A district school board may lease relocatable educational facilities for up to 3 years using nonbonded PECO funds and for any time period using local capital outlay millage.

~~(f)(d)~~ Funds distributed to the district school boards shall be allocated solely based on the provisions of paragraphs (1)(a) and (2)(a) and ~~paragraphs (a)-(c) paragraph (a)~~ of this subsection. No individual school district projects shall be funded off the top of funds allocated to district school boards.

Section 28. In order to implement Specific Appropriations 10 and 122 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education through June 30, 2017 ~~2016~~, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 29. *The amendment made by this act to s. 1004.935(1), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 30. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.345, Florida Statutes, is amended to read:

1004.345 The Florida Polytechnic University.—

(1) By December 31, 2017 ~~2016~~, the Florida Polytechnic University shall meet the following criteria as established by the Board of Governors:

- (a) Achieve accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools;
- (b) Initiate the development of the new programs in the fields of science, technology, engineering, and mathematics;
- (c) Seek discipline-specific accreditation for programs;
- (d) Attain a minimum FTE of 1,244, with a minimum 50 percent of that FTE in the fields of science, technology, engineering, and mathematics and 20 percent in programs related to those fields;
- (e) Complete facilities and infrastructure, including the Science and Technology Building, Phase I of the Wellness Center, and a residence hall or halls containing no fewer than 190 beds; and
- (f) Have the ability to provide, either directly or where feasible through a shared services model, administration of financial aid, admissions, student support, information technology, and finance and accounting with an internal audit function.

Section 31. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, section 1004.344, Florida Statutes, is created to read:

1004.344 The Florida Center for the Partnerships for Arts Integrated Teaching.—

(1) The Florida Center for the Partnerships for Arts Integrated Teaching is created within the University of South Florida Sarasota/Manatee.

(2) The goals of the center are to:

- (a) Conduct basic and applied research on policies and practices related to arts integrated teaching.*
- (b) Partner with interested Florida College System institutions and private educational institutions to conduct arts integrated educational research.*
- (c) Seek out agreements to provide technical assistance and support, upon request, to the Florida Department of Education, Florida school districts, private schools, charter schools and educator preparation programs in the implementation of evidence-based arts integrated instruction, assessments, programs, and professional development.*
- (d) Collaborate with interested arts organizations and Florida school districts in the development of frameworks for arts integrated courses for use in schools.*
- (e) Collaborate with interested arts organizations and Florida school districts in the development of frameworks for professional development activities, using multiple delivery methods for arts integrated teaching in different content areas.*
- (f) Disseminate information about outcome-based practices related to arts integrated instruction, assessment, curricula and programs.*
- (g) Position Florida as a national leader in arts integrated teaching and research.*
- (h) Examine arts integrated teaching Science, Technology, Engineering, and Math (STEM) educational courses.*

(3) This section expires July 1, 2017.

Section 32. In order to implement Specific Appropriation 73 of the 2016-2017 General Appropriations Act and notwithstanding s. 1009.605(3)(g), Florida Statutes, the Florida Fund for Minority Teachers, Inc., may expend no more than 5 percent of the funds appropriated and up to \$250,000 from available funds for administration, including administration of the required training program and purchase of an online management and administration system. This section expires July 1, 2017.

Section 33. In order to implement Specific Appropriation 72 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (4) of section 1009.986, Florida Statutes, are amended to read:

1009.986 Florida ABLE program.—

(4) FLORIDA ABLE PROGRAM.—

(a) On or before July 1, 2016, Florida ABLE, Inc., shall establish and administer the Florida ABLE program. *However, if the United States Secretary of the Treasury issues final regulations for s. 529A of the Internal Revenue Code before July 1, 2016, or if the board of directors of Florida ABLE, Inc., determines that a superior or equivalent alternative to implementation of a qualified ABLE program in Florida becomes available through contracting with another state at a significant savings to the state, then the implementation date of the Florida ABLE Program may be extended to December 31, 2016.* Before implementing the program, Florida ABLE, Inc., must obtain a written opinion from counsel specializing in:

1. Federal tax matters which indicates that the Florida ABLE program is designed to comply with s. 529A of the Internal Revenue Code.

2. Federal securities law which indicates that the Florida ABLE program and the offering of participation in the program are designed to comply with applicable federal securities law and qualify for the available tax exemptions under such law.

(b) The participation agreement must include provisions specifying that:

1. The participation agreement is only a debt or obligation of the Florida ABLE program and the Florida ABLE Program Trust Fund and, as provided under paragraph (f), is not a debt or obligation of the Florida Prepaid College Board or the state.

2. Participation in the Florida ABLE program does not guarantee that sufficient funds will be available to cover all qualified disability expenses for any designated beneficiary and does not guarantee the receipt or continuation of any product or service for the designated beneficiary.

3. *Whether the Florida ABLE program requires a* ~~The~~ designated beneficiary to ~~must~~ be a resident of this state or a resident of a contracting state at the time the ABLE account is established. *In determining whether to require residency, the Florida Prepaid College Board shall consider, among other factors:*

a. Market research; and

b. Estimated operating revenues and costs.

4. The establishment of an ABLE account in violation of federal law is prohibited.

5. Contributions in excess of the limitations set forth in s. 529A of the Internal Revenue Code are prohibited.

6. The state is a creditor of ABLE accounts as, and to the extent, set forth in s. 529A of the Internal Revenue Code.

7. Material misrepresentations by a party to the participation agreement, other than Florida ABLE, Inc., in the application for the participation agreement or in any communication with Florida ABLE, Inc., regarding the Florida ABLE program may result in the involuntary liquidation of the ABLE account. If an account is involuntarily liquidated, the designated beneficiary is entitled to a refund, subject to any fees or penalties provided by the participation agreement and the Internal Revenue Code.

Section 34. In order to implement Specific Appropriation 90 of the 2016-2017 General Appropriations Act, and notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years, the Office of Early Learning may not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year, shall remain on probation for the 2016-2017 fiscal year. This section expires July 1, 2017.

Section 35. In order to implement Specific Appropriation 7 and 94 of the 2016-2017 General Appropriations Act, paragraph (e) of subsection (4) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(e) Prior period funding adjustment millage.—

1. There shall be an additional millage to be known as the Prior Period Funding Adjustment Millage levied by a school district if the prior period unrealized required local effort funds are greater than zero. The Commissioner of Education shall calculate the amount of the prior period unrealized required local effort funds as specified in subparagraph 2. and the millage required to generate that amount as specified in this subparagraph. The Prior Period Funding Adjustment Millage shall be the quotient of the prior period unrealized required local effort funds divided by the current year taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a. This levy shall be in addition to the required local effort millage certified pursuant to this subsection. Such millage shall not affect the calculation of the current year's required local effort, and the funds generated by such levy shall not be included in the district's Florida Education Finance Program allocation for that fiscal year. For purposes of the millage to be included on the Notice of Proposed Taxes, the Commissioner of Education shall adjust the required local effort millage computed pursuant to paragraph (a) as adjusted by paragraph (b) for the current year for any district that levies a Prior Period Funding Adjustment Millage to include all Prior Period Funding Adjustment Millage. For the purpose of this paragraph, there shall be a Prior Period Funding Adjustment Millage levied for each year certified by the Department of Revenue pursuant to sub-subparagraph (a)2.a. since the previous year certification and for which the calculation in sub-subparagraph 2.b. is greater than zero.

2.a. As used in this subparagraph, the term:

(I) "Prior year" means a year certified under sub-subparagraph (a) 2.a.

(II) "Preliminary taxable value" means:

(A) If the prior year is the 2009-2010 fiscal year or later, the taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a.

(B) If the prior year is the 2008-2009 fiscal year or earlier, the taxable value certified pursuant to the final calculation as specified in former paragraph (b) as that paragraph existed in the prior year.

(III) "Final taxable value" means the district's taxable value as certified by the property appraiser pursuant to s. 193.122(2) or (3), if applicable. This is the certification that reflects all final administrative actions of the value adjustment board.

b. For purposes of this subsection and with respect to each year certified pursuant to sub-subparagraph (a)2.a., if the district's prior year preliminary taxable value is greater than the district's prior year final taxable value, the prior period unrealized required local effort funds are the difference between the district's prior year preliminary taxable value and the district's prior year final taxable value, multiplied by the prior year district required local effort millage. If the district's prior year preliminary taxable value is less than the district's prior year final taxable value, the prior period unrealized required local effort funds are zero.

c. For the 2016-2017 ~~2015-2016~~ fiscal year only, if a district's prior period unrealized required local effort funds and prior period district

required local effort millage cannot be determined because such district's final taxable value has not yet been certified pursuant to s. 193.122(2) or (3), for the 2016 ~~2015~~ tax levy, the Prior Period Funding Adjustment Millage for such fiscal year shall be levied, if not previously levied, in 2016 ~~2015~~ in an amount equal to 75 percent of such district's most recent unrealized required local effort for which a Prior Period Funding Adjustment Millage was determined as provided in this section. Upon certification of the final taxable value in accordance with s. 193.122(2) or (3), for a ~~for the 2012, 2013, or 2014~~ tax roll for which a 75 percent Prior Period Funding Adjustment Millage was levied ~~rolls in accordance with s. 193.122(2) or (3)~~, the Prior Period Funding Adjustment Millage levied in 2015 and 2016 shall be adjusted to include any shortfall or surplus in the prior period unrealized required local effort funds that would have been levied in 2014 or 2015, had the district's final taxable value been certified pursuant to s. 193.122(2) or (3) ~~for the 2014 or 2015 tax levy~~. If this adjustment is made for a surplus, the reduction in prior period millage may not exceed the prior period funding adjustment millage calculated pursuant to subparagraph 1. and sub-subparagraphs a. and b., or pursuant to this sub-subparagraph, whichever is applicable, and any additional reduction shall be carried forward to the subsequent fiscal year.

Section 36. *The amendments made by this act to ss. 11.45, 1001.7065, 1004.345, 1009.23, 1009.24, 1009.50, 1009.505, 1009.51, 1009.52, 1009.986, 1011.62(15)(b), 1012.39, and 1013.64, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 37. *In order to implement Specific Appropriations 199, 206 through 208, and 211 of the 2016-2017 General Appropriations Act, the calculations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs, for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated March 8, 2016, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs. This section expires July 1, 2017.*

Section 38. In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, subsection (9) of section 393.063, Florida Statutes, is amended, present subsections (25) through (41) are renumbered as subsections (26) through (42), respectively, and a new subsection (25) is added to that section, to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(9) "Developmental disability" means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, *Down syndrome*, *Phelan-McDermid syndrome*, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

(25) "*Phelan-McDermid syndrome*" means a disorder caused by the loss of the terminal segment of the long arm of chromosome 22, which occurs near the end of the chromosome at a location designated q13.3, typically leading to developmental delay, intellectual disability, dolicocephaly, hypotonia, or absent or delayed speech.

Section 39. *The amendment made by this act to s. 393.063, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 40. In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (5) of section 393.065, Florida Statutes, are amended, subsections (6) and (7) are renumbered as subsections (10) and (11), respectively, present subsection (7) is amended, and new subsections (6) through (9) are added to that section, to read:

393.065 Application and eligibility determination.—

(5) Except as otherwise directed by law, beginning July 1, 2010, The agency shall assign and provide priority to clients waiting for waiver services in the following order:

(a) Category 1, which includes clients deemed to be in crisis as described in rule, shall be given first priority in moving from the waiting list to the waiver.

(b) Category 2, which includes ~~individuals on the waiting children on the wait~~ list who are:

1. From the child welfare system with an open case in the Department of Children and Families' statewide automated child welfare information system and who are either:

a. Transitioning out of the child welfare system at the finalization of an adoption, a reunification with family members, a permanent placement with a relative, or a guardianship with a nonrelative; or

b. At least 18 years but not yet 22 years of age and who need both waiver services and extended foster care services; or

2. At least 18 years but not yet 22 years of age and who withdrew consent pursuant to s. 39.6251(5)(c) to remain in the extended foster care system.

For individuals who are at least 18 years but not yet 22 years of age and who are eligible under sub-subparagraph 1.b., the agency shall provide waiver services, including residential habilitation, and the community-based care lead agency shall fund room and board at the rate established in s. 409.145(4) and provide case management and related services as defined in s. 409.986(3)(e). Individuals may receive both waiver services and services under s. 39.6251. Services may not duplicate services available through the Medicaid state plan.

Within categories 3, 4, 5, 6, and 7, the agency shall maintain a wait list of clients placed in the order of the date that the client is determined eligible for waiver services.

(6) The agency shall allow an individual who meets the eligibility requirements under subsection (1) to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military servicemember and if, at the time of the servicemember's transfer to this state, the individual was receiving home and community-based services in another state.

(7) The agency shall allow an individual with a diagnosis of Phelan-McDermid syndrome who meets the eligibility requirements under subsection (1) to receive home and community-based services.

(8) Individuals in category 6 shall be moved to the waiver during the 2016-2017 fiscal year, to the extent funds are available, based on meeting the following criteria:

1. The individual is 30 years of age or older;
2. The individual resides in the family home;
3. The individual has been on the waiting list for waiver services for at least 10 continuous years; and

4. The individual is classified at a level of need equal to Level 3, Level 4, or Level 5 based on the Questionnaire for Situational Information.

(9) Agency action that selects individuals to receive waiver services pursuant to this section does not establish a right to a hearing or an administrative proceeding under chapter 120 for individuals remaining on the waiting list.

(11)(7) The agency and the Agency for Health Care Administration may adopt rules specifying application procedures, criteria associated with the waiting list ~~wait list~~ categories, procedures for administering the waiting ~~wait~~ list, including tools for prioritizing waiver enrollment within categories, and eligibility criteria as needed to administer this section.

Section 41. *The amendment made by this act to s. 393.065, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 42. *In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act:*

(1) *If the Agency for Persons with Disabilities has not adopted a new algorithm and allocation methodology by final rule pursuant to s. 393.0662, Florida Statutes, by June 30, 2016, the agency shall use the following until it adopts a new algorithm and allocation methodology:*

(a) *Each client's iBudget in effect on June 30, 2016, shall remain at its June 30, 2016, funding level.*

(b) *The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled in the home and community-based services waiver program on or after July 1, 2016, using the same algorithm and allocation methodology used for the iBudgets in effect on June 30, 2016.*

(2) *After a new algorithm and allocation methodology is adopted by final rule, a client's new iBudget shall be determined based on the new algorithm and allocation methodology and shall take effect as of the client's next support plan update.*

(3) *Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statutes, or as necessary to comply with federal regulations. A funding allocation may also be increased if the client has a significant need for transportation services to a waiver-funded adult day training program or to a waiver-funded employment service when such need cannot be accommodated within a client's iBudget as determined by the algorithm without affecting the health and safety of the client, if public transportation is not an option due to the unique needs of the client or other transportation resources are not reasonably available.*

(4) *This section expires July 1, 2017.*

Section 43. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending subsection (15) of section 393.067, Florida Statutes, fails to become law, in order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in s. 24 of chapter 2015-222, Laws of Florida, subsection (15) of section 393.067, Florida Statutes, is reenacted to read:

393.067 Facility licensure.—

(15) The agency is not required to contract with ~~new~~ facilities licensed pursuant to this chapter.

Section 44. *The amendment made by this act to s. 393.067, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 45. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending section 393.18, Florida Statutes, fails to become law, in order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in s. 26 of chapter 2015-222, Laws of Florida, subsection (4) of section 393.18, Florida Statutes, is reenacted, and subsections (5) and (6) of that section are amended, to read:

393.18 Comprehensive transitional education program.—A comprehensive transitional education program is a group of jointly operating centers or units, the collective purpose of which is to provide a sequential series of educational care, training, treatment, habilitation, and rehabilitation services to persons who have developmental disabilities and who have severe or moderate maladaptive behaviors. However, this section does not require such programs to provide services only to persons with developmental disabilities. All such services

shall be temporary in nature and delivered in a structured residential setting, having the primary goal of incorporating the principle of self-determination in establishing permanent residence for persons with maladaptive behaviors in facilities that are not associated with the comprehensive transitional education program. The staff shall include behavior analysts and teachers, as appropriate, who shall be available to provide services in each component center or unit of the program. A behavior analyst must be certified pursuant to s. 393.17.

(4) For comprehensive transitional education programs, the total number of residents who are being provided with services may not in any instance exceed the licensed capacity of 120 residents and each residential unit within the component centers of the program authorized under this section may not in any instance exceed 15 residents. However, a program that was authorized to operate residential units with more than 15 residents before July 1, 2015, may continue to operate such units.

~~(5) Licensure is authorized for comprehensive transitional education programs which by July 1, 1989:~~

~~(a) Were in actual operation; or~~

~~(b) Owned a fee simple interest in real property for which a county or city government has approved zoning allowing for the placement of the facilities described in this subsection, and have registered an intent with the agency to operate a comprehensive transitional education program. However, nothing prohibits the assignment by such a registrant to another entity at a different site within the state, if there is compliance with the criteria of this program and local zoning requirements and each residential facility within the component centers or units of the program authorized under this paragraph does not exceed a capacity of 15 persons.~~

~~(6) Notwithstanding subsection (5), in order to maximize federal revenues and provide for children needing special behavioral services, the agency may authorize the licensure of a facility that:~~

~~(a) Provides residential services for children who have developmental disabilities along with intensive behavioral problems as defined by the agency; and~~

~~(b) As of July 1, 2010, serve children who were served by the child welfare system and who have an open case in the automated child welfare system of the Department of Children and Families.~~

~~The facility must be in compliance with all program criteria and local zoning requirements and may not exceed a capacity of 15 children~~

Section 46. *The amendment made by this act to s. 393.18, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 47. In order to implement Specific Appropriations 569 through 580 of the 2016-2017 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:

296.37 Residents; contribution to support.—

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$105 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

Section 48. *In order to implement Specific Appropriations 193 through 226 and 541 of the 2016-2017 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the*

Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for non-operating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2017.

Section 49. *In order to implement Specific Appropriation 342 of the 2016-2017 General Appropriations Act, and notwithstanding s. 409.991, Florida Statutes, for the 2016-2017 fiscal year, funds provided for training purposes shall be allocated to community-based care lead agencies based on a training needs assessment conducted by the Department of Children and Families. This section expires July 1, 2017.*

Section 50. *If CS/HB 1335 or similar legislation adopted at the 2016 Regular Session of the Legislature on an extension thereof fails to become law, in order to implement Specific Appropriation 231 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration shall ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days. This section expires July 1, 2017.*

Section 51. *If CS/HB 1335 or similar legislation adopted at the 2016 Regular Session of the Legislature on an extension thereof fails to become law, in order to implement Specific Appropriation 232 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration and the Department of Elderly Affairs shall prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a frailty-based screening that provides a priority score (the "scoring process") and shall enroll individuals in the program according to the assigned priority score as funds are available. The agency may adopt rules, pursuant to s. 409.919, Florida Statutes, and enter into interagency agreements necessary to administer s. 409.979(3), Florida Statutes. Such rules or interagency agreements adopted by the agency relating to the scoring process may delegate to the Department of Elderly Affairs, pursuant to s. 409.978, Florida Statutes, the responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and the responsibility for defending, as needed, the scores assigned to persons on the program wait list in any resulting Medicaid fair hearings. The Department of Elderly Affairs may delegate the provision of notice of Medicaid fair hearing rights to its contractors. This section expires July 1, 2017.*

Section 52. In order to implement Specific Appropriation 207 of the 2016-2017 General Appropriations Act, subsection (10) is added to section 409.911, Florida Statutes, to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(10) *Notwithstanding any provision of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 General Appropriations Act. This subsection expires July 1, 2017.*

Section 53. In order to implement Specific Appropriation 207 of the 2016-2017 General Appropriations Act, subsection (3) is added to section 409.9113, Florida Statutes, to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made

by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) *Notwithstanding any provision of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 General Appropriations Act. This subsection expires July 1, 2017.*

Section 54. In order to implement Specific Appropriation 207 of the 2016-2017 General Appropriations Act, subsection (4) is added to section 409.9119, Florida Statutes, to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are licensed by the state as specialty hospitals for children and were licensed on January 1, 2000, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) *Notwithstanding any provision of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 General Appropriations Act. This subsection expires July 1, 2017.*

Section 55. In order to implement Specific Appropriations 515 through 536 of the 2016-2017 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department may use state funds appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations Act to administer the prescription drug monitoring program. Neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2017 ~~2016~~.

Section 56. In order to implement Specific Appropriations 598A through 701 and 721 through 755 of the 2016-2017 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17 ~~February 27~~, 2015, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other

variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2017 ~~2016~~.

Section 57. *In order to implement Specific Appropriations 1283 and 1284 of the 2016-2017 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2017.*

Section 58. In order to implement Specific Appropriations 1219 and 1224 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(d) Notwithstanding any other provision of this subsection, and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before October 1, 2001. This paragraph expires July 1, 2017 ~~2016~~.

Section 59. In order to implement Specific Appropriations 3109 through 3179 of the 2016-2017 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2016-2017 ~~2015-2016~~ General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This subsection expires July 1, 2017 ~~2016~~.

Section 60. *In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act for the Department of Corrections and notwithstanding s. 216.292, Florida Statutes, except as otherwise provided in this act, the Department of Corrections may not transfer funds from a salaries and benefits category to any other category within the department other than a salaries and benefits category without approval of the Legislative Budget Commission. This section expires July 1, 2017.*

Section 61. *In order to implement Specific Appropriation 726 and notwithstanding s. 216.292, Florida Statutes, the Department of Corrections is authorized to submit budget amendments to transfer funds from categories within the department other than fixed capital outlay categories into the Inmate Health Services category in order to continue the current level of care in the provision of health services. Such transfers are subject to the notice, review and objection procedures of s. 216.177, Florida Statutes. This section expires July 1, 2017.*

Section 62. (1) *In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice is required to review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required in s. 985.686, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue*

shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.

(2) As an assurance to holders of bonds issued by counties before July 1, 2016, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this subsection, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.

(3) This section expires July 1, 2017.

Section 63. In order to implement Specific Appropriation 780 of the 2016-2017 General Appropriations Act, subsection (5) of section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation; notice.—

(5) The compensation for representation in a criminal proceeding may ~~shall~~ not exceed the following:

(a) For misdemeanors and juveniles represented at the trial level: \$1,000.

(b) For noncapital, nonlife felonies represented at the trial level: \$15,000 ~~\$6,000~~.

(c) For life felonies represented at the trial level: \$15,000 ~~\$9,000~~.

(d) For capital cases represented at the trial level: \$25,000. For purposes of this paragraph, a "capital case" is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.

(e) For representation on appeal: \$9,000.

Section 64. The amendment made by this act to s. 27.5304(5), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 65. In order to implement Specific Appropriation 1217 of the 2016-2017 General Appropriation Act:

(1) The Florida Department of Management Services (DMS) shall organize a work group to develop a sworn law enforcement officers' career development plan for the Highway Patrol, Law Enforcement Officer, Lottery, and Florida Department of Law Enforcement Special Agent bargaining units represented by the Florida Police Benevolent Association (PBA). The work group is directed to create a law enforcement officers' career development plan to attract and retain quality employees. The work group must create a work plan for all represented agencies that emphasizes job training, job skills, educational attainment, experience, and retention.

(2) The work group shall consist of the following representatives:

(a) At least one agency management representative from each law enforcement agency;

(b) At least three representatives from DMS, one of whom shall serve as the work group's chair;

(c) At least one active law enforcement officer, as designated by the PBA from each agency represented by a bargaining unit, one of whom shall serve as the work group's vice chair; and

(d) At least three representatives from the PBA.

(3) The work group shall meet on or after July 1, 2016, and conduct meetings as necessary to complete a career development plan proposal by November 30, 2016. The proposal shall be presented to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2016.

(4) This section expires July 1, 2017.

Section 66. In order to implement Specific Appropriation 772A of the 2016-2017 General Appropriations Act, and notwithstanding ss. 28.35 and 40.24, Florida Statutes, the Justice Administrative Commission shall provide funds to the clerks of court to pay compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs as provided in this section. Each clerk of the circuit court shall forward to the Justice Administrative Commission a quarterly estimate of funds necessary to pay compensation to jurors and for meals or lodging provided to jurors. The Florida Clerks of Court Operations Corporation shall forward to the Justice Administrative Commission a quarterly estimate of jury-related personnel costs necessary to pay each clerk of the circuit court personnel costs related to jury management. Upon receipt of such estimates, the Justice Administrative Commission shall endorse the amount deemed necessary for payment to the clerks of the court during the quarter and shall submit a request for payment to the Chief Financial Officer. If the Justice Administrative Commission believes that the amount appropriated by the Legislature is insufficient to meet such costs during the remaining part of the state fiscal year, the commission may apportion the funds appropriated in the General Appropriations Act for those purposes among the several counties, basing the apportionment upon the amount expended for such purposes in each county during the prior fiscal year. In that case, the Chief Financial Officer shall only issue the appropriate apportioned amount by warrant to each county. The clerks of court are responsible for any costs of compensation to jurors, for meals or lodging provided to jurors, and for jury related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes. This section expires July 1, 2017.

Section 67. In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice may not provide, make, pay, or deduct and a nonfiscally constrained county may not apply, deduct, or receive any reimbursement or any credit for any previous overpayment of juvenile detention care costs related to or for any previous state fiscal year against the juvenile detention care costs due from the nonfiscally constrained county in the 2016-2017 fiscal year pursuant to s. 985.686, Florida Statutes, or any other law. The section is contingent upon CS/SB 1322 becoming law. This section expires July 1, 2017.

Section 68. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or procure all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2017.

Section 69. In order to implement Specific Appropriations 2257 through 2265 of the 2016-2017 General Appropriations Act, section 624.502, Florida Statutes, is reenacted to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director

of the office, the plaintiff shall pay to the department or office a fee of \$15 for such service of process, which fee shall be deposited into the Administrative Trust Fund.

Section 70. *The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2015-222, Laws of Florida, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2013, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 71. In order to implement Specific Appropriations 2834 through 2845 of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is reenacted to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.
2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.
3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.
4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.
5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.
6. A representative of the Division of State Fire Marshal of the Department of Financial Services who shall be appointed by the State Fire Marshal.
7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 72. *The amendment to s. 282.709(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 73. In order to implement Specific Appropriations 2740 through 2752 of the 2016-2017 General Appropriations Act and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, shall be seven-tenths of 1 percent for the 2016-2017 fiscal year only. This section expires July 1, 2017.

Section 74. In order to implement the appropriation of funds in the appropriation category "Data Processing Services-State Data Center-Agency for State Technology (AST)" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided by the State Data Center. This section expires July 1, 2017.

Section 75. *In order to implement appropriations authorized in the 2016-2017 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in section 74, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2017.*

Section 76. In order to implement Specific Appropriation 2826 of the 2016-2017 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2016-2017 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2017.

Section 77. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2017.

Section 78. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2017.

Section 79. In order to implement Specific Appropriation 2317A of the 2016-2017 General Appropriations Act:

(1) *The Department of Financial Services shall replace the four main components of the Florida Accounting Information Resource Subsystem (FLAIR), which include central FLAIR, departmental FLAIR, payroll, and information warehouse, and shall replace the cash management and accounting management components of the Cash Management Subsystem (CMS) with an integrated enterprise system that allows the state to organize, define, and standardize its financial management business processes and that complies with ss. 215.90-215.96, Florida Statutes. The department shall not include in the replacement of FLAIR and CMS:*

- (a) *Functionality that duplicates any of the other information subsystems of the Florida Financial Management Information System; or*
- (b) *Agency business processes related to any of the functions included in the Personnel Information System, the Purchasing Subsystem, or the Legislative Appropriations System/Planning and Budgeting Subsystem.*

(2) *For purposes of replacing FLAIR and CMS, the Department of Financial Services shall:*

- (a) *Take into consideration the cost and implementation data identified for Option 3 as recommended in the March 31, 2014, Florida Department of Financial Services FLAIR Study, version 031.*
- (b) *Ensure that all business requirements and technical specifications have been provided to all state agencies for their review and input and approved by the executive steering committee established in paragraph (c).*

(c) *Implement a project governance structure that includes an executive steering committee composed of:*

1. *The Chief Financial Officer or the executive sponsor of the project.*
2. *A representative of the Division of Treasury of the Department of Financial Services appointed by the Chief Financial Officer.*
3. *A representative of the Division of Information Systems of the Department of Financial Services appointed by the Chief Financial Officer.*

4. *Four employees from the Division of Accounting and Auditing of the Department of Financial Services appointed by the Chief Financial Officer. Each employee must have experience relating to at least one of the four main components that comprise FLAIR.*

5. *Two employees from the Executive Office of the Governor appointed by the Governor. One employee must have experience relating to the Legislative Appropriations System/Planning and Budgeting Subsystem.*

6. *One employee from the Department of Revenue appointed by the executive director of the department who has experience relating to the department's SUNTAX system.*

7. *Two employees from the Department of Management Services appointed by the Secretary of Management Services. One employee must have experience relating to the department's personnel information subsystem and one employee must have experience relating to the department's purchasing subsystem.*

8. *Three state agency administrative services directors appointed by the Governor. One director must represent a regulatory and licensing state agency and one director must represent a health care-related state agency.*

(3) *The Chief Financial Officer or the executive sponsor of the project shall serve as chair of the executive steering committee, and the committee shall take action by a vote of at least eight affirmative votes with the Chief Financial Officer or the executive sponsor of the project voting on the prevailing side. A quorum of the executive steering committee consists of no fewer than 10 members.*

(4) *The executive steering committee has the overall responsibility for ensuring that the project to replace FLAIR and CMS meets its primary business objectives and shall:*

(a) *Identify and recommend to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives any statutory changes needed to implement the replacement subsystem that will standardize to the fullest extent possible the state's financial management business processes.*

(b) *Review and approve any changes to the project's scope, schedule, and budget that do not conflict with the requirements of subsection (1).*

(c) *Ensure that adequate resources are provided throughout all phases of the project.*

(d) *Approve all major project deliverables.*

(e) *Approve all solicitation-related documents associated with the replacement of FLAIR and CMS.*

(5) *This section expires July 1, 2017.*

Section 80. Effective upon this act becoming law and in order to implement section 90 of the 2016-2017 General Appropriations Act, subsection (9) is added to section 216.292, Florida Statutes, to read:

216.292 Appropriations nontransferable; exceptions.—

(9) *Notwithstanding subsections (2), (3), and (4), and for the 2015-2016 fiscal year only, the Executive Office of the Governor, after 14 days' prior notice, may transfer funds between appropriations categories, as needed, to realign funds, to provide for the relocation of state agencies and departments currently located at the Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida. Such transfers are subject to the notice and objection provisions of s. 216.177. This subsection expires July 1, 2016.*

Section 81. In order to implement Specific Appropriation 1602 of the 2016-2017 General Appropriations Act, paragraph (e) of subsection (5) of section 161.143, Florida Statutes, is amended to read:

161.143 Inlet management; planning, prioritizing, funding, approving, and implementing projects.—

(5) The department shall annually provide an inlet management project list, in priority order, to the Legislature as part of the depart-

ment's budget request. The list must include studies, projects, or other activities that address the management of at least 10 separate inlets and that are ranked according to the criteria established under subsection (2).

(e) Notwithstanding paragraphs (a) and (b), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the amount allocated for inlet management funding is provided in the 2016-2017 ~~2015-2016~~ General Appropriations Act. This paragraph expires July 1, 2017 ~~2016~~.

Section 82. In order to implement Specific Appropriations 1533 and 1534 of the 2016-2017 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended to read:

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(m) Notwithstanding paragraphs (a)-(j) and for the 2016-2017 ~~2015-2016~~ fiscal year only;:

1. *The amount of \$15,156,206 ~~\$17.4 million~~ to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects.*

2. *Thirty-five million dollars to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71.*

3.a. *Notwithstanding any allocation required pursuant to paragraph (c), \$10 million shall be allocated to the Florida Communities Trust for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.*

b. *The Department of Environmental Protection may waive the local government matching fund requirement of paragraph (c) for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.*

c. *Notwithstanding sub-subparagraphs a. and b., any funds required to be used to acquire conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities which have not been awarded for those purposes by May 1, 2017, may be awarded to redevelop or renew outdoor recreational facilities on public lands, including recreational trails, parks, and urban open spaces, together with improvements required to enhance recreational enjoyment and public access to public lands, if such redevelopment and renewal is primarily geared toward enhancing recreational opportunities for individuals with unique abilities. The department may waive the local matching requirement of paragraph (c) for such redevelopment and renewal projects.*

This paragraph expires July 1, 2017 ~~2016~~.

Section 83. In order to implement Specific Appropriation 1698A of the 2016-2017 General Appropriations Act, subsection (4) is added to section 375.075, Florida Statutes, to read:

375.075 Outdoor recreation; financial assistance to local governments.—

(4)(a) *For the 2016-2017 fiscal year:*

1. *Notwithstanding any other provision of this section, at least \$3 million of the program funds for projects must be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities. The department shall conduct a separate grant application process exclusively for such projects. The department shall make the schedule for the grant application process for projects that provide recreational enhancements and opportunities for individuals with unique abilities publicly available and shall award the grants for such projects by December 31, 2016.*

2. Notwithstanding subsection (3), a local government may submit up to three grant applications for projects, if at least one of those projects provides recreational enhancements and opportunities for individuals with unique abilities. The maximum project grant for each project application that provides recreational enhancements and opportunities for individuals with unique abilities may not exceed \$500,000 in state funds.

(b) The selection criteria used by the department for grant applications submitted pursuant to this subsection shall prioritize projects that allocate the greatest share of state funds to provide recreational enhancements and opportunities for individuals with unique abilities.

(c) The term “projects that provide recreational enhancements and opportunities for individuals with unique abilities” means those projects that incorporate adaptations or modifications to the design and development of recreational resources or equipment to meet the needs of all potential participants including those with physical or developmental disabilities.

(d) This subsection expires July 1, 2017.

Section 84. In order to implement Specific Appropriation 1534 of the 2016-2017 General Appropriations Act, paragraph (h) is added to subsection (2) of section 380.507, Florida Statutes, to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(2) To undertake, coordinate, or fund activities and projects which will help bring local comprehensive plans into compliance and help implement the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or which will otherwise serve to conserve natural resources and resolve land use conflicts, including, but not limited to:

(h) Projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities. The term “projects that provide recreational enhancements and opportunities for individuals with unique abilities” means those projects that incorporate adaptations or modifications to the design and development of recreational resources or equipment to meet the needs of all potential participants including those with physical or developmental disabilities. This paragraph expires July 1, 2017.

Section 85. In order to implement Specific Appropriations 1599, 1599A, 1599B, and 1740A of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment ~~early~~ restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2017 ~~2016~~.

The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.

Section 86. In order to implement specific appropriations from the Water Quality Assurance Trust Fund within the Department of Environmental Protection contained in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 206.9935, Florida Statutes, is amended to read:

206.9935 Taxes imposed.—

(2) TAX FOR WATER QUALITY.—

(b) The excise tax shall be the applicable rate as specified in subparagraph 1. per barrel or per unit of pollutant, or equivalent measure as established by the department, produced in or imported into the state. If the unobligated balance of the Water Quality Assurance Trust Fund is or falls below \$3 million, the tax shall be increased to the applicable rates specified in subparagraph 2. and shall remain at said rates until the unobligated balance in the fund exceeds \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. If the unobligated balance of the fund exceeds \$12 million, the levy of the tax shall be discontinued until the unobligated balance of the fund falls below \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. Changes in the tax rates pursuant to this paragraph shall take effect on the first day of the month after 30 days’ notification to the Department of Revenue when the unobligated balance of the fund falls below or exceeds a limit set pursuant to this paragraph. The unobligated balance of the Water Quality Assurance Trust Fund as it relates to determination of the applicable excise tax rate shall exclude the unobligated balances of funds of the Dry Cleaning, Operator Certification, and nonagricultural nonpoint source programs, and other required reservations of fund balance. The unobligated balance in the Water Quality Assurance Trust Fund is based upon the current unreserved fund balance, projected revenues, authorized legislative appropriations, and funding for the department’s base budget for the subsequent fiscal year. *Revenues for penalties collected pursuant to s. 403.121(11) and all moneys recovered under s. 373.430(7) are exempt from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund.* Determination of the unobligated balance of the Water Quality Assurance Trust Fund shall be performed annually subsequent to the annual legislative appropriations becoming law.

1. As provided in this paragraph, the tax shall be 2.36 cents per gallon of solvents, 1 cent per gallon of motor oil or other lubricants, and 2 cents per barrel of petroleum products, pesticides, ammonia, and chlorine.

2. As provided in this paragraph, the tax shall be 5.9 cents per gallon of solvents, 2.5 cents per gallon of motor oil or other lubricants, 2 cents per barrel of ammonia, and 5 cents per barrel of petroleum products, pesticides, and chlorine.

Section 87. *The amendment made by this act to s. 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 88. In order to implement Specific Appropriation 1670 of the 2016-2017 General Appropriations Act, subsection (5) of section 403.709, Florida Statutes, is amended to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has, ~~or~~ had, or was not required to obtain a department permit to operate the facility;

2. The permittee, *where required by permit or rule*, provided proof of financial assurance for closure in the form of an insurance certificate or *an alternative form of financial assurance mechanism established pursuant to s. 403.7125*;

3. *The department has ordered the facility closed or has deemed the facility abandoned. The facility is deemed to be abandoned or was ordered to close by the department;*

4. *The closure of the facility is accomplished in substantial accordance with a closure plan approved by the department; and*

5. The department has sufficient ~~written~~ documentation to confirm that the issuer of the ~~that the insurance company issuing the closure insurance policy or alternative form of financial assurance~~ will provide or reimburse the funds required to complete the closing and long-term care of the facility.

(b) The department shall deposit ~~all the funds received from the insurer or other parties for reimbursing insurance company as reimbursement for~~ the costs of closing or long-term care of the facility under this subsection into the solid waste landfill closure account.

(c) *If the amount available under the insurance policy or alternative form of financial assurance is insufficient, or is otherwise unavailable, to perform or complete the facility closing or long-term care under this subsection, and the department has used all such funds from the insurance policy or alternative form of financial assurance, the department may use funds from the Solid Waste Management Trust Fund to pay for or reimburse additional expenses needed for performing or completing the approved facility closure or long-term care activities.*

(d)(e) This subsection expires July 1, 2017 ~~2016~~.

Section 89. Effective upon this becoming a law and in order to implement Specific Appropriation 1674 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration of subsection (5) of section 403.7095, Florida Statutes, which occurred on July 1, 2015, that subsection is revived, reenacted, and amended, and subsection (6) is added to that section, to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the 2015-2016 ~~2014-2015~~ fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million in grants in the 2015-2016 fiscal year equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2016 ~~2015~~.

(6) *Notwithstanding any other provision of this section, and for the 2016-2017 fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million in grants in the 2016-2017 fiscal year equally to counties having populations of fewer than 110,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2017.*

Section 90. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of

moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2016 ~~2015~~, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2017 ~~2016~~.

Section 91. (1) *In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, the Department of Environmental Protection shall transfer revenues from the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.*

(2) *After subtracting any required debt service payments, the proportionate share of revenues to be transferred to each land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission for the fiscal year. The department shall transfer the proportionate share of the revenues in the Land Acquisition Trust Fund within the department on a monthly basis to the appropriate land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission and shall retain its proportionate share of the revenues in the Land Acquisition Trust Fund within the department. Total distributions to a land acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission may not exceed the total appropriations from such trust fund for the fiscal year.*

(3) *This section expires July 1, 2017.*

Section 92. In order to implement Specific Appropriation 1597A of the 2016-2017 General Appropriations Act, subsection (9) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(9) INVESTMENTS; INTEREST.—Moneys in the fund which are not needed currently to meet the obligations of the department in the exercise of its responsibilities under this section and s. 376.3073 shall be deposited with the Chief Financial Officer to the credit of the fund and may be invested in such manner as provided by law. The interest received on such investment shall be credited to the fund. Any provisions of law to the contrary notwithstanding, such interest may be freely transferred between the trust fund and the Water Quality Assurance Trust Fund in the discretion of the department or as authorized in the General Appropriations Act.

Section 93. *The amendment made by this act to s. 376.3071(9), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 94. *In order to implement the proviso language associated with Specific Appropriation 1671 of the 2016-2017 General Appropriations Act relating to the cleanup of petroleum contamination sites, the Department of Environmental Protection may not require payment of program copayments and may not require submission of the limited contamination assessment report as provided in s. 376.3071(13)(c), Florida Statutes. The use of funds appropriated in the 2016-2017 fiscal year may not be applied towards the funding limits provided in sections 376.3071(13) and 376.3072(2), Florida Statutes. This section expires July 1, 2017.*

Section 95. In order to implement Specific Appropriation 1671 of the 2016-2017 General Appropriations Act, paragraph (q) of subsection (4) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(4) USES.—Whenever, in its determination, incidents of inland contamination related to the storage of petroleum or petroleum products may pose a threat to the public health, safety, or welfare, water resources, or the environment, the department shall obligate moneys available in the fund to provide for:

(q) Payments for program deductibles, copayments, and limited contamination assessment reports that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation. This paragraph expires July 1, 2017 ~~2016~~.

The Inland Protection Trust Fund may only be used to fund the activities in ss. 376.30-376.317 except ss. 376.3078 and 376.3079. Amounts on deposit in the fund in each fiscal year shall first be applied or allocated for the payment of amounts payable by the department pursuant to paragraph (n) under a service contract entered into by the department pursuant to s. 376.3075 and appropriated in each year by the Legislature before making or providing for other disbursements from the fund. This subsection does not authorize the use of the fund for cleanup of contamination caused primarily by a discharge of solvents as defined in s. 206.9925(6), or polychlorinated biphenyls when their presence causes them to be hazardous wastes, except solvent contamination which is the result of chemical or physical breakdown of petroleum products and is otherwise eligible. Facilities used primarily for the storage of motor or diesel fuels as defined in ss. 206.01 and 206.86 are not excluded from eligibility pursuant to this section.

Section 96. *In order to implement Specific Appropriation 2632 of the 2016-2017 General Appropriations Act, the Department of Highway Safety and Motor Vehicles shall contract with the corporation organized pursuant to part II of chapter 946, Florida Statutes, to manufacture the current or newly redesigned license plates, such contract being in the same manner and for the same price as that paid by the department during the 2013-2014 fiscal year. The corporation shall seek sealed bids for the reflectorized sheeting used in the manufacture of such license plates, and in the event the sealed bids result in any savings in the sheeting costs, the corporation shall credit to the department an amount equal to 70 percent of the savings. The name of the county may not appear on any redesigned license plate. This section expires July 1, 2017.*

Section 97. In order to implement Specific Appropriation 1890 of the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-2016~~ fiscal year, for purposes of this section, the term “small county” means any county that has a population of 170,000 ~~165,000~~ or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2017 ~~2016~~.

Section 98. In order to implement Specific Appropriation 1895 of the 2016-2017 General Appropriations Act, paragraph (i) of subsection (4) and paragraph (b) of subsection (5) of section 339.135, Florida Statutes, are amended, and notwithstanding the expiration of paragraph (j) of subsection (4) and paragraph (c) of subsection (5) of that section, which occurred on July 1, 2015, those paragraphs are revived, reenacted, and amended, to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(i) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Department of Transportation shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department’s 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(j) Notwithstanding paragraph (a) and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for production-ready eligible projects. Preference shall be given to projects that support the state’s economic regions, or that have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

(5) ADOPTION OF THE WORK PROGRAM.—

(b) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department’s 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(c) Notwithstanding paragraph (a), and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use appropriated funds to pay the costs of strategic and regionally significant transportation projects as provided in paragraph (4)(j). Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2014~~, in the department’s 5-year work program. This paragraph expires July 1, 2017 ~~2015~~.

Section 99. In order to implement Specific Appropriation 1874 of the 2016-2017 General Appropriations Act, subsection (10) of section 341.302, Florida Statutes, is reenacted to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(10)(a) Administer rail operating and construction programs, which programs shall include the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, the installation of traffic control devices at public grade crossings, the approval and implementation of quiet zones, and administration of the programs by the department, including participation in the cost of the programs.

(b) Provide grant funding to assist with the implementation of quiet zones that have been approved by the department, which funding may

not exceed 50 percent of the nonfederal and nonprivate share of the total costs of any quiet zone capital improvement project.

(c) Coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.

(d) Monitor crossing incidents at approved quiet zone locations and suspend the operation of a quiet zone at any time the department determines that a significant deterioration in safety is resulting from quiet zone implementation.

Section 100. *The amendment to s. 341.302(10), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 101. In order to implement Specific Appropriation 1889 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 66 of chapter 2015-222, Laws of Florida, subsection (3) of section 339.2816, Florida Statutes, is reenacted and amended, and paragraph (a) of subsection (4) of that section is amended, to read:

339.2816 Small County Road Assistance Program.—

(3) In the 2016-2017 ~~2015-2016~~ fiscal year, up to \$50 million from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.

(4)(a) Small counties shall be eligible to compete for funds that have been designated for the Small County Road Assistance Program for resurfacing or reconstruction projects on county roads that were part of the county road system on June 10, 1995. Capacity improvements on county roads shall not be eligible for funding under the program, *except where the department determines that widening of existing lanes as part of a resurfacing or reconstruction project is necessary to address safety concerns.*

Section 102. *The amendment made by this act to s. 339.2816(3) and (4), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 103. In order to implement Specific Appropriation 2224 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

(a) The term “rent subsidies” means ongoing monthly rental assistance.

(b) Up to 25 percent of the funds made available in each county and each eligible municipality from the local housing distribution may be used for rental assistance and rent subsidies as provided in paragraph (c).

(c) A county or an eligible municipality may expend its portion of the local housing distribution to provide the following types of rental assistance and rent subsidies:

1. Security and utility deposit assistance.

2. Eviction prevention subsidies not to exceed 6 months’ rent.

3. Rent subsidies for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004 or a person who is homeless as defined in s. 420.621 when the person initially qualified for a rent subsidy. The period of rental subsidy may not exceed 12 months for any eligible household or person.

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 104. In order to implement Specific Appropriation 2223 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10)(a) Notwithstanding subsection (3), for the 2016-2017 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:

1. Not less than 10 percent of the funds available at that time for the following tenant groups:

- a. Families;
- b. Persons who are homeless;
- c. Persons with special needs; and
- d. Elderly persons.

2. Not less than 5 percent of the funds available at that time for the commercial fishing workers and farmworkers tenant group.

(b) *Notwithstanding any other provision of this section for the 2016-2017 fiscal year, the corporation shall issue a notice of funds availability of \$20 million for loans to construct workforce housing to serve primarily low-income persons, as defined in s. 420.0004, and, in the Florida Keys Area of Critical State Concern, to serve households with incomes not to exceed 140 percent of area median income when strategies are included in the local housing assistance plan to serve these households.*

(c) This subsection expires July 1, 2017 ~~2016~~.

Section 105. In order to implement Specific Appropriation 1856 of the 2016-2017 General Appropriations Act, subsection (30) is added to section 427.013, Florida Statutes, to read:

427.013 The Commission for the Transportation Disadvantaged; purpose and responsibilities.—The purpose of the commission is to accomplish the coordination of transportation services provided to the transportation disadvantaged. The goal of this coordination is to assure the cost-effective provision of transportation by qualified community transportation coordinators or transportation operators for the transportation disadvantaged without any bias or presumption in favor of multioperator systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In carrying out this purpose, the commission shall:

(30) *For the 2016-2017 fiscal year and notwithstanding any other provision of this section:*

(a) *Allocate, from funds provided in the General Appropriations Act, to community transportation coordinators who do not receive Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons so they may access health care, employment, education, and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.*

(b) Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to support transportation projects to:

1. Enhance access to health care, shopping, education, employment, public services, and recreation;
2. Assist in the development, improvement, and use of transportation systems in nonurbanized areas;
3. Promote the efficient coordination of services;
4. Support inner-city bus transportation; and
5. Encourage private transportation providers to participate.

(c) This subsection expires July 1, 2017.

Section 106. In order to implement Specific Appropriation 2644 of the 2016-2017 General Appropriations Act, subsection (9) is added to section 216.292, Florida Statutes to read:

216.292 Appropriations nontransferable; exceptions.—

(9) Notwithstanding subsections (2), (3), and (4), and for the 2016-2017 fiscal year only, the Department of Highway Safety and Motor Vehicles, with the approval of the Executive Office of the Governor, and after 14 days' notice, may transfer up to \$6,563,775 of nonrecurring funds from the Highway Safety Operating Trust Fund between appropriations categories as needed to realign funds based upon the cost-benefit analysis that analyzes the different options, including cloud computing services, for securing the hardware and software necessary to upgrade the department's existing database environment, implement a platform for data synchronization, establish a staging environment, implement a test data management toolset, and acquire a managed disaster recovery service. Such transfers are subject to the notice and objection provisions of s. 216.177. This subsection expires July 1, 2017.

Section 107. In order to implement Specific Appropriations 1857 through 1870, 1871 through 1875, 1888 through 1896, 1899 through 1908, and 1947 through 1958 of the 2016-2017 General Appropriations Act, paragraph (g) of subsection (7) of section 339.135, Florida Statutes, is amended, and subsection (h) is added to that subsection, to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(g) Any work program amendment, except an amendment subject to paragraph (h), which also requires the transfer of fixed capital outlay appropriations between categories within the department or the increase of an appropriation category is subject to the approval of the Legislative Budget Commission. If a meeting of the Legislative Budget Commission cannot be held within 30 days of the department submitting an amendment to the Legislative Budget Commission, then the chair and vice chair of the Legislative Budget Commission may authorize such amendment to be approved pursuant to the provisions of s. 216.177.

(h) Any work program amendment that adds a new project, construction phase, right-of-way phase, or public transportation phase to the adopted work program and which is estimated to cost over \$5 million is subject to approval by the Legislative Budget Commission. Such amendment may not include any other proposed work program amendment described in paragraph (c). The department shall provide a narrative description of the project or project phase, a written justification for the addition of such project or project phase to the adopted work program, and an explanation describing the reason that delaying approval of the addition of the project or project phase would be detrimental to the interests of the state. After any such project or project phase is added to the adopted work program, that project or project phase may not be advanced before the adoption of the work program for the subsequent fiscal year. If a meeting of the Legislative Budget Commission cannot be held within 30 days after the department submits an amendment to the Legislative Budget Commission, the chair and vice chair of the Legislative Budget Commission, President of the Senate, and Speaker of the House of Representatives jointly may authorize such amendment to be approved pursuant to the provisions of s. 216.177.

Section 108. The amendment made by this act to s. 339.135(7), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 109. Effective upon this act becoming a law, in order to implement Specific Appropriation 2580 and section 85 of the 2016-2017 General Appropriations Act, subsection (3) of section 321.04, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

321.04 Personnel of the highway patrol; rank classifications; probationary status of new patrol officers; subsistence; special assignments.—

(3) The Department of Highway Safety and Motor Vehicles shall assign one patrol officer to the office of the Governor at the discretion of the Lieutenant Governor; said patrol officer so assigned shall be selected by the Governor and shall have rank and pay not less than that of a lieutenant of the Florida Highway Patrol, and said patrol officer so assigned to the Lieutenant Governor shall be paid by said department from the appropriation made to said department; said patrol officer shall have and receive all other benefits provided for in this chapter or any other statute now in existence or hereinafter enacted.

(4) For the 2015-2016 and 2016-2017 fiscal years, the assignment of a patrol officer by the department shall include a Cabinet member specified in s. 4, Art. IV of the State Constitution if deemed appropriate by the department or in response to a threat and upon written request of such Cabinet member.

Section 110. The amendments made by this act to s. 321.04, Florida Statutes, expire July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 111. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is reenacted to read:

216.292 Appropriations nontransferable; exceptions.—

(2) The following transfers are authorized to be made by the head of each department or the Chief Justice of the Supreme Court whenever it is deemed necessary by reason of changed conditions:

(a) The transfer of appropriations funded from identical funding sources, except appropriations for fixed capital outlay, and the transfer of amounts included within the total original approved budget and plans of releases of appropriations as furnished pursuant to ss. 216.181 and 216.192, as follows:

1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.

2. Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.

3. Any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year shall not be authorized to make transfers pursuant to subparagraphs 1. and 2. in the subsequent fiscal year.

4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review.

Section 112. *The amendment to s. 216.292(2)(a), Florida Statutes, as carried forward by this act from chapter 2015-222, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 113. *In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:*

(1) *Require a change in law; or*

(2) *Require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), Florida Statutes, unless the initiation of such competitive solicitation is specifically authorized in law, in the General Appropriations Act, or by the Legislative Budget Commission.*

This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists. This section expires July 1, 2017.

Section 114. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2017 ~~2016~~.

Section 115. *In order to implement Specific Appropriations 2652 and 2653 of the 2016-2017 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2016-2017 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2017.*

Section 116. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b1). The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose

authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private orga-

nizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 117. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 118. *In order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2017.*

Section 119. *In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees shall be limited during the 2016-2017 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2017.*

Section 120. *In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel and notwithstanding s. 112.061, Florida Statutes, costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$150 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$150 per day. This section expires July 1, 2017.*

Section 121. *In order to implement appropriations in the 2016-2017 General Appropriations Act for executive branch and judicial branch employee travel, the executive branch state agencies and the judicial branch must collaborate with the Executive Office of the Governor to implement the statewide travel management system funded in Specific Appropriation 1965A in the 2016-2017 General Appropriations Act. For the purpose of complying with s. 112.061, Florida Statutes, all executive branch state agencies and the judicial branch must use the statewide travel management system. This section expires July 1, 2017.*

Section 122. In order to implement section 8 of the 2016-2017 General Appropriations Act, section 110.12315, Florida Statutes, is reenacted to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(1) The department shall allow prescriptions written by health care providers under the plan to be filled by any licensed pharmacy pursuant to contractual claims-processing provisions. Nothing in this section may be construed as prohibiting a mail order prescription drug program distinct from the service provided by retail pharmacies.

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(a) Retail pharmacies participating in the program must be reimbursed at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There shall be a 30-day supply limit for prescription card purchases, a 90-day supply limit for maintenance prescription drug purchases, and a 90-day supply limit for mail order or mail order prescription drug purchases.

(c) The pharmacy dispensing fee shall be negotiated by the department.

(3) Pharmacy reimbursement rates shall be as follows:

(a) For mail order and specialty pharmacies contracting with the department, reimbursement rates shall be as established in the contract.

(b) For retail pharmacies, the reimbursement rate shall be at the same rate as mail order pharmacies under contract with the department.

(4) The department shall maintain the preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

(5) The department shall maintain a list of maintenance drugs.

(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs filled up to three times as a 30-day supply through a retail pharmacy; thereafter, prescriptions for the same maintenance drug must be filled as a 90-day supply either through the department's contracted mail order pharmacy or through a retail pharmacy.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs filled as a 90-day supply either through a mail order pharmacy or through a retail pharmacy.

(6) Copayments made by health plan members for a 90-day supply through a retail pharmacy shall be the same as copayments made for a 90-day supply through the department's contracted mail order pharmacy.

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

(8) The department shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies dispensing prescription medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.

(9) The department shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term-maintenance medication in lieu of acute therapy medication.

(10) Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs to any person whose current eligibility for coverage has not been verified by the state's contracted administrator or by the department.

(11) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, 2013, for the State Group Health Insurance Standard Plan:

1. For generic drug with card \$7.

2. For preferred brand name drug with card \$30.
 3. For nonpreferred brand name drug with card \$50.
 4. For generic mail order drug \$14.
 5. For preferred brand name mail order drug \$60.
 6. For nonpreferred brand name mail order drug \$100.
- (b) Effective January 1, 2006, for the State Group Health Insurance High Deductible Plan:
1. Retail coinsurance for generic drug with card 30%.
 2. Retail coinsurance for preferred brand name drug with card 30%.
 3. Retail coinsurance for nonpreferred brand name drug with card 50%.
 4. Mail order coinsurance for generic drug 30%.
 5. Mail order coinsurance for preferred brand name drug 30%.
 6. Mail order coinsurance for nonpreferred brand name drug 50%.
- (c) The department shall create a preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

Section 123. *(1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

(2) The amendments to s. 110.12315(2)(c) and (3)-(6), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expire July 1, 2017, and the text and numbering of those provisions shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text that expire pursuant to this section.

(3) The amendment to s. 110.12315(7), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and shall revert to the text of that subsection in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 124. *In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives. This section expires July 1, 2017.*

Section 125. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2016-2017 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2016-2017 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 126. *If any other act passed during the 2016 Regular Session of the Legislature contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 127. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 128. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 11.45, F.S.; requiring the Auditor General to conduct audits of the Florida School for the Deaf and Blind; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking by the state board; creating s. 1001.67, F.S.; establishing the Distinguished Florida College System institution program; specifying the excellence standards for purposes of the program; prescribing minimum criteria for an institution to receive a distinguished college designation; specifying that designated institutions are eligible for funding as provided in the General Appropriations Act; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing a preeminent state research university to consider certain courses as a part of the general education requirements; providing that such courses are in addition to certain required courses; authorizing a preeminent state research university to require that such courses be earned at the university; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the Board of Governors to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and provide the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; amending s. 1008.46, F.S.; revising the date by which the Board of Governors must submit a specific report; amending s. 1009.23, F.S.; revising provisions relating to the Florida College System institution distance learning course user fee; providing that the fee may not exceed a specified amount per credit hour; requiring that an increase in the current fee be approved by the State Board of Education; amending s. 1009.24, F.S.; revising provisions relating to the state university distance learning course fee; providing that the fee may not exceed a specified amount per credit hour; requiring each state university board of trustees to report specified information relating to the fee to the Board of Governors by a specified date; amending ss. 1009.50, 1009.505, 1009.51, and 1009.52, F.S., relating to the Florida Public Student Assistance Grant Program, the Florida Public Postsecondary Career Education Student Assistance Grant Program, the Florida Private Student Assistance Grant Program, and the Florida Postsecondary Student Assistance Grant Program; requiring the expected family contribution and all other aid available to a student be accounted and considered when determining a student's unmet need; requiring participating institutions to conduct an assessment of the available financial resources for each student; requiring certain funding mechanisms to be included in the assessment; revising

the priority in the distribution of grant moneys; revising reporting requirements for participating institutions; amending s. 1011.62, F.S.; revising the method for allocating funds for exceptional student education programs; extending by 1 fiscal year the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided in the Florida Education Finance Program as set forth in the General Appropriations Act; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; revising the computation of the district sparsity index for districts that meet certain criteria; deleting obsolete language; providing for funding of the district digital classrooms allocation; abrogating the scheduled expiration and reversion of specified amendments to s. 1011.62, F.S., relating to the federally connected student supplement; providing for expiration; prohibiting an under allocation in a prior year caused by a school district error from being the basis for certain allocation adjustments; amending s. 1011.71, F.S.; conforming a cross-reference; providing for the future expiration and reversion of specified statutory text; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.731, F.S.; providing legislative intent; establishing the Florida Best and Brightest Teacher Scholarship Program; providing eligibility criteria; requiring a school district to annually submit the number of eligible classroom teachers to the Department of Education; providing for funding and the disbursement of funds; defining the term "school district"; amending s. 1012.75, F.S.; extending by 1 year the expiration date for the educator liability insurance program; amending s. 1013.64, F.S.; revising capital outlay full-time equivalent membership; providing that certain pre-kindergarten exceptional students are included in the membership; revising the calculation of capital outlay membership; amending s. 1004.935, F.S.; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; providing for the future expiration and reversion of specified statutory text; amending s. 1004.345, F.S.; extending by 1 year the requirement that the Florida Polytechnic University meet specified criteria established by the Board of Governors; creating s. 1004.344, F.S.; creating the Florida Center for the Partnerships for Arts Integrated Teaching within the University of South Florida Sarasota/Manatee; providing goals of the center; authorizing the Florida Fund for Minority Teachers, Inc. to expend up to a specified percentage of appropriated funds and up to a specified amount from available funds for administration; amending s. 1009.986, F.S.; authorizing the extension of the date by which the Florida ABLE, Inc., must establish and administer the Florida ABLE program upon the occurrence of specified events; revising provisions regarding required elements of the participation agreement; prohibiting the Office of Early Learning from adopting a kindergarten readiness rate for certain Voluntary Prekindergarten Education Program years; specifying that certain prekindergarten providers and public schools shall remain on probation; amending s. 1011.62, F.S.; revising the adjustment formula to the Prior Period Funding Adjustment Millage for a specified year; providing for the future expiration and reversion of specified statutory text; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs; amending s. 393.063, F.S.; revising the definition of the term "developmental disability" and defining the term "Phelan-McDermid syndrome"; providing for the future expiration and reversion of specified statutory text; amending s. 393.065, F.S.; requiring the Agency for Persons with Disabilities to offer enrollment in the Medicaid home and community-based waiver program to certain individuals; specifying criteria for enrollment prioritization; requiring the agency to allow an individual who meets specified eligibility requirements to receive home and community-based services if a parent or legal guardian is an active-duty servicemember who is transferred to this state; requiring the agency to allow certain individuals with Phelan-McDermid syndrome to receive home and community-based services; providing that individuals remaining on the wait list are not entitled to a hearing in accordance with federal law or an administrative proceeding under state law; authorizing the agency and the Agency for Health Care Administration to adopt rules specifying tools for prioritizing waiver enrollments within categories; specifying the requirements that apply to the iBudgets of clients in the home and community-based services waiver program until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule; providing for application of the new allocation algorithm and

methodology after adoption of the final rule; providing requirements for an increase in iBudget funding allocations; reenacting s. 393.067(15), F.S., relating to contracts between the Agency for Persons with Disabilities and licensed facilities; providing contingent abrogation of the scheduled expiration and reversion of amendments to s. 393.067(15), F.S., pursuant to s. 24 of chapter 2015-222, Laws of Florida; providing for the future expiration and reversion of specified statutory text; reenacting s. 393.18, F.S., relating to the comprehensive transitional education program; providing contingent abrogation of the scheduled expiration and reversion of amendments to s. 393.18, F.S., pursuant to s. 26 of chapter 2015-222, Laws of Florida; providing for the future expiration and reversion of specified statutory text; amending s. 296.37, F.S.; extending for 1 fiscal year the requirement that certain residents of a veterans' nursing home contribute to their maintenance and support; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding based upon a specified model, methodology, and framework; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the Department of Health; providing that certain funds provided for training purposes shall be allocated to community-based lead agencies based on a training needs assessment conducted by the Department of Children and Families; requiring the Agency for Health Care Administration to ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers have resided in a skilled nursing facility for a specified period; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a certain frailty-based screening; authorizing the Agency for Health Care Administration to adopt rules and enter into certain interagency agreements with respect to program enrollment; authorizing the agency to delegate certain responsibilities with respect to program enrollment to the Department of Elderly Affairs; authorizing the Department of Elderly Affairs to delegate certain functions to its contractors; amending s. 409.911, F.S.; requiring the Agency for Health Care Administration to distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity services as set forth in the General Appropriations Act; amending s. 409.9113, F.S.; requiring the Agency for Health Care Administration to make disproportionate share payments to teaching hospitals as set forth in the General Appropriations Act; amending s. 409.9119, F.S.; requiring the Agency for Health Care Administration to make disproportionate share payments to specialty hospitals for children, as set forth in the General Appropriations Act; amending s. 893.055, F.S.; authorizing the Department of Health to use certain funds to administer the prescription drug monitoring program; prohibiting the use of funds received from a settlement agreement to administer the program; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; extending for 1 fiscal year the authority for a municipality to expend funds from its special law enforcement trust fund to reimburse its general fund for certain moneys advanced from the general fund; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; prohibiting the Department of Corrections from transferring funds from a salaries and benefits category to another category, other than a salaries and benefits category, unless approved by the Legislative Budget Commission; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer funds withheld to specified trust funds; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county;

amending s. 27.5304, F.S.; revising certain limitations on compensation for private court-appointed counsel; providing for the future expiration and reversion of specified statutory text; requiring the Department of Management Services to organize a work group to develop a law enforcement officers' career development plan; specifying the representatives to be included in the work group; providing issues to be addressed in the plan; requiring the work group to conduct meetings and develop a career development proposal to be submitted to the Governor and Legislature by a specified date; requiring the Justice Administrative Commission to provide funds to the clerks of court for specified uses related to juries; providing procedures for clerks of court to receive such funds; providing an apportionment methodology if funds are estimated to be insufficient to pay all amounts requested; requiring the clerks of court to pay amounts in excess of appropriated amounts; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; directing the Department of Management Services to use tenant broker services to renegotiate or repurchase certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of statutory text requiring the deposit of certain fees into the Administrative Trust Fund; reenacting s. 282.709(2)(a), F.S., relating to the creation and membership of the Joint Task Force on State Agency Law Enforcement Communications; providing for the future expiration and reversion of specified statutory text; specifying the amount of the transaction fee to be collected for use of the online procurement system; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing agencies to transfer certain data processing funds to contract with a private sector cloud service under certain circumstances; specifying that such transfers are subject to certain notice, review, and objection procedures; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resource management services; providing for replacement of Florida Accounting Information Resource Subsystem; providing for project governance structure; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor under specified circumstances to transfer funds between appropriations categories to provide for the relocation of certain state agencies and departments currently located at a specified location; specifying such transfers are subject to notice and objection; amending s. 161.143, F.S.; extending by 1 fiscal year the directive that the amount allocated for inlet management funding is provided in the General Appropriations Act; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act; amending s. 375.075, F.S.; requiring that a minimum percentage of funds for the Florida Recreation Development Assistance Program be used toward projects providing recreational enhancements and opportunities for people with unique abilities; requiring the Department of Environmental Protection to award grants by a specified date; revising the limitation on the number of grant applications a local government may submit under certain circumstances; requiring the department to prioritize projects that provide recreational enhancement and opportunities to people with unique abilities; defining the term "projects that provide recreational enhancements and opportunities for individuals with unique abilities"; amending s. 380.507, F.S.; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 206.9935, F.S.; exempting specified revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund; providing for the future expiration and reversion of specified statutory text;

amending s. 403.709, F.S.; revising the conditions under which the Department of Environmental Protection may use the solid waste landfill closure account within the Solid Waste Management Trust Fund to contract with a third party to close and provide long-term care of certain solid waste management facilities; authorizing the Department of Environmental Protection to use the Solid Waste Management Trust Fund under specified circumstances if amounts paid under an insurance policy or alternative financial assurance do not cover the cost of the closing or providing long-term care of a facility; reviving, reenacting, and amending s. 403.7095(5), F.S.; requiring the Department of Environmental Protection to award a certain sum of grant funds for specified solid waste management programs to counties that meet certain criteria; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 376.3071, F.S.; specifying that earned interest may be transferred between the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund as authorized by the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; prohibiting the Department of Environmental Protection from requiring payment of program copayments for the cleanup of certain petroleum contamination sites; prohibiting the department from requiring submission of the limited contamination assessment report; prohibiting the use of 2016-2017 funds from being applied towards certain funding limits; amending s. 376.3071, F.S.; requiring the Department of Environmental Protection under specified circumstances to obligate moneys in the Inland Protection Trust Fund for certain items that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation; requiring the Department of Highway Safety and Motor Vehicles to contract with a specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term "small county" for purposes of the Small County Outreach Program; authorizing capacity improvements on county roads to be eligible for funding from the Small County Road Assistance Program under specified conditions; amending s. 339.135, F.S., and reviving, reenacting, and amending s. 339.135(4)(j) and (5)(c), F.S.; extending by 1 fiscal year provisions requiring the Department of Transportation to use appropriated funds for purposes related to the establishment of a multiuse trail system; authorizing the department to use up to a certain amount of appropriated funds for strategic and regionally significant transportation projects; reenacting s. 341.302(10), F.S., relating to the Department of Transportation's duties and responsibilities for the rail program; providing for the future expiration and reversion of specified statutory text; amending s. 339.2816, F.S.; specifying the amount of funding from the State Transportation Trust Fund that may be used for the Small County Road Assistance Program for the 2016-2017 fiscal year; authorizing capacity improvements on county roads to be eligible for funding from the Small County Road Assistance Program under specified conditions; providing for the future expiration and reversion of specified statutory text; amending s. 420.9072, F.S.; extending by 1 fiscal year provisions authorizing each county and eligible municipality to use its portion of the local housing distribution for certain purposes; amending s. 420.5087, F.S.; extending by 1 fiscal year provisions specifying the reservation of funds for the tenant groups within each notice of fund availability with respect to the State Apartment Incentive Loan Program; requiring the Florida Housing Finance Corporation to issue a notice of fund availability for loans to be used for certain purposes; amending s. 427.013, F.S.; requiring the Commission for the Transportation Disadvantaged to allocate and award appropriated funds for specified purposes;

amending s. 216.292, F.S.; authorizing the Department of Highway Safety and Motor Vehicles, with approval of the Governor's Office, to transfer specified funds between appropriations categories to realign funds based on certain cost-benefit analysis; specifies that such transfers are subject to notice and objection provisions; providing for future expiration; amending s. 339.135, F.S.; providing for the adoption of certain Department of Transportation work program amendments estimated to cost more than a specified dollar amount; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles to assign a highway patrol officer, at the written request of a Cabinet member or the Lieutenant Governor, to that Cabinet member or the Lieutenant Governor, under specified circumstances; providing for future expiration; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text related to the source and use of specified trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; requiring executive branch state agencies and the judicial branch to collaborate with the Executive Office of the Governor regarding the statewide travel management system and to use such system; placing a monetary cap on the amount of money available for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses in excess of the monetary caps; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of statutory text related to the state employees' prescription drug program; prohibiting agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

On motion by Senator Lee, the Conference Committee Report on **HB 5003** was adopted. **HB 5003** passed, as amended by the Conference Committee Report, and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—35

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Dean	Hutson	Sobel
Detert	Joyner	Soto
Diaz de la Portilla	Latvala	Stargel
Evers	Lee	

Nays—5

Bullard	Legg	Thompson
Clemens	Margolis	

Vote after roll call:

Yea to Nay—Sobel

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, and **HB 5101** which come before the Senate for a vote on March 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RECONSIDERATION OF RETURNING MESSAGE

On motion by Senator Garcia, the Senate reconsidered the vote by which—

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—as amended, passed this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 1 (253290)**, as amended, was adopted.

On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 1A (379122)** was adopted.

Amendment 1A (379122) was withdrawn.

Senator Garcia moved the following amendment to **Amendment 1 (253290)** which was adopted:

Amendment 1B (652976) (with title amendment)—Delete lines 5-61 and insert:

Section 1. Paragraph (b) of subsection (3) of section 627.6686, Florida Statutes, is amended to read:

627.6686 Coverage for individuals with autism spectrum disorder required; exception.—

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(b) Treatment of autism spectrum disorder *and Down syndrome* through speech therapy, occupational therapy, physical therapy, and applied behavior analysis. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

Section 2. Paragraph (b) of subsection (3) of section 641.31098, Florida Statutes, is amended to read:

641.31098 Coverage for individuals with developmental disabilities.—

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(b) Treatment of autism spectrum disorder *and Down syndrome*, through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

Section 3. Notwithstanding the enactment of subsection (2) made to s. 627.42392, Florida Statutes, by HB 423, 1st Eng., 2016 Regular Session, subsection (2) of s. 627.42392, Florida Statutes, is enacted to read:

(2) *Notwithstanding any other provision of law, effective January 1, 2017 or six (6) months after the effective date of the rule adopting the prior authorization form, whichever is later, a health insurer, or a pharmacy benefits manager on behalf of the health insurer, which does not provide an electronic prior authorization process for use by its contracted providers, shall only use the prior authorization form that has been approved by the Financial Services Commission for granting a prior authorization for a medical procedure, course of treatment, or prescription drug benefit. Such form may not exceed two pages in length, excluding any instructions or guiding documentation, and must include all clinical documentation necessary for health insurer to make a decision. At a minimum, the form must include: (1) sufficient patient information to identify the member, date of birth, full name, and Health Plan ID number; (2) Provider name, address and phone number; (3) the medical procedure, course of treatment, or prescription drug benefit being requested, including the medical reason therefor, and all services tried and failed; (4) any laboratory documentation required; and (5) an attestation that all information provided is true and accurate.*

Section 4. *It is the intent of the Legislature that the enactment of s. 627.42392(2), Florida Statutes, made by this act shall control over the enactment of that subsection made by HB 423, 1st Eng., 2016 Regular Session, regardless of the order in which the bills are enacted.*

And the title is amended as follows:

Delete lines 335-344 and insert: plan to provide specified coverage for treatment of Down syndrome; amending s. 641.31098, F.S.; requiring a specified health maintenance contract to provide specified health maintenance contract to provide specified coverage for treatment of Down syndrome; enacting s. 627.42392, F.S.; requiring a health insurer or a pharmacy benefits manager to only use a certain form; providing requirements for such form; providing legislative intent that the enactment of s. 627.42392(2), F.S., made by this act controls; amending s.

Amendment 1 (253290), as amended, was adopted.

On motion by Senator Garcia, the Senate requested the House to concur in the Senate amendment, as amended.

CS for CS for CS for HB 221 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Legg
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson

Nays—None

By direction of the President, the following Conference Committee Report was read:

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5005, as amended by the Conference Committee Report.

Bob Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5005

The Honorable Steve Crisafulli
Speaker, House of Representatives

March 10, 2016

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5005, same being:

An act relating to State-administered Retirement Systems.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1 (709216).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

<i>s/ Richard Corcoran, Chair</i>	<i>s/ Jim Boyd, Vice Chair</i>
<i>s/ Janet H. Adkins, At Large</i>	<i>s/ Ben Albritton, At Large</i>
<i>s/ Dennis K. Baxley, At Large</i>	<i>s/ Janet Cruz, At Large</i>
<i>s/ Jose Felix Diaz, At Large</i>	<i>s/ Matt Gaetz, At Large</i>
<i>s/ Mia L. Jones, At Large</i>	<i>s/ George R. Moraitis, Jr.</i>
<i>s/ Jose R. Oliva, At Large</i>	<i>At Large</i>
<i>s/ H. Marlene O'Toole, At Large</i>	<i>s/ Mark S. Pafford, At Large</i>
<i>s/ Holly Raschein, At Large</i>	<i>s/ David Richardson, At Large</i>
<i>Cynthia A. Stafford, At Large</i>	<i>s/ Carlos Trujillo, At Large</i>
<i>s/ Alan B. Williams, At Large</i>	<i>s/ John Wood, At Large</i>
<i>s/ Ritch Workman, At Large</i>	<i>s/ Dana D. Young, At Large</i>

Managers on the part of the House

<i>s/ Tom Lee, Chair</i>	<i>s/ Lizbeth Benacquisto</i>
<i>s/ Thad Altman</i>	<i>Vice Chair</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. "Charlie" Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>

s/ Miguel Diaz de la Portilla
s/ Anitere Flores, At Large
s/ Bill Galvano, At Large
s/ Audrey Gibson
s/ Alan Hays
s/ Travis Hutson
s/ Jack Latvala
s/ Gwen Margolis, At Large
s/ Joe Negron
s/ Maria Lorts Sachs
s/ Wilton Simpson
s/ Eleanor Sobel
s/ Kelli Stargel

s/ Greg Evers
s/ Don Gaetz
s/ Rene Garcia
s/ Denise Grimsley, At Large
s/ Dorothy L. Hukill
s/ Arthenia L. Joyner, At Large
s/ John Legg
s/ Bill Montford
s/ Garrett Richter, At Large
s/ David Simmons, At Large
s/ Christopher L. Smith, At Large
s/ Darren Soto
s/ Geraldine F. "Geri" Thompson

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5005, relating to the Florida Retirement System (FRS), provides for the following:

Section 1 corrects the name of the trust fund which receives the employer-paid assessments for administrative and educational costs associated with the Florida Retirement System (FRS). The correct name is the Administrative Trust Fund rather than the FRS Investment Plan Trust Fund.

Section 2 sets the employer-paid contributions to the Florida Retirement System Trust Fund for each membership class of the FRS.

Section 3 increases the employer contribution to the State Board of Administration's Administrative Trust Fund from 0.04 percent of payroll to 0.06 percent of payroll. These revenues are used to offset the costs of administering the investment plan as well as providing educational services to all FRS members.

Section 4 provides findings that the bill fulfills important state interests.

Conference Committee Amendment (042689) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (5) of section 121.4501, Florida Statutes, is amended to read:

121.4501 Florida Retirement System Investment Plan.—

(5) CONTRIBUTIONS.—

(c) The state board, acting as plan fiduciary, must ensure that all plan assets are held in a trust, pursuant to s. 401 of the Internal Revenue Code. The fiduciary must ensure that such contributions are allocated as follows:

1. The employer and employee contribution portion earmarked for member accounts shall be used to purchase interests in the appropriate investment vehicles as specified by the member, or in accordance with paragraph (4)(d).

2. The employer contribution portion earmarked for administrative and educational expenses shall be transferred to the *state board's Administrative Florida Retirement System Investment Plan* Trust Fund.

3. The employer contribution portion earmarked for disability benefits shall be transferred to the Florida Retirement System Trust Fund.

Section 2. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2016 2015
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Regular Class	2.97% 2.91%
Special Risk Class	11.35%
Special Risk Administrative Support Class	3.87% 3.71%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	6.63% 6.48%
Elected Officers' Class—Justices, Judges	11.68% 11.39%
Elected Officers' Class—County Elected Officers	8.55% 8.48%
Senior Management Class	4.38% 4.32%
DROP	4.17% 4.10%

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2016 2015 —
Regular Class	2.83% 2.65%
Special Risk Class	8.92% 8.99%
Special Risk Administrative Support Class	22.47% 27.54%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	33.75% 37.62%
Elected Officers' Class—Justices, Judges	23.30% 22.62%
Elected Officers' Class—County Elected Officers	32.20% 32.09%
Senior Management Service Class	15.67% 15.41%
DROP	7.10% 7.12%

Section 3. Section 121.74, Florida Statutes, is amended to read:

121.74 Administrative and educational expenses.—In addition to contributions required to fund member accounts under ss. 121.71 and 121.73, effective July 1, 2010, through June 30, 2014, employers participating in the Florida Retirement System shall contribute an employer assessment amount equal to 0.03 percent of the payroll reported for each class or subclass of Florida Retirement System membership. Effective July 1, 2014, the employer assessment is 0.04 percent of the payroll reported for each class or subclass of membership. *Effective July 1, 2016, the employer assessment is 0.06 percent of the payroll reported for each class or subclass of membership.* The amount assessed shall be transferred by the Division of Retirement from the Florida Retirement System Contributions Clearing Trust Fund to the State Board of Administration's Administrative Trust Fund to offset the costs of administering the investment plan and the costs of providing educational services to members of the Florida Retirement System. Approval of the trustees is required before the expenditure of these funds. Payments for third-party administrative or educational expenses shall be made only pursuant to the terms of the approved contracts for such services.

Section 4. *The Legislature finds that a proper and legitimate state interest is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons*

must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 5. This act shall take effect July 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.4501, F.S.; correcting a reference to the trust fund to which certain employer assessments are transferred; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; amending s. 121.74, F.S.; revising the employer assessment rate for offsetting administrative and educational costs related to the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

On motion by Senator Ring, the Conference Committee Report on **HB 5005** was adopted. **HB 5005** passed, as amended by the Conference Committee Report, and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

By direction of the President, the following Conference Committee Report was read:

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5007, as amended by the Conference Committee Report.

Bob Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5007

The Honorable Steve Crisafulli Speaker, House of Representatives March 10, 2016

The Honorable Andy Gardiner President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5007, same being:

An act relating to Collective Bargaining.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1 (592002).

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

- | | |
|---------------------------------|-------------------------------------|
| s/ Richard Corcoran, Chair | s/ Jim Boyd, Vice Chair |
| s/ Janet H. Adkins, At Large | s/ Ben Albritton, At Large |
| s/ Dennis K. Baxley, At Large | s/ Janet Cruz, At Large |
| s/ Jose Felix Diaz, At Large | s/ Matt Gaetz, At Large |
| s/ Mia L. Jones, At Large | s/ George R. Moraitis, Jr. At Large |
| s/ Jose R. Oliva, At Large | s/ Mark S. Pafford, At Large |
| s/ H. Marlene O'Toole, At Large | s/ David Richardson, At Large |
| s/ Holly Raschein, At Large | s/ Carlos Trujillo, At Large |
| Cynthia A. Stafford, At Large | s/ Alan B. Williams, At Large |
| s/ Alan B. Williams, At Large | s/ John Wood, At Large |
| s/ Ritch Workman, At Large | s/ Dana D. Young, At Large |

Managers on the part of the House

- | | |
|-----------------------------------|-----------------------------------|
| s/ Tom Lee, Chair | s/ Lizbeth Benacquisto Vice Chair |
| s/ Thad Altman | s/ Rob Bradley |
| s/ Aaron Bean | s/ Oscar Braynon II |
| s/ Jeff Brandes | s/ Jeff Clemens |
| s/ Dwight Bullard | s/ Nancy C. Detert |
| s/ Charles S. "Charlie" Dean, Sr. | s/ Greg Evers |
| s/ Miguel Diaz de la Portilla | s/ Don Gaetz |
| s/ Anitere Flores, At Large | s/ Rene Garcia |
| s/ Bill Galvano, At Large | s/ Denise Grimsley, At Large |
| s/ Audrey Gibson | s/ Dorothy L. Hukill |
| s/ Alan Hays | s/ Arthenia L. Joyner, At Large |
| s/ Travis Hutson | s/ John Legg |
| s/ Jack Latvala | s/ Bill Montford |
| s/ Gwen Margolis, At Large | s/ Garrett Richter, At Large |
| s/ Joe Negron | s/ David Simmons, At Large |
| s/ Maria Lorts Sachs | s/ Christopher L. Smith, At Large |
| s/ Wilton Simpson | s/ Darren Soto |
| s/ Eleanor Sobel | s/ Geraldine F. "Geri" Thompson |
| s/ Kelli Stargel | |

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5007, relating to Collective Bargaining, resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2016-2017 fiscal year that have not been resolved in the General Appropriations Act or other legislation.

The amendment does not change substantive law.

Conference Committee Amendment (129117) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *Collective bargaining issues at impasse for the 2016-2017 fiscal year between the State of Florida and the certified representatives of the bargaining units for state employees are resolved as follows:*

(1) *Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists Selected Exempt Service (SES) Supervisory Non-Professional Unit regarding Article 3 "Vacant," Article 9 "Vacant," Article 24 "Vacant," and Article 27 "Vacant" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(2) *Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists State Employees Attorneys Guild regarding Article 3 "Vacant," Article 15 "Vacant," and Article 22 "Vacant" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(3) *Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists Selected Exempt Service (SES) Physicians Unit regarding Article 3 "Vacant" and Article 22 "Vacant" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(4) *Collective bargaining issues at impasse between the State of Florida and the Florida State Fire Service Association regarding Article 23 "Hours of Work and Overtime" shall be resolved pursuant to the state's proposal dated October 20, 2015; Article 26 "Vacant" and Article*

27 “Vacant” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement; and Article 9 “Voluntary Reassignment, Transfer, Change in Duty Station and Promotions” shall be resolved pursuant to the state’s proposal dated November 30, 2015, except that Article 9, Section 6 “Promotions Outside the Unit” shall be revised to read: “The hiring authority shall carefully consider employee applicants when filling vacant supervisory positions at the level immediately above bargaining unit positions. The State will make a good faith effort to fill vacant positions in the rank immediately above the bargaining unit with employees of the bargaining unit. However, the most qualified applicant will always be recommended by the hiring authority. This provision is not subject to Article 6 grievance procedure.”

(5) Collective bargaining issues at impasse between the State of Florida and the Teamsters Local Union No. 2011, Security Services Unit regarding Article 5 “Union Activities and Employee Representation” shall be resolved pursuant to the state’s proposal dated January 22, 2016; Article 7 “Discipline and Discharge” shall be resolved pursuant to the state’s proposal dated February 24, 2016; Article 8 “Workforce Reduction” shall be resolved pursuant to the state’s proposal dated January 25, 2016; Article 22 “Job-Connected Disability” shall be resolved pursuant to the state’s proposal dated September 30, 2015; and Article 6 “Grievance Procedure,” Article 9 “Lateral Action, Reassignment, Transfer, Change in Duty Station,” Article 10 “Promotions,” Article 13 “Safety,” and Article 24 “On-Call Assignment and Call-back” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(6) Collective bargaining issues at impasse between the State of Florida and the Florida Nurses Association regarding Article 24 “On-Call Assignment” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(7) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association, Law Enforcement Unit regarding Article 5 “Employee Representation and PBA Activities” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement, and Article 18 “Hours of Work, Leave and Job-Connected Disability” shall be resolved pursuant to the state’s proposal dated February 12, 2016.

(8) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association, Florida Highway Patrol Unit regarding Article 5 “Employee Representation and PBA Activities” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement, and Article 18 “Hours of Work, Leave and Job-Connected Disability” shall be resolved pursuant to the state’s proposal dated February 12, 2016.

(9) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association, Florida Lottery Unit regarding Article 21 “On-Call Assignment, Call Back, Court Appearance” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement, except that issues at impasse regarding Article 21, Section 3 “Call-Back” shall be resolved by the union’s proposal dated October 20, 2015, and Article 23 “Uniforms, Equipment and Service Awards” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(10) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association, Special Agent Unit regarding Article 5 “Employee Representation and Association Activities” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement, and Article 23 “Workday, Workweek and Overtime” shall be resolved pursuant to the state’s proposal dated February 12, 2016.

All other mandatory collective bargaining issues at impasse for the 2016-2017 fiscal year which are not addressed by this act or the General Appropriations Act for the 2016-2017 fiscal year shall be resolved in accordance with the personnel rules in effect on March 1, 2016, and by otherwise maintaining the status quo under the language of the applicable current collective bargaining agreement.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to collective bargaining; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing for all other mandatory collective bargaining issues at impasse that are not addressed by the act or the General Appropriations Act to be resolved consistent with personnel rules and by otherwise maintaining the status quo; providing an effective date.

On motion by Senator Lee, the Conference Committee Report on **HB 5007** was adopted. **HB 5007** passed, as amended by the Conference Committee Report, and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

By direction of the President, the following Conference Committee Report was read:

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5101, as amended by the Conference Committee Report.

Bob Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5101

The Honorable Steve Crisafulli Speaker, House of Representatives March 10, 2016

The Honorable Andy Gardiner President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5101, same being:

An act relating to Medicaid.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1 (390464).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Richard Corcoran, Chair
s/ Jim Boyd, Vice Chair
s/ Ben Albritton, At Large
s/ Jason T. Brodeur
s/ W. Travis Cummings
s/ Matt Gaetz, At Large
Mia L. Jones, At Large
s/ George R. Moraitis, Jr.

s/ Matt Hudson, Chair
s/ Janet H. Adkins, At Large
s/ Dennis K. Baxley, At Large
Janet Cruz, At Large
s/ Jose Felix Diaz, At Large
s/ Gayle B. Harrell
s/ MaryLynn “ML” Magar
s/ Amanda Murphy

At Large
s/ H. Marlene O'Toole, At Large
s/ Cary Pigman
s/ David Richardson, At Large
s/ Cyndi Stevenson
s/ Alan B. Williams, At Large
s/ Ritch Workman, At Large

s/ Jose R. Oliva, At Large
s/ Mark S. Pafford, At Large
s/ Holly Raschein, At Large
 Cynthia A. Stafford, At Large
s/ Carlos Trujillo, At Large
s/ John Wood, At Large
s/ Dana D. Young, At Large

Managers on the part of the House

s/ Tom Lee, Chair
s/ Thad Altman
s/ Aaron Bean
s/ Jeff Brandes
s/ Dwight Bullard
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Anitere Flores, At Large
s/ Bill Galvano, At Large
s/ Audrey Gibson
s/ Alan Hays
s/ Travis Hutson
s/ Jack Latvala
s/ Gwen Margolis, At Large
s/ Joe Negron
s/ Maria Lorts Sachs
s/ Wilton Simpson
s/ Eleanor Sobel
s/ Kelli Stargel

s/ Lizbeth Benacquisto
 Vice Chair
s/ Rob Bradley
s/ Oscar Braynon II
s/ Jeff Clemens
s/ Nancy C. Detert
s/ Greg Evers
s/ Don Gaetz
s/ Rene Garcia
s/ Denise Grimsley, At Large
s/ Dorothy L. Hukill
s/ Arthenia L. Joyner, At Large
s/ John Legg
s/ Bill Montford
s/ Garrett Richter, At Large
s/ David Simmons, At Large
s/ Christopher L. Smith, At Large
s/ Darren Soto
s/ Geraldine F. "Geri" Thompson

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5101, relating to health care services, provides for the following:

Section 1 amends s. 322.142, F.S., to authorize, effective upon the bill becoming law, the Dept. of Highway Safety and Motor Vehicles to allow the Agency for Health Care Administration (AHCA), via inter-agency agreement, to access photographic images of driver licenses for the purpose of preventing health care fraud. The bill authorizes AHCA to contract with a private entity to carry out duties relating to health care fraud prevention under specified safeguards and parameters.

Section 2 amends s. 409.9128, F.S., to provide that reimbursement for emergency services provided to an enrollee of a Medicaid managed care plan by a provider that is not under contract with the managed care plan must be the lesser of specified amounts, including the Medicaid rate as provided in s. 409.967(2)(b), F.S.

Section 3 amends s. 395.602, F.S., to provide that a hospital classified as a sole community hospital which has up to 175 licensed beds is included in the definition of "rural hospital."

Section 4 amends s. 409.285, F.S., to transfer from the Dept. of Children and Families (DCF) to AHCA the responsibility for conducting Medicaid fair hearings related to Medicaid programs administered by AHCA, by March 1, 2017. Provides for rulemaking by AHCA. Provides that AHCA will use DCF's existing fair hearing rules if AHCA's rulemaking is not completed by March 1, 2017.

Section 5 amends definitions under s. 409.811, F.S., to permit certain non-citizen children to receive federal financial premium assistance under Medicaid or the Children's Health Insurance Program (CHIP).

Section 6 amends s. 409.814, F.S., to replace a reference to "qualified alien" with a reference to "lawfully residing child" when referring to children who are not eligible for Title XXI funded premium assistance. The bill also clarifies that Kidcare program eligibility is not being extended to undocumented immigrants.

Section 7 amends s. 409.904, F.S., to provide that a child younger than 19 years of age who is a lawfully residing child, as defined ins. 409.811, F.S., is eligible for Medicaid under s. 409.903, F.S. The bill also clarifies that Medicaid eligibility is not being extended to undocumented immigrants.

Section 8 amends s. 409.905(5), F.S., to delete the requirement for the AHCA to limit payment for hospital emergency department visits

for non-pregnant Medicaid recipients 21 years of age or older to six visits per fiscal year.

Section 9 amends s. 409.905(6), F.S., effective July 1, 2017, to require AHCA to implement a prospective payment methodology for hospital outpatient reimbursement, thereby replacing the current cost-based reimbursement methodology on that date. Provides that adjustments to outpatient reimbursements may not be made later than July 31 of the year in which they take effect.

Section 10 amends s. 409.906, F.S., to require AHCA to seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payment for such services may be made as enhanced rates or incentive payments to managed care plans within Statewide Medicaid Managed Care.

Section 11 amends s. 393.063, F.S., to add Down syndrome and Phelan-McDermid syndrome to the list of disorders that define "developmental disability."

Section 12 amends s. 393.063, F.S., to provide a definition of Phelan-McDermid syndrome.

Section 13 amends s. 393.065, F.S., to revise the parameters used by the Agency for Persons with Disabilities (APD) to assign priority to clients waiting for services from the developmental disability waiver.

Section 14 provides that, in the event HB 1083 or similar legislation does not become law during the 2016 legislative session or an extension thereof, s. 393.0662, F.S., is amended to add a significant need for transportation services relating to adult day training or employment services to the list of needs in current law for which the APD may authorize an increase in iBudget funding if the need that cannot be accommodated within previously approved funding, under specified parameters.

Section 15 provides that, in the event HB 1083 or similar legislation does not become law during the 2016 legislative session or an extension thereof, notwithstanding the expiration date in section 24 of ch. 2015-222, Laws of Florida, s. 393.067(15), F.S., is reenacted.

Section 16 provides that, in the event HB 1083 or similar legislation does not become law during the 2016 legislative session or an extension thereof, notwithstanding the expiration date in section 26 of ch. 2015-222, Laws of Florida, s. 393.18, F.S., is reenacted.

Section 17 amends s. 409.907, F.S., to authorize AHCA to certify that a Medicaid provider is out of business and that any overpayments made to the provider cannot be collected under state law.

Section 18 creates s. 409.9072, F.S., to authorize AHCA to reimburse private schools and charter schools for providing Medicaid school-based services identical to those offered under the Medicaid certified school match program and under the same eligibility criteria as children eligible for services under that program.

Section 19 amends s. 409.908, F.S., to add class III psychiatric hospitals to the current list of facilities for which AHCA is authorized to establish an alternative reimbursement methodology to the DRG-based prospective payment system otherwise required under state law. The bill also provides that, effective July 1, 2017, AHCA is required to reimburse ambulatory surgical centers with a prospective payment system, thereby replacing the current cost-based reimbursement methodology on that date.

Section 20 amends s. 409.909, F.S., relating to the Statewide Medicaid Residency Program (SMRP), to:

- Add psychiatry to the current list of primary care specialties;
- Provide that federally qualified health centers are qualifying institutions for the purpose of receiving funds for residency slots through the SMRP;
- Require that hospitals applying for the start-up bonus component of the SMRP must submit to AHCA certain validations of new resident positions approved on or after March 2 of the prior fiscal year through March 1 of the current fiscal year for physician specialties identified to be in statewide supply/demand deficit in the General Appropriations Act; and

- Revise the definition of “Medicaid payments,” effective July 1, 2017, in order to conform to the transition to a prospective payment system for hospital outpatient reimbursement on that date.

Section 21 amends s. 409.967(2), F.S., regarding payments required of a managed care plan within the Statewide Medicaid Managed Care program to a non-contracted provider that has rendered emergency services to a member of the managed care plan. The bill conforms this statute to federal law by specifying that such payments may be no more than the Medicaid fee-for-service rate, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the fee-for-service payment. The bill also requires AHCA to post on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that would otherwise be included in the fee-for-service payments.

Section 22 amends s. 409.968, F.S., to require AHCA to establish a payment methodology to fund managed care plans within Statewide Medicaid Managed Care for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. After receiving such payments for at least one year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.

Section 23 amends s. 409.975, F.S., to

- Clarify that the term “essential provider” includes providers determined to be essential Medicaid providers under s. 409.975(1)(a), F.S., and providers specified as statewide essential providers under s. 409.975(1)(b), F.S., for the purpose of applying the criteria for excluding an essential provider from a managed care plan network for failure to meet quality or performance standards under s. 409.975(1)(c), F.S.;
- Provide a cross-reference to changes made in Section 21 of the bill regarding payments required of a managed care plan within the Statewide Medicaid Managed Care program to a non-contracted provider that has rendered emergency services to a member of the managed care plan; and
- Delete the provision in s. 409.975(6), F.S., requiring that for rates, methods, and terms of payment negotiated after a Statewide Medicaid Managed Care contract between AHCA and a managed care plan has been executed, the managed care plan must pay hospitals within its provider networks, at a minimum, the rate that AHCA would have paid on the first day of the contract between the provider and the plan.

Section 24 amends s. 624.91, F.S., the Florida Healthy Kids Corporation Act, to conform to changes made under the bill and update references to modified or deleted terms.

Section 25 amends s. 641.513, F.S., to provide that, as part of the Florida Insurance Code, the amount of reimbursement paid by a health maintenance organization (HMO) to a non-contracted provider for emergency services provided to a member of the HMO who is a Medicaid recipient, will be determined under ch. 409. The bill also provides that the amount of reimbursement for emergency services provided to subscribers who are enrolled in an HMO pursuant to the Florida Healthy Kids program by a provider for whom no contract exists between the provider and the HMO, will be the lesser of specified amounts, including the Medicaid rate.

Section 26 amends s. 18 of ch. 2012-33, Laws of Florida, to require AHCA to contract with a current Program of All-inclusive Care for the Elderly (PACE) organization in Southeast Florida to develop and operate a PACE program in Broward County to serve frail elders who reside in Broward County or Miami-Dade County with up to 150 initial enrollee slots. Under the current language in ch. 2012-33, Laws of Florida, the provision of services is limited to frail elders residing in Broward County.

Section 27 authorizes a new PACE site to serve frail elders residing in hospice service area 1 (Escambia, Okaloosa, Santa Rosa, and Walton counties), hospice service area 2A (Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties), and hospice service area 2B (Franklin,

Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla counties) with up to 100 initial enrollee slots.

Section 28 authorizes a new PACE site to serve frail elders residing in Clay, Duval, St. Johns, Baker, and Nassau counties with up to 300 initial enrollee slots.

Section 29 authorizes a new PACE site to serve frail elders residing in hospice service area 7B (Orange and Osceola counties) and hospice service area 3E (Lake and Sumter counties) with up to 150 initial enrollee slots.

Section 30 authorizes a new PACE site to serve frail elders residing in Hillsborough County with up to 150 initial enrollee slots.

Section 31 amends s. 391.055, F.S., to update a cross-reference to changes made in the bill.

Section 32 amends 427.0135, F.S., to update a cross-reference to changes made in the bill.

Section 33 amends s. 1002.385, F.S., to provide cross-references to changes made in the bill.

Section 34 amends s. 1011.70, F.S., to correct cross-references to changes made in the bill.

Section 35 provides that, except as otherwise provided, the bill takes effect July 1, 2016.

Conference Committee Amendment (413601) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Effective upon this act becoming a law, paragraphs (k) and (l) of subsection (4) of section 322.142, Florida Statutes, are amended, and paragraph (m) is added to that section, to read:

322.142 Color photographic or digital imaged licenses.—

(4) The department may maintain a film negative or print file. The department shall maintain a record of the digital image and signature of the licensees, together with other data required by the department for identification and retrieval. Reproductions from the file or digital record are exempt from the provisions of s. 119.07(1) and may be made and issued only:

(k) To district medical examiners pursuant to an interagency agreement for the purpose of identifying a deceased individual, determining cause of death, and notifying next of kin of any investigations, including autopsies and other laboratory examinations, authorized in s. 406.11; ~~or~~

(l) To the following persons for the purpose of identifying a person as part of the official work of a court:

1. A justice or judge of this state;

2. An employee of the state courts system who works in a position that is designated in writing for access by the Chief Justice of the Supreme Court or a chief judge of a district or circuit court, or by his or her designee; or

3. A government employee who performs functions on behalf of the state courts system in a position that is designated in writing for access by the Chief Justice or a chief judge, or by his or her designee; or

(m) *To the Agency for Health Care Administration pursuant to an interagency agreement to prevent health care fraud. If the Agency for Health Care Administration enters into an agreement with a private entity to carry out duties relating to health care fraud prevention, such contracts shall include, but need not be limited to:*

1. *Provisions requiring internal controls and audit processes to identify access, use, and unauthorized access of information.*

2. *A requirement to report unauthorized access or use to the Agency for Health Care Administration within 1 business day after the discovery of the unauthorized access or use.*

3. *Provisions for liquidated damages for unauthorized access or use of no less than \$5,000 per occurrence.*

Section 2. Subsection (5) of section 409.9128, Florida Statutes, is amended to read:

409.9128 Requirements for providing emergency services and care.—

(5) Reimbursement for services provided to an enrollee of a managed care plan under this section by a provider who does not have a contract with the managed care plan shall be the lesser of:

- (a) The provider's charges;
- (b) The usual and customary provider charges for similar services in the community where the services were provided;
- (c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or
- (d) The Medicaid rate, *as provided in s. 409.967(2)(b).*

Section 3. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part, the term:

(e) "Rural hospital" means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

- 1. The sole provider within a county with a population density of up to 100 persons per square mile;
- 2. An acute care hospital, in a county with a population density of up to 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;
- 3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of up to 100 persons per square mile;
- 4. *A hospital classified as a sole community hospital under 42 C.F.R. s. 412.92 which has up to 175 licensed beds;*

5.4. A hospital with a service area that has a population of up to 100 persons per square mile. As used in this subparagraph, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and Policy Analysis at the agency; or

6.5. A hospital designated as a critical access hospital, as defined in s. 408.07.

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency. A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room.

Section 4. Section 409.285, Florida Statutes, is amended to read:

409.285 Opportunity for hearing and appeal.—

(1) If an application for public assistance is not acted upon within a reasonable time after the filing of the application, or is denied in whole

or in part, or if an assistance payment is modified or canceled, the applicant or recipient may appeal the decision to the Department of Children and Families in the manner and form prescribed by the department.

(a)(9) The hearing authority may be the Secretary of Children and Families, a panel of department officials, or a hearing officer appointed for that purpose. The hearing authority is responsible for a final administrative decision in the name of the department on all issues that have been the subject of a hearing. With regard to the department, the decision of the hearing authority is final and binding. The department is responsible for seeing that the decision is carried out promptly.

(b)(9) The department may adopt rules to administer this *subsection* section. Rules for the Temporary Assistance for Needy Families block grant programs must be similar to the federal requirements for Medicaid programs.

(2) *Appeals related to Medicaid programs directly administered by the Agency for Health Care Administration, including appeals related to Florida's Statewide Medicaid Managed Care program and associated federal waivers, filed on or after March 1, 2017, must be directed to the agency in the manner and form prescribed by the agency. The department and the agency shall establish a transition process to transfer administration of these appeals from the department to the agency by March 1, 2017.*

(a) *The hearing authority for appeals heard by the Agency for Health Care Administration may be the Secretary of Health Care Administration, a panel of agency officials, or a hearing officer appointed for that purpose. The hearing authority is responsible for a final administrative decision in the name of the agency on all issues that have been the subject of a hearing. A decision of the hearing authority is final and binding on the agency. The agency is responsible for ensuring that the decision is promptly carried out.*

(b) *Notwithstanding ss. 120.569 and 120.57, hearings conducted by the Agency for Health Care Administration pursuant to this subsection are subject to federal regulations and requirements relating to Medicaid appeals, are exempt from the uniform rules of procedure under s. 120.54(5), and are not required to be conducted by an administrative law judge assigned by the Division of Administrative Hearings.*

(c) *The Agency for Health Care Administration shall seek federal approval necessary to implement this subsection and may adopt rules necessary to administer this subsection. Before such rules are adopted, the agency shall follow the rules applicable to the Medicaid hearings pursuant to s. 409.285(1).*

(3) *Appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to s. 393.125.*

Section 5. Subsections (17) through (22) of section 409.811, Florida Statutes, are renumbered as subsections (18) through (23), respectively, a new subsection (17) is added to that section, and present subsections (23) and (24) of that section are amended, to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.821, the term:

(17) "Lawfully residing child" means a child who is lawfully present in the United States, meets Medicaid or Children's Health Insurance Program (CHIP) residency requirements, and may be eligible for medical assistance with federal financial participation as provided under s. 214 of the Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, and related federal regulations.

~~(23) "Qualified alien" means an alien as defined in s. 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended, Pub. L. No. 104-193.~~

(24) "Resident" means a United States citizen, or lawfully residing child ~~qualified alien~~, who is domiciled in this state.

Section 6. Paragraph (c) of subsection (4) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal

poverty level is eligible for the Florida Kidcare program as provided in this section. If an enrolled individual is determined to be ineligible for coverage, he or she must be immediately disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is an alien, but who does not meet the definition of a lawfully residing child ~~qualified alien, in the United States. This paragraph does not extend eligibility for the Florida Kidcare program to an undocumented immigrant.~~

Section 7. Subsections (8) and (9) of section 409.904, Florida Statutes, are renumbered as subsections (9) and (10), respectively, and a new subsection (8) is added to that section to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(8) A child who has not attained 19 years of age and who, notwithstanding s. 414.095(3), would be eligible for Medicaid under s. 409.903, except that the child is a lawfully residing child as defined in s. 409.811. This subsection does not extend eligibility for optional Medicaid payments or related services to an undocumented immigrant.

Section 8. Subsection (5) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for all covered services provided for the medical care and treatment of a recipient who is admitted as an inpatient by a licensed physician or dentist to a hospital licensed under part I of chapter 395. However, the agency shall limit the payment for inpatient hospital services for a Medicaid recipient 21 years of age or older to 45 days or the number of days necessary to comply with the General Appropriations Act. ~~Effective August 1, 2012, the agency shall limit payment for hospital emergency department visits for a nonpregnant Medicaid recipient 21 years of age or older to six visits per fiscal year.~~

(a) The agency may implement reimbursement and utilization management reforms in order to comply with any limitations or directions in the General Appropriations Act, which may include, but are not limited to: prior authorization for inpatient psychiatric days; prior authorization for nonemergency hospital inpatient admissions for individuals 21 years of age and older; authorization of emergency and urgent-care admissions within 24 hours after admission; enhanced utilization and concurrent review programs for highly utilized services; reduction or elimination of covered days of service; adjusting reimbursement ceilings for variable costs; adjusting reimbursement ceilings for fixed and property costs; and implementing target rates of increase. The agency may limit prior authorization for hospital inpatient services to selected diagnosis-related groups, based on an analysis of the cost and potential for unnecessary hospitalizations represented by certain diagnoses. Admissions for normal delivery and newborns are exempt from requirements for prior authorization. In implementing the provisions of this section related to prior authorization, the agency shall

ensure that the process for authorization is accessible 24 hours per day, 7 days per week and authorization is automatically granted when not denied within 4 hours after the request. Authorization procedures must include steps for review of denials. Upon implementing the prior authorization program for hospital inpatient services, the agency shall discontinue its hospital retrospective review program.

(b) A licensed hospital maintained primarily for the care and treatment of patients having mental disorders or mental diseases is not eligible to participate in the hospital inpatient portion of the Medicaid program except as provided in federal law. However, the department shall apply for a waiver, within 9 months after June 5, 1991, designed to provide hospitalization services for mental health reasons to children and adults in the most cost-effective and lowest cost setting possible. Such waiver shall include a request for the opportunity to pay for care in hospitals known under federal law as “institutions for mental disease” or “IMD’s.” The waiver proposal shall propose no additional aggregate cost to the state or Federal Government, and shall be conducted in Hillsborough County, Highlands County, Hardee County, Manatee County, and Polk County. The waiver proposal may incorporate competitive bidding for hospital services, comprehensive brokering, prepaid capitated arrangements, or other mechanisms deemed by the department to show promise in reducing the cost of acute care and increasing the effectiveness of preventive care. When developing the waiver proposal, the department shall take into account price, quality, accessibility, linkages of the hospital to community services and family support programs, plans of the hospital to ensure the earliest discharge possible, and the comprehensiveness of the mental health and other health care services offered by participating providers.

(c) The agency shall implement a prospective payment methodology for establishing reimbursement rates for inpatient hospital services. Rates shall be calculated annually and take effect July 1 of each year. The methodology shall categorize each inpatient admission into a diagnosis-related group and assign a relative payment weight to the base rate according to the average relative amount of hospital resources used to treat a patient in a specific diagnosis-related group category. The agency may adopt the most recent relative weights calculated and made available by the Nationwide Inpatient Sample maintained by the Agency for Healthcare Research and Quality or may adopt alternative weights if the agency finds that Florida-specific weights deviate with statistical significance from national weights for high-volume diagnosis-related groups. The agency shall establish a single, uniform base rate for all hospitals unless specifically exempt pursuant to s. 409.908(1).

1. Adjustments may not be made to the rates after October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget contained in ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations discovered after October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital’s reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency’s hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

(d) The agency shall implement a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume participating hospitals, select counties, or statewide, and replace existing hospital inpatient utilization management programs for neonatal intensive care admissions. The program shall be designed to manage appropriate admissions and discharges for children being treated in neonatal intensive care units and must seek medically appropriate discharge to the child’s home or other less costly treatment setting. The agency may competitively bid a contract for the selection of

a qualified organization to provide neonatal intensive care utilization management services. The agency may seek federal waivers to implement this initiative.

(e) The agency may develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in areas 9, 10, and 11.

Section 9. Effective July 1, 2017, paragraph (b) of subsection (6) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(6) HOSPITAL OUTPATIENT SERVICES.—

(b) The agency shall implement a *prospective payment* methodology for establishing base reimbursement rates for outpatient hospital services for each hospital based on allowable costs, as defined by the agency. Rates shall be calculated annually and take effect July 1, 2017, and July 1 of each year thereafter. The methodology shall categorize the amount and type of services used in various ambulatory visits which group together procedures and medical visits that share similar characteristics and resource utilization based on the most recent complete and accurate cost report submitted by each hospital.

1. Adjustments may not be made to the rates after July 31 October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget under ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations discovered after July 31 of each state fiscal year October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital's reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency's hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

Section 10. Paragraph (e) is added to subsection (13) of section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in

the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(13) HOME AND COMMUNITY-BASED SERVICES.—

(e) The agency shall seek federal approval to pay for flexible services for persons with severe mental illness or substance use disorders, including, but not limited to, temporary housing assistance. Payments may be made as enhanced capitation rates or incentive payments to managed care plans that meet the requirements of s. 409.968(4).

Section 11. Subsection (9) of section 393.063, Florida Statutes, is amended to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(9) "Developmental disability" means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, *Down syndrome*, *Phelan-McDermid syndrome*, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

Section 12. Subsections (25) through (41) of section 393.063, Florida Statutes, are renumbered as subsections (26) through (42), respectively, and a new subsection (25) is added to that section to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(25) "*Phelan-McDermid syndrome*" means a disorder caused by the loss of the terminal segment of the long arm of chromosome 22, which occurs near the end of the chromosome at a location designated q13.3, typically leading to developmental delay, intellectual disability, dolicocephaly, hypotonia, or absent or delayed speech.

Section 13. Paragraphs (a) and (b) of subsection (5) of section 393.065, Florida Statutes, are amended, subsections (6) and (7) are renumbered as subsections (9) and (10), respectively, present subsection (7) is amended, and new subsections (6), (7), and (8) are added to that section, to read:

393.065 Application and eligibility determination.—

(5) Except as otherwise directed by law, beginning July 1, 2010, The agency shall assign and provide priority to clients waiting for waiver services in the following order:

(a) Category 1, which includes clients deemed to be in crisis as described in rule, shall be given first priority in moving from the waiting list to the waiver.

(b) Category 2, which includes individuals on the waiting children on the wait list who are:

1. From the child welfare system with an open case in the Department of Children and Families' statewide automated child welfare information system and who are either:

a. Transitioning out of the child welfare system at the finalization of an adoption, a reunification with family members, a permanent placement with a relative, or a guardianship with a nonrelative; or

b. At least 18 years but not yet 22 years of age and who need both waiver services and extended foster care services; or

2. At least 18 years but not yet 22 years of age and who withdrew consent pursuant to s. 39.6251(5)(c) to remain in the extended foster care system.

For individuals who are at least 18 years but not yet 22 years of age and who are eligible under sub-subparagraph 1.b., the agency shall provide waiver services, including residential habilitation, and the community-based care lead agency shall fund room and board at the rate established in s. 409.145(4) and provide case management and related services as

defined in s. 409.986(3)(e). Individuals may receive both waiver services and services under s. 39.6251. Services may not duplicate services available through the Medicaid state plan.

Within categories 3, 4, 5, 6, and 7, the agency shall maintain a wait list of clients placed in the order of the date that the client is determined eligible for waiver services.

(6) The agency shall allow an individual who meets the eligibility requirements of subsection (1) to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military servicemember and if, at the time of the servicemember's transfer to this state, the individual was receiving home and community-based services in another state.

(7) The agency shall allow an individual with a diagnosis of Phelan-McDermid syndrome who meets the eligibility requirements of subsection (1) to receive home and community-based services.

(8) Agency action that selects individuals to receive waiver services pursuant to this section does not establish a right to a hearing or an administrative proceeding under chapter 120 for individuals remaining on the waiting list.

(9)(7) The agency and the Agency for Health Care Administration may adopt rules specifying application procedures, criteria associated with the waiting list ~~wait list~~ categories, procedures for administering the waiting ~~wait~~ list, including tools for prioritizing waiver enrollment within categories, and eligibility criteria as needed to administer this section.

Section 14. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending paragraph (b) of subsection (1) of section 393.0662, Florida Statutes, fails to become law, paragraph (b) of subsection (1) of section 393.0662, Florida Statutes, is amended to read:

393.0662 Individual budgets for delivery of home and community-based services; iBudget system established.—The Legislature finds that improved financial management of the existing home and community-based Medicaid waiver program is necessary to avoid deficits that impede the provision of services to individuals who are on the waiting list for enrollment in the program. The Legislature further finds that clients and their families should have greater flexibility to choose the services that best allow them to live in their community within the limits of an established budget. Therefore, the Legislature intends that the agency, in consultation with the Agency for Health Care Administration, develop and implement a comprehensive redesign of the service delivery system using individual budgets as the basis for allocating the funds appropriated for the home and community-based services Medicaid waiver program among eligible enrolled clients. The service delivery system that uses individual budgets shall be called the iBudget system.

(1) The agency shall establish an individual budget, referred to as an iBudget, for each individual served by the home and community-based services Medicaid waiver program. The funds appropriated to the agency shall be allocated through the iBudget system to eligible, Medicaid-enrolled clients. For the iBudget system, eligible clients shall include individuals with a diagnosis of Down syndrome or a developmental disability as defined in s. 393.063. The iBudget system shall be designed to provide for: enhanced client choice within a specified service package; appropriate assessment strategies; an efficient consumer budgeting and billing process that includes reconciliation and monitoring components; a redefined role for support coordinators that avoids potential conflicts of interest; a flexible and streamlined service review process; and a methodology and process that ensures the equitable allocation of available funds to each client based on the client's level of need, as determined by the variables in the allocation algorithm.

(b) The allocation methodology shall provide the algorithm that determines the amount of funds allocated to a client's iBudget. The agency may approve an increase in the amount of funds allocated, as determined by the algorithm, based on the client having one or more of the following needs that cannot be accommodated within the funding as determined by the algorithm and having no other resources, supports, or services available to meet the need:

1. An extraordinary need that would place the health and safety of the client, the client's caregiver, or the public in immediate, serious jeopardy unless the increase is approved. An extraordinary need may include, but is not limited to:

a. A documented history of significant, potentially life-threatening behaviors, such as recent attempts at suicide, arson, nonconsensual sexual behavior, or self-injurious behavior requiring medical attention;

b. A complex medical condition that requires active intervention by a licensed nurse on an ongoing basis that cannot be taught or delegated to a nonlicensed person;

c. A chronic comorbid condition. As used in this subparagraph, the term "comorbid condition" means a medical condition existing simultaneously but independently with another medical condition in a patient; or

d. A need for total physical assistance with activities such as eating, bathing, toileting, grooming, and personal hygiene.

However, the presence of an extraordinary need alone does not warrant an increase in the amount of funds allocated to a client's iBudget as determined by the algorithm.

2. A significant need for one-time or temporary support or services that, if not provided, would place the health and safety of the client, the client's caregiver, or the public in serious jeopardy, unless the increase is approved. A significant need may include, but is not limited to, the provision of environmental modifications, durable medical equipment, services to address the temporary loss of support from a caregiver, or special services or treatment for a serious temporary condition when the service or treatment is expected to ameliorate the underlying condition. As used in this subparagraph, the term "temporary" means a period of fewer than 12 continuous months. However, the presence of such significant need for one-time or temporary supports or services alone does not warrant an increase in the amount of funds allocated to a client's iBudget as determined by the algorithm.

3. A significant increase in the need for services after the beginning of the service plan year that would place the health and safety of the client, the client's caregiver, or the public in serious jeopardy because of substantial changes in the client's circumstances, including, but not limited to, permanent or long-term loss or incapacity of a caregiver, loss of services authorized under the state Medicaid plan due to a change in age, or a significant change in medical or functional status which requires the provision of additional services on a permanent or long-term basis that cannot be accommodated within the client's current iBudget. As used in this subparagraph, the term "long-term" means a period of 12 or more continuous months. However, such significant increase in need for services of a permanent or long-term nature alone does not warrant an increase in the amount of funds allocated to a client's iBudget as determined by the algorithm.

4. A significant need for transportation services to a waiver-funded adult day training program or to waiver-funded employment services when such need cannot be accommodated within a client's iBudget as determined by the algorithm without affecting the health and safety of the client, if public transportation is not an option due to the unique needs of the client or other transportation resources are not reasonably available.

The agency shall reserve portions of the appropriation for the home and community-based services Medicaid waiver program for adjustments required pursuant to this paragraph and may use the services of an independent actuary in determining the amount of the portions to be reserved.

Section 15. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending subsection (15) of section 393.067, Florida Statutes, fails to become law, notwithstanding the expiration date in section 24 of chapter 2015-222, Laws of Florida, subsection (15) of section 393.067, Florida Statutes, is reenacted to read:

393.067 Facility licensure.—

(15) The agency is not required to contract with facilities licensed pursuant to this chapter.

Section 16. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending section 393.18, Florida Statutes, fails to become law, notwithstanding the expiration date in section 26 of chapter 2015-222, Laws of Florida, section 393.18, Florida Statutes, is reenacted to read:

393.18 Comprehensive transitional education program.—A comprehensive transitional education program is a group of jointly operating centers or units, the collective purpose of which is to provide a sequential series of educational care, training, treatment, habilitation, and rehabilitation services to persons who have developmental disabilities and who have severe or moderate maladaptive behaviors. However, this section does not require such programs to provide services only to persons with developmental disabilities. All such services shall be temporary in nature and delivered in a structured residential setting, having the primary goal of incorporating the principle of self-determination in establishing permanent residence for persons with maladaptive behaviors in facilities that are not associated with the comprehensive transitional education program. The staff shall include behavior analysts and teachers, as appropriate, who shall be available to provide services in each component center or unit of the program. A behavior analyst must be certified pursuant to s. 393.17.

(1) Comprehensive transitional education programs shall include a minimum of two component centers or units, one of which shall be an intensive treatment and educational center or a transitional training and educational center, which provides services to persons with maladaptive behaviors in the following sequential order:

(a) Intensive treatment and educational center.—This component is a self-contained residential unit providing intensive behavioral and educational programming for persons with severe maladaptive behaviors whose behaviors preclude placement in a less restrictive environment due to the threat of danger or injury to themselves or others. Continuous-shift staff shall be required for this component.

(b) Transitional training and educational center.—This component is a residential unit for persons with moderate maladaptive behaviors providing concentrated psychological and educational programming that emphasizes a transition toward a less restrictive environment. Continuous-shift staff shall be required for this component.

(c) Community transition residence.—This component is a residential center providing educational programs and any support services, training, and care that are needed to assist persons with maladaptive behaviors to avoid regression to more restrictive environments while preparing them for more independent living. Continuous-shift staff shall be required for this component.

(d) Alternative living center.—This component is a residential unit providing an educational and family living environment for persons with maladaptive behaviors in a moderately unrestricted setting. Residential staff shall be required for this component.

(e) Independent living education center.—This component is a facility providing a family living environment for persons with maladaptive behaviors in a largely unrestricted setting and includes education and monitoring that is appropriate to support the development of independent living skills.

(2) Components of a comprehensive transitional education program are subject to the license issued under s. 393.067 to a comprehensive transitional education program and may be located on a single site or multiple sites.

(3) Comprehensive transitional education programs shall develop individual education plans for each person with maladaptive behaviors who receives services from the program. Each individual education plan shall be developed in accordance with the criteria specified in 20 U.S.C. ss. 401 et seq., and 34 C.F.R. part 300.

(4) For comprehensive transitional education programs, the total number of residents who are being provided with services may not in any instance exceed the licensed capacity of 120 residents and each residential unit within the component centers of the program authorized under this section may not in any instance exceed 15 residents. However, a program that was authorized to operate residential units

with more than 15 residents before July 1, 2015, may continue to operate such units.

Section 17. Subsection (12) of section 409.907, Florida Statutes, is renumbered as subsection (13), and a new subsection (12) is added to that subsection to read:

409.907 Medicaid provider agreements.—The agency may make payments for medical assistance and related services rendered to Medicaid recipients only to an individual or entity who has a provider agreement in effect with the agency, who is performing services or supplying goods in accordance with federal, state, and local law, and who agrees that no person shall, on the grounds of handicap, race, color, or national origin, or for any other reason, be subjected to discrimination under any program or activity for which the provider receives payment from the agency.

(12) *In accordance with 42 C.F.R. s. 433.318(d)(2)(ii), the agency may certify that a provider is out of business and that any overpayments made to the provider cannot be collected under state law.*

Section 18. Section 409.9072, Florida Statutes, is created to read:

409.9072 *Medicaid provider agreements for charter schools and private schools.—*

(1) *Subject to a specific appropriation by the Legislature, the agency shall reimburse private schools as defined in s. 1002.01 and schools designated as charter schools under s. 1002.33 which are Medicaid providers for school-based services pursuant to the rehabilitative services option provided under 42 U.S.C. s. 1396d(a)(13) to children younger than 21 years of age with specified disabilities who are eligible for both Medicaid and part B or part H of the Individuals with Disabilities Education Act (IDEA) or the exceptional student education program, or who have an individualized educational plan.*

(2) *Schools that wish to enroll as Medicaid providers and receive Medicaid reimbursement under this section must apply to the agency for a provider agreement and must agree to:*

(a) *Verify Medicaid eligibility. The agency shall work cooperatively with a private school or a charter school that is a Medicaid provider to facilitate the school's verification of Medicaid eligibility.*

(b) *Develop and maintain the financial and individual education plan records needed to document the appropriate use of state and federal Medicaid funds.*

(c) *Comply with all state and federal Medicaid laws, rules, regulations, and policies, including, but not limited to, those related to the confidentiality of records and freedom of choice of providers.*

(d) *Be responsible for reimbursing the cost of any state or federal disallowance that results from failure to comply with state or federal Medicaid laws, rules, or regulations.*

(3) *The types of school-based services for which schools may be reimbursed under this section are those included in s. 1011.70(1). Private schools and charter schools may not be reimbursed by the agency for providing services that are excluded by that subsection.*

(4) *Within 90 days after a private school or a charter school applies to enroll as a Medicaid provider under this section, the agency may conduct a review to ensure that the school has the capability to comply with its responsibilities under subsection (2). A finding by the agency that the school has the capability to comply does not relieve the school of its responsibility to correct any deficiencies or to reimburse the cost of the state or federal disallowances identified pursuant to any subsequent state or federal audits.*

(5) *For reimbursements to private schools and charter schools under this section, the agency shall apply the reimbursement schedule developed under s. 409.9071(5). Health care practitioners engaged by a school to provide services under this section must be enrolled as Medicaid providers and meet the qualifications specified under 42 C.F.R. s. 440.110, as applicable. Each school's continued participation in providing Medicaid services under this section is contingent upon the school providing to the agency an annual accounting of how the Medicaid reimbursements are used.*

(6) For Medicaid provider agreements issued under this section, the agency's and the school's confidentiality is waived in relation to the state's efforts to control Medicaid fraud. The agency and the school shall provide any information or documents relating to this section to the Medicaid Fraud Control Unit in the Department of Legal Affairs, upon request, pursuant to the Attorney General's authority under s. 409.920.

Section 19. Paragraph (a) of subsection (1) of section 409.908, Florida Statutes, is amended, subsections (6) through (24) are renumbered as subsections (7) through (25), respectively, and a new subsection (6) is added to that section to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(1) Reimbursement to hospitals licensed under part I of chapter 395 must be made prospectively or on the basis of negotiation.

(a) Reimbursement for inpatient care is limited as provided in s. 409.905(5), except as otherwise provided in this subsection.

1. If authorized by the General Appropriations Act, the agency may modify reimbursement for specific types of services or diagnoses, recipient ages, and hospital provider types.

2. The agency may establish an alternative methodology to the DRG-based prospective payment system to set reimbursement rates for:

- a. State-owned psychiatric hospitals.
- b. Newborn hearing screening services.
- c. Transplant services for which the agency has established a global fee.
- d. Recipients who have tuberculosis that is resistant to therapy who are in need of long-term, hospital-based treatment pursuant to s. 392.62.
- e. *Class III psychiatric hospitals.*

3. The agency shall modify reimbursement according to other methodologies recognized in the General Appropriations Act.

The agency may receive funds from state entities, including, but not limited to, the Department of Health, local governments, and other local political subdivisions, for the purpose of making special exception payments, including federal matching funds, through the Medicaid inpatient reimbursement methodologies. Funds received for this purpose shall be separately accounted for and may not be commingled with other state or local funds in any manner. The agency may certify all local governmental funds used as state match under Title XIX of the Social Security Act, to the extent and in the manner authorized under the General Appropriations Act and pursuant to an agreement between the agency and the local governmental entity. In order for the agency to certify such local governmental funds, a local governmental entity must

submit a final, executed letter of agreement to the agency, which must be received by October 1 of each fiscal year and provide the total amount of local governmental funds authorized by the entity for that fiscal year under this paragraph, paragraph (b), or the General Appropriations Act. The local governmental entity shall use a certification form prescribed by the agency. At a minimum, the certification form must identify the amount being certified and describe the relationship between the certifying local governmental entity and the local health care provider. The agency shall prepare an annual statement of impact which documents the specific activities undertaken during the previous fiscal year pursuant to this paragraph, to be submitted to the Legislature annually by January 1.

(6) *Effective July 1, 2017, an ambulatory surgical center shall be reimbursed pursuant to a prospective payment methodology. The agency shall implement a prospective payment methodology for establishing reimbursement rates for ambulatory surgical centers. Rates shall be calculated annually and take effect July 1, 2017, and on July 1 each year thereafter. The methodology shall categorize the amount and type of services used in various ambulatory visits which group together procedures and medical visits that share similar characteristics and resource utilization.*

Section 20. Paragraphs (a) and (b) of subsection (2), subsections (3) and (4), and paragraph (a) of subsection (5) of section 409.909, Florida Statutes, are amended, paragraph (c) of subsection (2) is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection, to read:

409.909 Statewide Medicaid Residency Program.—

(2) On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for distributing funds to participating hospitals. On or before the final business day of each quarter of a state fiscal year, the agency shall distribute to each participating hospital one-fourth of that hospital's annual allocation calculated under subsection (4). The allocation fraction for each participating hospital is based on the hospital's number of full-time equivalent residents and the amount of its Medicaid payments. As used in this section, the term:

(a) "Full-time equivalent," or "FTE," means a resident who is in his or her residency period, with the initial residency period defined as the minimum number of years of training required before the resident may become eligible for board certification by the American Osteopathic Association Bureau of Osteopathic Specialists or the American Board of Medical Specialties in the specialty in which he or she first began training, not to exceed 5 years. The residency specialty is defined as reported using the current residency type codes in the Intern and Resident Information System (IRIS), required by Medicare. A resident training beyond the initial residency period is counted as 0.5 FTE, unless his or her chosen specialty is in primary care, in which case the resident is counted as 1.0 FTE. For the purposes of this section, primary care specialties include:

1. Family medicine;
2. General internal medicine;
3. General pediatrics;
4. Preventive medicine;
5. Geriatric medicine;
6. Osteopathic general practice;
7. Obstetrics and gynecology;
8. Emergency medicine; ~~and~~
9. General surgery; *and*
10. *Psychiatry.*

(b) "Medicaid payments" means the estimated total payments for reimbursing a hospital for direct inpatient services for the fiscal year in which the allocation fraction is calculated based on the hospital inpatient appropriation and the parameters for the inpatient diagnosis-related group base rate, including applicable intergovernmental trans-

fers, specified in the General Appropriations Act, as determined by the agency. *Effective July 1, 2017, the term "Medicaid payments" means the estimated total payments for reimbursing a hospital for direct inpatient and outpatient services for the fiscal year in which the allocation fraction is calculated based on the hospital inpatient appropriation and outpatient appropriation and the parameters for the inpatient diagnosis-related group base rate, including applicable intergovernmental transfers, specified in the General Appropriations Act, as determined by the agency.*

(c) *"Qualifying institution" means a federally Qualified Health Center holding an Accreditation Council for Graduate Medical Education institutional accreditation.*

(3) The agency shall use the following formula to calculate a participating hospital's and qualifying institution's allocation fraction:

$$\text{HAF}=[0.9 \times (\text{HFTE}/\text{TFTE})] + [0.1 \times (\text{HMP}/\text{TMP})]$$

Where:

HAF=A hospital's and qualifying institution's allocation fraction.

HFTE=A hospital's and qualifying institution's total number of FTE residents.

TFTE=The total FTE residents for all participating hospitals and qualifying institutions.

HMP=A hospital's and qualifying institution's Medicaid payments.

TMP=The total Medicaid payments for all participating hospitals and qualifying institutions.

(4) A hospital's and qualifying institution's annual allocation shall be calculated by multiplying the funds appropriated for the Statewide Medicaid Residency Program in the General Appropriations Act by that hospital's and qualifying institution's allocation fraction. If the calculation results in an annual allocation that exceeds two times the average per FTE resident amount for all hospitals and qualifying institutions, the hospital's and qualifying institution's annual allocation shall be reduced to a sum equaling no more than two times the average per FTE resident. The funds calculated for that hospital and qualifying institution in excess of two times the average per FTE resident amount for all hospitals and qualifying institutions shall be redistributed to participating hospitals and qualifying institutions whose annual allocation does not exceed two times the average per FTE resident amount for all hospitals and qualifying institutions, using the same methodology and payment schedule specified in this section.

(5) The Graduate Medical Education Startup Bonus Program is established to provide resources for the education and training of physicians in specialties which are in a statewide supply-and-demand deficit. Hospitals eligible for participation in subsection (1) are eligible to participate in the Graduate Medical Education Startup Bonus Program established under this subsection. Notwithstanding subsection (4) or an FTE's residency period, and in any state fiscal year in which funds are appropriated for the startup bonus program, the agency shall allocate a \$100,000 startup bonus for each newly created resident position that is authorized by the Accreditation Council for Graduate Medical Education or Osteopathic Postdoctoral Training Institution in an initial or established accredited training program that is in a physician specialty in statewide supply-and-demand deficit. In any year in which funding is not sufficient to provide \$100,000 for each newly created resident position, funding shall be reduced pro rata across all newly created resident positions in physician specialties in statewide supply-and-demand deficit.

(a) Hospitals applying for a startup bonus must submit to the agency by March 1 their Accreditation Council for Graduate Medical Education or Osteopathic Postdoctoral Training Institution approval validating the new resident positions approved on or after March 2 of the prior fiscal year through March 1 of the current fiscal year for the physician specialties identified in a statewide supply-and-demand deficit as provided in the current fiscal year's General Appropriations Act ~~in physician specialties in statewide supply and demand deficit in the current fiscal year.~~ An applicant hospital may validate a change in the number of residents by comparing the number in the prior period Accreditation Council for Graduate Medical Education or Osteopathic

Postdoctoral Training Institution approval to the number in the current year.

Section 21. Paragraph (b) of subsection (2) of section 409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(b) Emergency services.—Managed care plans shall pay for services required by ss. 395.1041 and 401.45 and rendered by a noncontracted provider. The plans must comply with s. 641.3155. Reimbursement for services under this paragraph is the lesser of:

1. The provider's charges;
2. The usual and customary provider charges for similar services in the community where the services were provided;
3. The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or

4. The Medicaid rate, which, for the purposes of this paragraph, means the amount the provider would collect from the agency on a fee-for-service basis, less any amounts for the indirect costs of medical education and the direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payment, as required under 42 U.S.C. s. 1396u-2(b)(2)(D) ~~the agency would have paid on the most recent October 1st.~~ For the purpose of establishing the amounts specified in this subparagraph, the agency shall publish on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payments.

Section 22. Subsection (4) of section 409.968, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section to read:

409.968 Managed care plan payments.—

(4)(a) *Subject to a specific appropriation and federal approval under s. 409.906(13)(e), the agency shall establish a payment methodology to fund managed care plans for flexible services for persons with severe mental illness and substance use disorders, including, but not limited to, temporary housing assistance. A managed care plan eligible for these payments must do all of the following:*

1. *Participate as a specialty plan for severe mental illness or substance use disorders or participate in counties designated by the General Appropriations Act;*
2. *Include providers of behavioral health services pursuant to chapters 394 and 397 in the managed care plan's provider network; and*
3. *Document a capability to provide housing assistance through agreements with housing providers, relationships with local housing coalitions, and other appropriate arrangements.*

(b) *After receiving payments authorized by this subsection for at least 1 year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.*

Section 23. Subsections (1) and (6) of section 409.975, Florida Statutes, are amended to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers participating in the managed medical assistance program shall comply with the requirements of this section.

(1) PROVIDER NETWORKS.—Managed care plans must develop and maintain provider networks that meet the medical needs of their enrollees in accordance with standards established pursuant to s.

409.967(2)(c). Except as provided in this section, managed care plans may limit the providers in their networks based on credentials, quality indicators, and price.

(a) Plans must include all providers in the region that are classified by the agency as essential Medicaid providers, unless the agency approves, in writing, an alternative arrangement for securing the types of services offered by the essential providers. Providers are essential for serving Medicaid enrollees if they offer services that are not available from any other provider within a reasonable access standard, or if they provided a substantial share of the total units of a particular service used by Medicaid patients within the region during the last 3 years and the combined capacity of other service providers in the region is insufficient to meet the total needs of the Medicaid patients. The agency may not classify physicians and other practitioners as essential providers. The agency, at a minimum, shall determine which providers in the following categories are essential Medicaid providers:

1. Federally qualified health centers.
2. Statutory teaching hospitals as defined in s. 408.07(45).
3. Hospitals that are trauma centers as defined in s. 395.4001(14).
4. Hospitals located at least 25 miles from any other hospital with similar services.

Managed care plans that have not contracted with all essential providers in the region as of the first date of recipient enrollment, or with whom an essential provider has terminated its contract, must negotiate in good faith with such essential providers for 1 year or until an agreement is reached, whichever is first. Payments for services rendered by a nonparticipating essential provider shall be made at the applicable Medicaid rate as of the first day of the contract between the agency and the plan. A rate schedule for all essential providers shall be attached to the contract between the agency and the plan. After 1 year, managed care plans that are unable to contract with essential providers shall notify the agency and propose an alternative arrangement for securing the essential services for Medicaid enrollees. The arrangement must rely on contracts with other participating providers, regardless of whether those providers are located within the same region as the nonparticipating essential service provider. If the alternative arrangement is approved by the agency, payments to nonparticipating essential providers after the date of the agency's approval shall equal 90 percent of the applicable Medicaid rate. *Except for payment for emergency services*, if the alternative arrangement is not approved by the agency, payment to nonparticipating essential providers shall equal 110 percent of the applicable Medicaid rate.

(b) Certain providers are statewide resources and essential providers for all managed care plans in all regions. All managed care plans must include these essential providers in their networks. Statewide essential providers include:

1. Faculty plans of Florida medical schools.
2. Regional perinatal intensive care centers as defined in s. 383.16(2).
3. Hospitals licensed as specialty children's hospitals as defined in s. 395.002(28).
4. Accredited and integrated systems serving medically complex children ~~which comprise that are comprised of~~ separately licensed, but commonly owned, health care providers delivering at least the following services: medical group home, in-home and outpatient nursing care and therapies, pharmacy services, durable medical equipment, and Prescribed Pediatric Extended Care.

Managed care plans that have not contracted with all statewide essential providers in all regions as of the first date of recipient enrollment must continue to negotiate in good faith. Payments to physicians on the faculty of nonparticipating Florida medical schools shall be made at the applicable Medicaid rate. Payments for services rendered by regional perinatal intensive care centers shall be made at the applicable Medicaid rate as of the first day of the contract between the agency and the plan. *Except for payments for emergency services*, payments to nonparticipating specialty children's hospitals shall equal the highest

rate established by contract between that provider and any other Medicaid managed care plan.

(c) After 12 months of active participation in a plan's network, the plan may exclude any essential provider from the network for failure to meet quality or performance criteria. If the plan excludes an essential provider from the plan, the plan must provide written notice to all recipients who have chosen that provider for care. The notice shall be provided at least 30 days before the effective date of the exclusion. *For purposes of this paragraph, the term "essential provider" includes providers determined by the agency to be essential Medicaid providers under paragraph (a) and the statewide essential providers specified in paragraph (b).*

(d) *The applicable Medicaid rates for emergency services paid by a plan under this section to a provider with which the plan does not have an active contract shall be determined according to s. 409.967(2)(b).*

~~(e)(4)~~ Each managed care plan must offer a network contract to each home medical equipment and supplies provider in the region which meets quality and fraud prevention and detection standards established by the plan and which agrees to accept the lowest price previously negotiated between the plan and another such provider.

(6) PROVIDER PAYMENT.—Managed care plans and hospitals shall negotiate mutually acceptable rates, methods, and terms of payment. ~~For rates, methods, and terms of payment negotiated after the contract between the agency and the plan is executed, plans shall pay hospitals, at a minimum, the rate the agency would have paid on the first day of the contract between the provider and the plan.~~ Such payments to hospitals may not exceed 120 percent of the rate the agency would have paid on the first day of the contract between the provider and the plan, unless specifically approved by the agency. Payment rates may be updated periodically.

Section 24. Paragraph (b) of subsection (3) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(3) ELIGIBILITY FOR STATE-FUNDED ASSISTANCE.—Only the following individuals are eligible for state-funded assistance in paying Florida Healthy Kids premiums:

(b) Notwithstanding s. 409.814, ~~a legal alien~~ ~~aliens~~ who ~~is~~ ~~are~~ enrolled in the Florida Healthy Kids program as of January 31, 2004, who ~~does~~ ~~do~~ not qualify for Title XXI federal funds because ~~he or she is~~ ~~they~~ ~~are~~ not a ~~lawfully residing child~~ ~~qualified~~ ~~aliens~~ as defined in s. 409.811.

Section 25. Subsection (6) of section 641.513, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

641.513 Requirements for providing emergency services and care.—

(6) Reimbursement for services under this section provided to subscribers who are Medicaid recipients by a provider for whom no contract exists between the provider and the health maintenance organization shall be *determined under chapter 409. the lesser of:*

- ~~(a) The provider's charges;~~
- ~~(b) The usual and customary provider charges for similar services in the community where the services were provided;~~
- ~~(c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or~~
- ~~(d) The Medicaid rate.~~

(7) *Reimbursement for services under this section provided to subscribers who are enrolled in a health maintenance organization pursuant to s. 624.91 by a provider for whom no contract exists between the provider and the health maintenance organization shall be the lesser of:*

- (a) The provider's charges;*
- (b) The usual and customary provider charges for similar services in the community where the services were provided;*

(c) *The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or*

(d) *The Medicaid rate.*

Section 26. Section 18 of chapter 2012-33, Laws of Florida, is amended to read:

Section 18. Notwithstanding s. 430.707, Florida Statutes, and subject to federal approval of an additional site for the Program of All-Inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with a current PACE organization authorized to provide PACE services in Southeast Florida to develop and operate a PACE program in Broward County to serve frail elders who reside in Broward County or Miami-Dade County. The organization shall be exempt from chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 150 initial enrollee slots in the Broward program established by the organization.

Section 27. *Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one private, not-for-profit hospice organization located in Escambia County that owns and manages health care organizations licensed in Hospice Service Areas 1, 2A, and 2B which provide comprehensive services, including, but not limited to, hospice and palliative care, to frail elders who reside in those Hospice Service Areas. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 100 initial enrollees in the Program of All-inclusive Care for the Elderly established by the organization to serve frail elders who reside in Hospice Service Areas 1, 2A, and 2B.*

Section 28. *Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with a not-for-profit organization that has been jointly formed by a lead agency that has been designated pursuant to s. 430.205, Florida Statutes, and by a not-for-profit hospice provider that has been licensed for more than 30 years to serve individuals and families in Clay, Duval, St. Johns, Baker, and Nassau Counties. The not-for-profit organization shall leverage existing community-based care providers and health care organizations to provide PACE services to frail elders who reside in Clay, Duval, St. Johns, Baker, and Nassau Counties. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 300 initial enrollees in the Program of All-inclusive Care for the Elderly established by the organization to serve frail elders who reside in Clay, Duval, St. Johns, Baker, and Nassau Counties.*

Section 29. *Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one private, not-for-profit hospice organization located in Lake County which operates health care organizations licensed in Hospice Areas 7B and 3E and which provides comprehensive services, including hospice and palliative care, to frail elders who reside in these service areas. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 150 initial enrollees in the Program of All-inclusive Care for the Elderly established by the organization to serve frail elders who reside in Hospice Service Areas 7B and 3E.*

Section 30. *Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one not-for-profit organization that has more than 30 years' experience as a licensed hospice and is currently a licensed hospice serving individuals and families in Pinellas County, service area 5B. This not-for-profit organization shall provide PACE services to frail elders who reside in Hillsborough County. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 150 initial enrollees in the Program of All-*

inclusive Care for the Elderly established by the organization to serve frail elders who reside in Hillsborough County.

Section 31. Subsection (3) of section 391.055, Florida Statutes, is amended to read:

391.055 Service delivery systems.—

(3) The Children's Medical Services network may contract with school districts participating in the certified school match program pursuant to ss. ~~409.908(22)~~ ~~409.908(21)~~ and 1011.70 for the provision of school-based services, as provided for in s. 409.9071, for Medicaid-eligible children who are enrolled in the Children's Medical Services network.

Section 32. Subsection (3) of section 427.0135, Florida Statutes, is amended to read:

427.0135 Purchasing agencies; duties and responsibilities.—Each purchasing agency, in carrying out the policies and procedures of the commission, shall:

(3) Not procure transportation disadvantaged services without initially negotiating with the commission, as provided in s. 287.057(3)(e) 12., or unless otherwise authorized by statute. If the purchasing agency, after consultation with the commission, determines that it cannot reach mutually acceptable contract terms with the commission, the purchasing agency may contract for the same transportation services provided in a more cost-effective manner and of comparable or higher quality and standards. The Medicaid agency shall implement this subsection in a manner consistent with s. ~~409.908(19)~~ ~~409.908(18)~~ and as otherwise limited or directed by the General Appropriations Act.

Section 33. Paragraph (d) of subsection (2) of section 1002.385, Florida Statutes, is amended to read:

1002.385 Florida personal learning scholarship accounts.—

(2) DEFINITIONS.—As used in this section, the term:

(d) "Disability" means, for a student in kindergarten to grade 12, autism, as defined in s. 393.063(3); cerebral palsy, as defined in s. 393.063(4); Down syndrome, as defined in s. 393.063(13); an intellectual disability, as defined in s. 393.063(21); *Phelan-McDermid syndrome, as defined in s. 393.063(25)*; Prader-Willi syndrome, as defined in s. 393.063(26) ~~393.063(25)~~; or spina bifida, as defined in s. 393.063(37) ~~393.063(36)~~; for a student in kindergarten, being a high-risk child, as defined in s. 393.063(20)(a); and Williams syndrome.

Section 34. Subsections (1) and (5) of section 1011.70, Florida Statutes, are amended to read:

1011.70 Medicaid certified school funding maximization.—

(1) Each school district, subject to the provisions of ss. 409.9071 and ~~409.908(22)~~ ~~409.908(21)~~ and this section, is authorized to certify funds provided for a category of required Medicaid services termed "school-based services," which are reimbursable under the federal Medicaid program. Such services shall include, but not be limited to, physical, occupational, and speech therapy services, behavioral health services, mental health services, transportation services, Early Periodic Screening, Diagnosis, and Treatment (EPSDT) administrative outreach for the purpose of determining eligibility for exceptional student education, and any other such services, for the purpose of receiving federal Medicaid financial participation. Certified school funding shall not be available for the following services:

(a) Family planning.

(b) Immunizations.

(c) Prenatal care.

(5) Lab schools, as authorized under s. 1002.32, shall be authorized to participate in the Medicaid certified school match program on the same basis as school districts subject to the provisions of subsections (1)-(4) and ss. 409.9071 and ~~409.908(22)~~ ~~409.908(21)~~.

Section 35. Except as otherwise provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to health care services; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide the Agency for Health Care Administration with access to certain digital and photographic records; amending s. 409.9128, F.S.; conforming provisions to changes made by the act; amending s. 395.602, F.S.; revising the definition of “rural hospital” to include specified hospitals; amending 409.285, F.S.; requiring appeals related to Medicaid programs directly administered by the agency to be directed to the agency; providing requirements for appeals directed to the agency; providing an exemption from the uniform rules of procedure and from a requirement that certain proceedings be heard before an administrative law judge for specified hearings; requiring the agency to seek federal approval of its authority to oversee appeals; amending s. 409.811, F.S.; defining the term “lawfully residing child”; deleting the definition of the term “qualified alien”; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility for the Florida Kid-care program to conform to changes made by the act; specifying that undocumented immigrants are excluded from eligibility; amending s. 409.904, F.S.; providing eligibility for optional payments for medical assistance and related services for certain lawfully residing children; specifying that undocumented immigrants are excluded from eligibility; amending s. 409.905, F.S.; requiring the agency to implement a prospective payment system for such services by a specified date; removing a limitation on Medicaid reimbursement for certain hospital emergency services for certain recipients; deleting references to cost-based reimbursement methodology for outpatient services; amending s. 409.906, F.S.; directing the agency to seek federal approval to provide temporary housing assistance for certain persons; amending s. 393.063, F.S.; revising the definition of the term “developmental disability” to include Down syndrome and Phelan-McDermid syndrome; amending s. 393.063, F.S.; defining the term “Phelan-McDermid syndrome”; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring an agency to allow a certain individual to receive such services if the individual’s parent or legal guardian is an active-duty military service member; requiring the agency to send an annual letter to clients and their guardians or families; requiring the agency to allow a certain individual to receive such services if the individual has Phelan-McDermid syndrome; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.0662, F.S.; revising the allocations methodology that the agency is required to use to develop each client’s iBudget; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client’s allocated funds; providing for contingent effect; reenacting s. 393.067(15), F.S., relating to contracts between the agency and licensed facilities; providing contingent abrogation of the scheduled expiration and reversion of amendments to s. 393.067(15), F.S., pursuant to s. 24 of chapter 2015-222, Laws of Florida; reenacting s. 393.18, F.S., relating to the comprehensive transitional education program; providing contingent abrogation of the scheduled expiration and reversion of amendments to s. 393.18, F.S., pursuant to s. 26 of chapter 2015-222, Laws of Florida; amending s. 409.907, F.S.; authorizing the agency to certify that a Medicaid provider is out of business; creating s. 409.9072, F.S.; directing the agency to pay private schools and charter schools that are Medicaid providers for specified school-based services under certain parameters; authorizing the agency to review a school that has applied to the program for capability requirements; amending s. 409.908, F.S.; limiting Medicaid reimbursement for certain types of hospitals; requiring the agency to implement a prospective payment system for ambulatory surgical centers; amending s. 409.909, F.S.; defining the term “qualifying institution” for purposes of the Statewide Medicaid Residency Program; conforming provisions of the statewide Medicaid program to the implementation of a prospective payment system; adding psychiatry to a list of primary care specialties under the Statewide Medicaid Residency Program; providing for annual updates to the statewide physician supply-and-demand deficit; amending s. 409.967, F.S.; defining the term “Medicaid rate” for determination of specified managed care plan payments for emergency services in compliance with federal law; requiring annual publication of fee schedules on the agency’s website; amending s. 409.968, F.S.; directing the agency

to establish a payment methodology for managed care plans providing housing assistance to specified persons; amending s. 409.975, F.S.; defining the term “essential provider”; providing for determination of Medicaid rates for emergency services paid by certain managed care plans; revising provisions relating to certain payment negotiations between managed care plans and hospitals; amending s. 624.91, F.S.; conforming provisions to changes made by the act; amending s. 641.513, F.S.; specifying parameters for payments by a health maintenance organization to a noncontracted provider of emergency services under certain circumstances; conforming provisions to changes made by the act; amending chapter 2012-33, Laws of Florida; authorizing a Program of All-inclusive Care for the Elderly (PACE) organization granted certain enrollee slots for frail elders residing in Broward County to use such slots for enrollees residing in Miami-Dade County; authorizing the agency to contract with an organization in Escambia County to provide services under the federal Program of All-inclusive Care for the Elderly in specified areas; exempting the organization from chapter 641, F.S., relating to health care service programs; authorizing Program of All-inclusive Care for the Elderly services in Clay, Duval, St. Johns, Baker and Nassau Counties, subject to federal approval; authorizing the agency to contract with not-for-profit organizations in Lake and Hillsborough Counties to offer hospice services via the Program of All-inclusive Care for the Elderly, subject to federal approval; amending ss. 391.055, 427.0135, 1002.385, and 1011.70, F.S.; conforming cross-references; providing effective dates.

On motion by Senator Garcia, the Conference Committee Report on **HB 5101** was adopted. **HB 5101** passed, as amended by the Conference Committee Report, and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, and **HB 5101** which come before the Senate for a vote on March 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTIONS

On motion by Senator Simmons, the rules were waived and time of adjournment was extended until 6:30 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (361146), 2 (665868), 4 (390846), and 5 (525064), refused to concur in Senate Amendment 3 (208434) and requests the Senate to recede therefrom, and passed HB 7027 as further amended, and request the concurrence of the Senate.

Bob Ward, Clerk

HB 7027—A bill to be entitled An act relating to the Department of Transportation; amending ss. 311.07 and 311.09, F.S.; revising the minimum amount of funds that the department must request for the Florida Seaport Transportation and Economic Development Program; amending s. 316.003, F.S.; defining the term "port-of-entry" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.545, F.S.; providing fines for certain commercial motor vehicles that obtain a specified temporary registration permit; amending s. 334.044, F.S.; authorizing the department to assume certain responsibilities of the United States Department of Transportation with respect to highway projects within the state; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under specified federal law; authorizing the department to adopt rules and relevant federal environmental standards; providing a limited waiver of sovereign immunity to civil suit in federal court; amending s. 334.30, F.S.; revising requirements for the development and approval of a proposal to finance or refinance a transportation project; authorizing the Division of Bond Finance of the State Board of Administration to make certain recommendations to the Governor; creating s. 337.027, F.S., relating to highway project contracts; authorizing the department to establish a program that would assist small businesses; defining the term "small business"; authorizing the department to adopt rules; amending s. 338.165, F.S.; removing certain facilities from a list of facilities whose toll revenues may be used to secure bonds; amending s. 338.231, F.S., relating to the turnpike system; revising the length of time that a prepaid toll account must be inactive before reverting to unclaimed property; creating s. 339.0809, F.S.; establishing the Florida Department of Transportation Financing Corporation; providing for a board of directors; providing for membership and organization; providing powers and duties of the corporation; authorizing the corporation to borrow money; providing for effect of dissolution with respect to property owned by the corporation; amending s. 339.135, F.S.; revising requirements for amendments to the department's adopted work program to be submitted to the Legislative Budget Commission; providing an effective date.

On motion by Senator Brandes, the Senate receded from Senate Amendment 3 (208434).

HB 7027 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Table listing names of representatives who voted 'Yeas' for HB 7027, including Mr. President, Flores, Montford, Abruzzo, Gaetz, Negron, Altman, Galvano, Richter, Bean, Garcia, Ring, Benacquisto, Gibson, Sachs, Bradley, Grimsley, Simmons, Brandes, Hays, Simpson, Braynon, Hukill, Smith, Bullard, Hutson, Sobel, Clemens, Joyner, Soto, Dean, Latvala, Stargel, Detert, Lee, Thompson, Diaz de la Portilla, Legg, Evers, Margolis.

Nays—None

BILLS ON THIRD READING, continued

On motion by Senator Garcia, by unanimous consent—

CS for CS for CS for HB 287—A bill to be entitled An act relating to the Principal Autonomy Pilot Program Initiative; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a procedure for certain district school boards to participate in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to participate in a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, eligibility requirements for certain funding, and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; providing appropriations; providing an effective date.

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

On motion by Senator Garcia, CS for CS for CS for HB 287 was passed and certified to the House. The vote on passage was:

Yeas—36

Table listing names of representatives who voted 'Yeas' for CS for CS for CS for HB 287, including Mr. President, Flores, Margolis, Abruzzo, Gaetz, Montford, Altman, Galvano, Negron, Bean, Garcia, Richter, Benacquisto, Gibson, Ring, Bradley, Grimsley, Sachs, Brandes, Hays, Simmons, Braynon, Hukill, Simpson, Dean, Hutson, Smith, Detert, Latvala, Soto, Diaz de la Portilla, Lee, Stargel, Evers, Legg, Thompson.

Nays—4

Table listing names of representatives who voted 'Nays' for CS for CS for CS for HB 287, including Bullard, Clemens, Joyner, Sobel.

HB 7099—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; revising uses of certain tourist development taxes; requiring the performance of a return-on-investment or cost-benefit analysis in specified circumstances; authorizing certain entities to file administrative challenges against counties for using tourist development taxes for unauthorized purposes; prohibiting use of those revenues for purposes which are the subject of a challenge; authorizing reasonable attorney fees and costs under specified circumstances; amending s. 159.621, F.S.; exempting from the documentary stamp tax certain notes or mortgages with respect to certain loans by or on behalf of a housing finance authority; providing criteria for such exemption; amending s. 163.387, F.S.; specifying uses of community redevelopment agency redevelopment trust fund moneys for certain community redevelopment agencies that support youth centers; amending s. 195.022, F.S.; revising the county population thresholds for purposes of identifying the governmental entity responsible for payment of aerial photographs and ownership maps; amending s. 196.011, F.S.; exempting certain veterans and surviving spouses from certain annual homestead filing requirements; amending s. 196.012, F.S.; revising definitions related to certain businesses; amending s. 196.081, F.S.; expanding an exemption from ad valorem taxation for certain permanently and totally disabled veterans under specified circumstances; removing the requirement that a deceased veteran have resided in this state on a specified date before the ad valorem tax exemption for homestead property may apply to the veteran's surviving spouse; exempting the unremarried surviving spouse of certain deceased veterans from payment of ad valorem taxes for certain homestead property in this state, irrespective of the state in which the veteran's homestead was located at the time of death, if

certain conditions are met; amending 196.1978, F.S.; providing a property tax discount for certain properties used to provide affordable housing to specified low-income persons and families; amending s. 196.1995, F.S.; revising an economic development ad valorem tax exemption for certain enterprise zone businesses; amending s. 201.15, F.S.; revising a date relating to the payment of debt service for certain bonds; amending s. 206.9825, F.S.; revising eligibility criteria for wholesalers and terminal suppliers to receive aviation fuel tax refunds or credits of previously paid excise taxes; providing for future repeal of such refunds or credits; revising the rate of the excise tax on certain aviation fuels on a specified date; amending s. 210.13, F.S.; providing procedures to be used when a person, other than a dealer, is required but fails to remit certain taxes; amending s. 210.25, F.S.; revising definitions related to tobacco; amending s. 212.031, F.S.; reducing the tax levied on the renting, leasing, letting, or granting of a license for the use of real property; providing applicability; amending s. 212.04, F.S.; authorizing a refund or credit of tax for certain resales of admissions upon the demonstration of specified documentation; amending s. 212.05, F.S.; clarifying the requirements for the exemption from tax on certain sales of aircraft that will be registered in a foreign jurisdiction; amending s. 212.08, F.S.; creating an exemption for certain sales of data center equipment, certain sales of electricity, and certain sales of building materials; providing definitions; exempting the sales of food or drinks by certain qualified veterans' organizations; revising definitions regarding certain industrial machinery and equipment; removing the expiration date on the exemption for purchases of certain machinery and equipment; revising the definition of the term "eligible manufacturing business" for purposes of qualification for the sales and use tax exemption; providing definitions for certain postharvest machinery and equipment, postharvest activities, and eligible postharvest activity businesses; providing an exemption for the purchase of such machinery and equipment; amending s. 220.03, F.S.; adopting the 2016 version of the Internal Revenue Code; providing retroactive applicability; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; revising the treatment by this state of certain depreciation of assets allowed for federal income tax purposes; providing retroactive applicability; authorizing the Department of Revenue to adopt emergency rules; amending s. 220.1845, F.S.; specifying a monetary cap on the grant of contaminated site rehabilitation tax credits available for the year; amending s. 220.192, F.S.; extending by 1 year the renewable energy technology corporate income tax credit; amending s. 220.193, F.S.; authorizing certain nonpublic waste-to-energy facilities to be eligible for the renewable energy production corporate income tax credit; removing the repeal of the tax credit; extending by 1 year a specified amount of available tax credit for eligible taxpayers; amending s. 220.196, F.S.; specifying the amount of research and development tax credits that may be granted to business enterprises in a future year; amending s. 220.222, F.S.; revising due dates for partnership information returns and corporate tax returns; amending s. 220.241, F.S.; revising due dates to file a declaration of estimated corporate income tax; amending s. 220.33, F.S.; revising the due date of estimated payments of corporate income tax; amending 220.34, F.S.; revising the dates for purposes of calculating interest and penalties on underpayments of estimated corporate income tax; amending s. 376.30781, F.S.; revising the total amount of tax credits available for the rehabilitation of dry-cleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas for a specified period; amending s. 561.121, F.S.; requiring that certain taxes related to alcoholic beverages and tobacco products sold on cruise ships be deposited into specified funds; amending s. 564.06, F.S.; specifying the excise tax that is applicable to cider made from pears; amending s. 565.02, F.S.; creating an alternative method of taxation for alcoholic beverages and tobacco products sold on certain cruise ships; requiring the reporting of certain information by each permittee for purposes of determining the base rate applicable to the taxpayers; amending s. 951.22, F.S.; conforming a cross reference; providing an exemption from the sales and use tax for the retail sale of certain clothes, school supplies, and personal computers and related accessories during a specified period; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax for the retail sale of certain items and articles of tangible personal property by certain small businesses during a specified period; providing an exemption from the sales and use tax on the retail sale of certain firearms, ammunition for firearms, camping tents, and fishing supplies during a specified period; providing exceptions; authorizing the department to adopt emergency rules; providing an appropriation; providing an ex-

emption from the sales and use tax for certain personal computers and related accessories during a specified period; providing exceptions; authorizing the department to adopt emergency rules; providing an appropriation; providing an exemption from the sales and use tax on the sale of certain books and other reading materials at book fairs; authorizing the department to adopt emergency rules; amending chapter 2015-221, Laws of Florida; extending the exemption from the sales and use tax on the retail sale of certain textbooks for 1 year; providing an appropriation to the department to implement certain tax exemptions on rental or license fees; providing an appropriation to the department to assist certain counties in furnishing aerial photographs and maps; specifying that specified amendments related to certain businesses located in areas that were designated as enterprise zones are remedial in nature; creating s. 196.1955, F.S.; consolidating provisions relating to obtaining an ad valorem exemption for property owned by exempt organizations; requiring the owner of an exempt organization to take affirmative steps to demonstrate the property's exempt use; authorizing the property appraiser to serve a notice of tax lien on exempt property that is not in actual exempt use after a specified time; providing that the lien attaches to any property owned by the organization identified in the notice of lien; prohibiting a property appraiser from serving a notice of tax lien on certain property being prepared for use as a house of public worship; defining the terms "charitable use," "affirmative steps," and "public worship"; amending s. 196.196, F.S.; deleting provisions relating to the exemption as it applies to public worship and affordable housing and provisions that have been moved to s. 196.1955, F.S.; amending s. 196.198, F.S.; deleting provisions that have been moved to s. 196.1955, F.S., relating to property owned by an educational institution and used for an educational purpose; providing a finding of important state interest; providing effective dates.

—as amended March 10, was read the third time by title.

On motion by Senator Hukill, **HB 7099**, as amended, was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gibson	Ring
Benacquisto	Grimsley	Sachs
Bradley	Hays	Simmons
Brandes	Hukill	Simpson
Dean	Hutson	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	

Nays—4

Braynon	Bullard	Clemens
Joyner		

Vote after roll call:

Yea—Smith

SPECIAL GUESTS

The Senators' spouses and family members were welcomed onto the chamber floor.

HB 989—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce discharges to the St. Lucie and Caloosahatchee estuaries; providing an effective date.

—as amended March 10, was read the third time by title.

On motion by Senator Negron, **HB 989**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTIONS

On motion by Senator Simmons, the rules were waived and time of adjournment was extended until 6:45 p.m.

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design Appointees: Bao-Garciga, Aida, Miami Ehrig, John P., Orlando Rodriguez, Miguel A., Coral Gables	10/31/2019 10/31/2019 10/31/2019
Board of Athletic Training Appointee: Watson, James T., Tallahassee	10/31/2019
Florida Commission on Community Service Appointees: Martinez, Natalia, Pembroke Pines McKinnon, Genean, Winter Park	09/14/2018 09/14/2018
Construction Industry Licensing Board Appointee: Cathey, William Brian, Port St. Joe	10/31/2018
Board of Cosmetology Appointees: Poppell, Frances C., Tallahassee Sutherland, Jared Gavin, Cape Coral	10/31/2019 10/31/2018
Education Practices Commission Appointee: Budnick, Judie S., Santa Lucia	09/30/2019
Board of Professional Engineers Appointees: Boza, Vivian, Gainesville Todd, Kenneth S., Jr., West Palm Beach	10/31/2019 10/31/2019
Commission for Independent Education Appointee: Kinchen, Thomas A., Graceville	06/30/2018

Office and Appointment

For Term Ending

Board of Opticianry Appointees: Shannon, Byron Dale, Ocala Williams, Richard E., Panama City	10/31/2019 10/31/2019
North Central Florida Regional Planning Council, Region 3 Appointees: Hunter, William H., Confidential pursuant to s. 119.071(4), F.S. Thomas, Lorene J., Old Town	10/01/2018 10/01/2018
Northeast Florida Regional Planning Council, Region 4 Appointees: Drew, John M., Confidential pursuant to s. 119.071(4), F.S. Johns, James Kenneth, St. Johns van Eckert, Helga E., Palm Coast	10/01/2018 10/01/2018 10/01/2018
Board of Trustees, Florida A & M University Appointee: Reed, Craig, Newtown Square	01/06/2021
Board of Trustees, Florida State University Appointee: Mateer, Craig C., Orlando	01/06/2021

Referred to the Committee on Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (490998) to House Amendment 1 (171349) and passed CS/SB 12 as further amended.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has adopted Senate Amendment to Amendment 1 (652976) and concurred in Senate Amendment 1 (253290), as amended and passed CS/CS/CS/HB 221, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (310800) and 2 (854278) to House Amendment 1 (926589) to Senate Amendment 1 (156670) and passed HB 423, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (355616), 2 (436938), 3 (241586), and 4 (689716) and passed CS/CS/HB 941, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2 (153680) and passed HB 989, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (843774) and 2 (277934) and passed CS/CS/HB 1075, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (927886) and 2 (137784) and passed CS/CS/HB 7029, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (842916) and passed CS/HB 7053, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 (877884) and 2 (703392) to House Amendment 1 to Senate Amendment 1 and passed CS/CS/HB 7087, as amended.

Bob Ward, Clerk

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (673118) and passed HB 7099, as amended.

Bob Ward, Clerk

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

Ms. Debbie Brown
Secretary, The Florida Senate
Suite 405, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

March 11, 2016

Dear Madam Secretary:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2016 Regular Session of the Florida Legislature:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design Appointees: Bao-Garciga, Aida Ehrig, John P. Rodriguez, Miguel A.	10/31/2019 10/31/2019 10/31/2019
Board of Athletic Training Appointee: Watson, James T.	10/31/2019
Florida Commission on Community Service Appointees: Martinez, Natalia McKinnon, Genean	09/14/2018 09/14/2018

<i>Office and Appointment</i>	<i>For Term Ending</i>
Construction Industry Licensing Board Appointee: Cathey, William Brian	10/31/2018
Board of Cosmetology Appointees: Poppell, Frances C. Sutherland, Jared Gavin	10/31/2019 10/31/2018
Education Practices Commission Appointee: Budnick, Judie S.	09/30/2019
Board of Professional Engineers Appointees: Boza, Vivian Todd, Kenneth S., Jr.	10/31/2019 10/31/2019
Commission for Independent Education Appointee: Kinchen, Thomas A.	06/30/2018
Board of Opticianry Appointees: Shannon, Byron Dale Williams, Richard E.	10/31/2019 10/31/2019
North Central Florida Regional Planning Council, Region 3 Appointee: Thomas, Lorene J.	10/01/2018
Northeast Florida Regional Planning Council, Region 4 Appointees: Drew, John M. Johns, James Kenneth van Eckert, Helga E.	10/01/2018 10/01/2018 10/01/2018
Board of Trustees, Florida A & M University Appointee: Reed, Craig	01/06/2021
Board of Trustees, Florida State University Appointee: Mateer, Craig C.	01/06/2021

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2016 Regular Session of the Florida Legislature:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Interim Secretary of Environmental Protection Appointee: Steverson, Jonathan Paul	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Health Policy and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Health Policy considered and recommended the following appointment. The Senate Committee on Ethics and Elections temporarily postponed the executive appointment and no recommendation was made and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2016 Regular Session of the Florida Legislature. Therefore, the failure to consider the appointment is noted in the pages of the Journal of the Senate in accordance with s.114.05(1)(f), F.S.:

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Surgeon General Appointee: Armstrong, John H.	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1)

of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2016 Regular Session of the Florida Legislature. Therefore, the failure to consider the appointment is noted in the pages of the Journal of the Senate in accordance with s.114.05(1)(f), F.S:

*For Term
Ending*

Office and Appointment

North Central Florida Regional Planning Council,
Region 3
Appointee: Hunter, William H. 10/01/2018

Respectfully submitted,
Garrett Richter, Chair

Ms. Debbie Brown March 11, 2016
Secretary, The Florida Senate
Suite 405, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Madam Secretary:

Please be advised that the following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointments because the terms of the appointees have expired:

*For Term
Ending*

Office and Appointment

Board of Acupuncture
Appointee: Simmons Brown, Michelle A. 10/31/2015

Board of Employee Leasing Companies
Appointee: Dockery, Celeste D. 10/31/2015

North Central Florida Regional Planning Council,
Region 3
Appointees: Hunter, William H. 10/01/2015
Thomas, Lorene J. 10/01/2015

Central Florida Regional Planning Council, Region 7
Appointees: Howerton, Donna 10/01/2015
Sellers, Hazel H. 10/01/2015

Treasure Coast Regional Planning Council, Region 10
Appointees: Llano, Mark 10/01/2015
Parrish, Reece J. 10/01/2015

South Florida Regional Planning Council, Region 11
Appointee: Goldberg, Cary A. 10/01/2015

Board of Respiratory Care
Appointee: Frey, Joseph A. 10/31/2015

Please be advised that the following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointment because the appointee resigned:

*For Term
Ending*

Office and Appointment

State of Florida Correctional Medical Authority
Appointee: Adu-Tutu, Michael 07/01/2016

Please be advised that the following executive appointment was referred to the Senate Committee on Ethics and Elections for action

pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointment because the appointee is deceased:

*For Term
Ending*

Office and Appointment

Florida Citrus Commission
Appointee: Horrisberger, James S. 05/31/2018

Please be advised that the following executive appointment was referred to the Senate Appropriations Subcommittee on Transportation and Economic Development, the Senate Committee on Commerce and Tourism, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Appropriations Subcommittee on Transportation and Economic Development, the Senate Committee on Commerce and Tourism, and the Senate Committee on Ethics and Elections did not consider the following appointment because the appointee resigned:

*For Term
Ending*

Office and Appointment

Executive Director, Department of Economic Opportunity
Appointee: Panuccio, Jesse Pleasure of Governor

Please be advised that the following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections did not consider the following appointment because the term of the appointee has expired:

*For Term
Ending*

Office and Appointment

Board of Trustees, Florida A & M University
Appointee: Lawrence, David, Jr. 01/06/2016

Please be advised that the following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections did not consider the following appointment because the appointee resigned:

*For Term
Ending*

Office and Appointment

Secretary of the Department of the Lottery
Appointee: O'Connell, Cynthia F. Pleasure of Governor

Please be advised that the following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointment because the term of the appointee has expired. Therefore, the failure to consider the appointment is noted in the pages of the Journal of the Senate in accordance with s.114.05(1)(f), F.S.:

*For Term
Ending*

Office and Appointment

North Central Florida Regional Planning Council,
Region 3
Appointee: Webb, T. Daniel 10/01/2015

Respectfully submitted,
Garrett Richter, Chair

Ms. Debbie Brown
Secretary, The Florida Senate
Suite 405, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

March 11, 2016

ENROLLING REPORTS

CS for SB 190, CS for CS for SB 286, SB 422, SB 586, CS for SB 624, and CS for SB 1046 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 11, 2016.

Debbie Brown, Secretary

Please be advised that the following appointment was not received by the Florida Senate for consideration in the 2016 Regular Session. Therefore, pursuant to s. 114.05(1)(e), F.S., the Senate took no action on the appointment during the regular session immediately following the effective date of the appointment.

Office and Appointment

*For Term
Ending*

Education Practices Commission
Appointee: Gold, Christie R.

10/01/2015

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 10 was corrected and approved.

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned sine die at 6:45 p.m.

Respectfully submitted,
Garrett Richter, Chair



Journal of the Senate

Final Reports After Adjournment Sine Die — Regular Session 2016

ENROLLING REPORTS

CS for SB 124, CS for SB 126, SB 194, CS for CS for SB 436, CS for CS for SB 514, CS for SB 580, CS for SB 592, CS for SB 626, SB 628, CS for CS for SB 708, CS for CS for SB 752, CS for SB 754, CS for CS for SB 772, and SB 908 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 15, 2016.

SB 666, SB 812, CS for CS for SB 826, CS for CS for SB 828, CS for SB 846, CS for CS for SB 854, CS for CS for CS for SB 912, CS for SB 922, CS for CS for SB 936, CS for CS for SB 938, CS for CS for SB 964, CS for SB 1004, CS for CS for SB 1044, and CS for CS for SB 1104 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 18, 2016.

SB 88, CS for SB 90, CS for SB 100, CS for SB 218, CS for SB 230, SB 288, CS for SB 380, SB 498, CS for CS for CS for SB 540, CS for CS for SB 698, SB 716, CS for SB 1106, SB 1110, CS for CS for SB 1170, CS for SB 1176, SB 1202, CS for CS for SB 1274, CS for SB 1288, CS for SB 1294, and CS for CS for SB 1318 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 22, 2016.

CS for SB 1322, CS for CS for SB 1386, SB 1402, SB 1412, CS for CS for SB 1416, CS for CS for SB 1422, CS for CS for SB 1432, CS for SB 1470, CS for SB 1508, CS for SB 1534, CS for CS for CS for SB 1602, CS for CS for SB 1604, SB 7012, SB 7022, SB 7028, CS for SB 7040, SB 7048, and SB 7076 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 25, 2016.

CS for SB 966 has been enrolled, signed by the required constitutional officers, and presented to the Governor on March 28, 2016.

CS for SB 12 and CS for SB 184 have been enrolled, signed by the required constitutional officers, and presented to the Governor on April 1, 2016.

CS for CS for SB 668 has been enrolled, signed by the required constitutional officers, and presented to the Governor on April 4, 2016.

Debbie Brown, Secretary

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State the following bills which he approved—

SB 238, CS for CS for SB 242, SB 340, SB 450, CS for CS for CS for SB 590, CS for CS for SB 636, CS for SB 860, CS for SB 1174, and SB 7020 on March 23, 2016.

CS for SB 190, CS for CS for SB 286, SB 422, SB 586, CS for SB 624, and CS for SB 1046 on March 25, 2016.

CS for SB 1322 on March 29, 2016.

CS for SB 124, CS for SB 126, SB 194, CS for CS for SB 436, CS for CS for SB 514, CS for SB 580, CS for SB 592, CS for SB 626, SB 628, CS for CS for SB 708, CS for CS for SB 752, CS for SB 754, CS for CS for SB 772, and SB 908 on March 30, 2016.

SB 666, SB 812, CS for CS for SB 826, CS for CS for SB 828, CS for SB 846, CS for CS for SB 854, CS for CS for CS for SB 912, CS for SB 922, CS for CS for SB 936, CS for CS for SB 938, CS for CS for SB 964, CS for SB 1004, CS for CS for SB 1044, and CS for CS for SB 1104 on April 1, 2016.

SB 88, CS for SB 90, CS for SB 100, CS for SB 218, CS for SB 230, SB 288, CS for SB 380, SB 498, CS for CS for CS for SB 540, CS for CS for SB 698, SB 716, CS for SB 1106, SB 1110, CS for CS for SB 1170, CS for SB 1176, SB 1202, CS for CS for SB 1274, CS for SB 1288, CS for SB 1294, and CS for CS for SB 1318 on April 6, 2016.

CS for CS for SB 1386, SB 1402, SB 1412, CS for CS for SB 1416, CS for CS for SB 1422, CS for CS for SB 1432, CS for SB 1470, CS for SB 1508, CS for SB 1534, CS for CS for CS for SB 1602, CS for CS for SB 1604, SB 7012, SB 7022, SB 7028, CS for SB 7040, SB 7048, and SB 7076 on April 8, 2016.

CS for SB 966 on April 12, 2016.

CS for SB 12 and CS for SB 184 on April 15, 2016.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages, numbered 1 through 1437, inclusive, are and constitute a complete, true, and correct journal and record of the proceedings of the Senate of the State of Florida at the Forty-eighth Regular Session of the Legislature, convened under the Constitution as revised in 1968, held from January 12 through March 11, 2016. Additionally, there has been included a record of the transmittal of Acts and Resolutions and actions taken by the Governor subsequent to the sine die adjournment of the Regular Session.



Debbie Brown
Secretary of the Senate

Tallahassee, Florida
April 15, 2016

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TO THE

JOURNAL OF THE SENATE

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HOW TO FIND OR TRACE A BILL, RESOLUTION, OR MEMORIAL

When the bill, resolution, or memorial number is unknown, use the:

When the bill, resolution, or memorial number is known, use the:

SUBJECT INDEX OF SENATE AND HOUSE BILLS, RESOLUTIONS, AND MEMORIALS.

NUMERICAL INDICES OF SENATE AND HOUSE BILLS, RESOLUTIONS, AND MEMORIALS.

The subject matter of each bill is indexed and cross-indexed in an alphabetical arrangement, using topics of catchwords related closely to the subject matter. This is followed by the number of the bill, resolution, or memorial.

Each bill is listed in numerical order. Opposite each bill number is the subject, the name of introducer, the page numbers where the bill involved appears in the journal, and the final status of the bill.

Tracing all Senate and House Actions

It is possible to trace the progress of legislation from introduction to final disposition, step by step, as it is recorded on the various pages of the Senate Journal by looking at the pages referred to in the numerical index.

To follow the progress of Senate legislation passed by the Senate and sent to the House, use the indices contained in the House Journal to trace House action.

JOURNAL OF THE SENATE

MEMBERS OF THE SENATE; BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED; AND COMMITTEE ASSIGNMENTS

REGULAR SESSION

January 12 through March 11, 2016

[Source: Office of Legislative Services]

(Boldfaced bill numbers passed both houses—adopted one-house resolutions also boldfaced.)

ABRUZZO, JOSEPH—25th District

Introduced: 60, 120, **380**, 440, 656, **752**, 762, **846**, 1120, **1202**, 1206, 1340, 1342, 1350, 1366, 1396, 1516, 1590, 1622, 1624, 1738

Co-Introduced: 6, **86**, 116, **232**, 234, 518, 818, 884, 1002, 1096, 1310, 7010, **7012**

Local Bill—Introduced: 58

Committees: Finance and Tax, Vice Chair; *Appropriations Subcommittee on Health and Human Services*; Communications, Energy, and Public Utilities; Community Affairs; Fiscal Policy; Regulated Industries; and *Joint Legislative Auditing Committee, Alternating Chair*

ALTMAN, THAD—16th District

Introduced: 14, 328, 330, 332, 346, 348, 408, 556, 558, 572, 696, 702, 706, 778, 816, 916, 1188, 1204, 1320, 1324, 1328, 1332, **1460**, 1552, 1554, 1568, 1692, 1784, **1786**, **1788**

Co-Introduced: **86**, **88**, 128, 162, **184**, **232**, 306, 404, 582, **626**, 676, 770, 1002, 1168, 7010, **7012**

Committees: Military and Veterans Affairs, Space, and Domestic Security, Chair; Children, Families, and Elder Affairs, Vice Chair; Appropriations; *Appropriations Subcommittee on General Government*; Environmental Preservation and Conservation; and Finance and Tax

BEAN, AARON—4th District

Introduced: 106, 110, 174, 178, **184**, **202**, 220, **228**, 254, 378, 472, 564, 630, 744, 750, 760, **828**, 872, 1022, 1150, 1196, 1200, 1338, **1388**, 1420, 1424, 1504, 1514, 1562, 1652, 1670, 1686

Co-Introduced: **86**, 128, 162, **232**, 344, 676, **966**, 1018, **1044**, 7010, **7012**

Committees: Health Policy, Chair; *Appropriations Subcommittee on Health and Human Services*; Commerce and Tourism; Fiscal Policy; Judiciary; Regulated Industries; and *Joint Administrative Procedures Committee*

BENACQUISTO, LIZBETH—30th District

Introduced: 308, 420, **422**, 634, **636**, 802, 884, 886, **938**, 958, **966**, 1498, **1720**

Co-Introduced: **86**, 128, 162, **232**, 770, 1018, 1168, **1730**, **1750**, 7010, **7012**

Committees: Banking and Insurance, Chair; Appropriations, Vice Chair; *Appropriations Subcommittee on Health and Human Services*; Education Pre-K - 12; Higher Education; Judiciary; Rules; and *Joint Legislative Auditing Committee*

BRADLEY, ROB—7th District

Introduced: 122, 162, **228**, 344, 352, **396**, 460, **698**, 710, 776, 850, 940, 960, 1086, 1154, 1496, 1652, 1662

Co-Introduced: **86**, 128, **232**, **436**, **636**, 884, **966**, 1018, 1360, **1770**, 7010, **7012**

Committees: Regulated Industries, Chair; Fiscal Policy, Vice Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; Communications, Energy, and Public Utilities; Community Affairs; Criminal Justice; Reapportionment; and *Joint Legislative Auditing Committee*

BRANDES, JEFF—22nd District

Introduced: 168, 170, 172, 176, 280, **286**, 326, 338, 426, 470, 508, 584, 598, 662, 664, 734, 738, 756, 800, 804, 808, 852, 992, 1036, **1044**, 1050, 1100, 1102, 1112, 1256, 1298, 1356, 1390, 1392, 1394, 1430, 1434, 1506, 1648, 1650, 1714

Co-Introduced: 74, **86**, 162, **232**, 468, **966**, 1002, 7010, **7012**

Committees: Transportation, Chair; Community Affairs, Vice Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Criminal Justice; Education Pre-K - 12; Judiciary; and *Joint Committee on Public Counsel Oversight*

BRAYNON II, OSCAR—36th District

Introduced: 18, 188, **242**, 244, 278, 474, 560, 566, 568, 910, 1020, 1398, 1404, 1406, 1408, 1410, 1436, 1658

Co-Introduced: 6, **86**, **232**, 402, 448, 676, 906, 1056, 1252, 1254, 1314, 7010, **7012**

Local Bill—Introduced: 42

Committees: *Appropriations Subcommittee on General Government, Vice Chair*; Reapportionment, Vice Chair; Ethics and Elections; Health Policy; Higher Education; Regulated Industries; Transportation; and *Joint Legislative Budget Commission*

BULLARD, DWIGHT—39th District

Introduced: 6, 56, 306, 382, 384, 438, 480, 486, 490, 506, 616, 1012, 1024, 1056, 1140, 1178, 1186, 1208, 1210, 1362, 1446, 1448, 1450, 1456, 1458, 1492, 1524, 1526, 1734, 1736, 1760, **1766**, 1772

Co-Introduced: **86**, 120, 128, 154, 166, **232**, 240, 296, 456, 606, 676, 694, 758, 884, 942, 1002, 1096, **1294**, 1544, 1554, 7010, **7012**

Committees: Transportation, Vice Chair; Agriculture; *Appropriations Subcommittee on Education*; Education Pre-K - 12; Governmental Oversight and Accountability; and *Joint Administrative Procedures Committee*

CLEMENS, JEFF—27th District

Introduced: 164, 186, 192, 204, 206, 224, 252, 258, 360, 448, 554, 694, 758, 1016, 1138, 1544, 1548, 1632

Co-Introduced: 6, **86**, 120, 166, **232**, 234, 306, 408, **450**, 676, **1044**, 1056, 1096, 7010, **7012**

Committees: *Appropriations Subcommittee on Transportation, Tourism, and Economic Development, Vice Chair*; Banking and Insurance; Criminal Justice; Education Pre-K - 12; Ethics and Elections; and Fiscal Policy

DEAN, CHARLES S. "CHARLIE", SR.—5th District

Introduced: **230**, 544, 550, **552**, 570, 652, 900, 1054, 1282, 1300, 1304, 1312, 1314, **1318**, 1334, 1694, **1770**

Co-Introduced: **86**, 128, **232**, 344, **436**, 702, 902, 7010, **7012**

Committees: Environmental Preservation and Conservation, Chair; Agriculture, Vice Chair; *Appropriations Subcommittee on General Government*; Children, Families, and Elder Affairs; Communications, Energy, and Public Utilities; and Community Affairs

DETERT, NANCY C.—28th District

Introduced: 214, 216, **222**, **232**, **386**, 388, **590**, 834, **860**, 894, 914, 1126, 1128, 1160, 1162, **1170**, 1228, 1550, **1556**

- Co-Introduced: **86**, 128, 162, **436**, 676, **966**, 1002, 1360, 7010, **7012**, 7018
- Committees: Commerce and Tourism, Chair; Education Pre-K - 12, Vice Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Banking and Insurance; Children, Families, and Elder Affairs; and *Joint Administrative Procedures Committee*
- DIAZ DE LA PORTILLA, MIGUEL—40th District**
 Introduced: 314, 604, 642, **812**, 1132, 1134, 1152, **1174**, **1176**, **1184**, 1190, 1248
 Co-Introduced: **86**, **232**, **380**, 402, 676, 906, **7012**
 Local Bill—Introduced: 20, 28, 34
 Committees: Judiciary, Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Community Affairs; Finance and Tax; Regulated Industries; and Rules
- EVERS, GREG—2nd District**
 Introduced: 68, 72, 92, **124**, **126**, 298, 618, 658, 690, 838, 930, 932, 1538, 1540, 1558, 1560, 1600, 1656, 1672, 1710, 1718
 Co-Introduced: **86**, **228**, **232**, 308, 344, 356, **386**, 418, **436**, 612, **636**, 700, 784, 850, **912**, **936**, **1044**, 1256, 1662, 7010, **7012**
 Committees: Criminal Justice, Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; Military and Veterans Affairs, Space, and Domestic Security; and Transportation
- FLORES, ANITERE—37th District**
 Introduced: 32, 48, **416**, 442, 446, 452, 488, 492, 574, **576**, 748, 766, 768, 770, 784, 844, 870, 890, 896, **912**, 928, 1064, 1094, **1104**, **1106**, 1212, 1222, **1294**, 1372, 1374, 1376, 1380, 1382, 1628, 1630, 1696
 Co-Introduced: **86**, 162, 168, **232**, **242**, 408, 456, 522, 634, **636**, 676, 760, 906, 994, 1168, 7010, **7012**
 Local Bill—Introduced: 46, 50, 54
 Committees: Fiscal Policy, Chair; Appropriations; *Appropriations Subcommittee on Criminal and Civil Justice*; Ethics and Elections; Finance and Tax; Health Policy; and Regulated Industries
- GAETZ, DON—1st District**
 Introduced: 146, 160, 208, 212, 234, 300, 516, 524, 582, **626**, 670, **672**, 684, 686, 836, 962, 1074, 1084, 1144, 1166, 1360, 1520, **1756**, **1790**
 Co-Introduced: **86**, 110, 132, 178, **184**, 216, **218**, **232**, 236, 248, 322, **340**, **350**, 434, 520, 562, 574, **590**, 604, 884, 944, **966**, 1108, 1420, 1426, 1496, 7010, **7012**, **7016**
 Committees: *Appropriations Subcommittee on Education, Chair*; Appropriations; Education Pre-K - 12; Ethics and Elections; Health Policy; Higher Education; and Rules
- GALVANO, BILL—26th District**
 Introduced: **1602**
 Co-Introduced: **12**, **86**, **232**, 468, 7010, **7012**
 Local Bill—Introduced: 1358
 Committees: Reapportionment, Chair; Agriculture; Appropriations; *Appropriations Subcommittee on Education*; Education Pre-K - 12; Health Policy; Rules; and *Joint Legislative Budget Commission*
- GARCIA, RENE—38th District**
 Introduced: **12**, 30, 248, 404, 430, 434, 780, **782**, 898, 902, 942, 1070, 1218, 1220, 1224, 1236, 1378, 1442, 1466, 1490, 1546, 1642, 1690, **1746**, **1748**
 Co-Introduced: **86**, 128, **232**, 314, 442, 456, 906, 974, 1088, 1418, 1640, 7010, **7012**
 Local Bill—Introduced: 44
 Committees: *Appropriations Subcommittee on Health and Human Services, Chair*; Agriculture; Appropriations; Children, Families, and Elder Affairs; Communications, Energy, and Public Utilities; Education Pre-K - 12; Health Policy; and *Joint Legislative Budget Commission*
- Education Pre-K - 12; Health Policy; and *Joint Legislative Budget Commission*
- GARDINER, ANDY—13th District**
 Co-Introduced: **86**, **232**, 7010, **7012**
- GIBSON, AUDREY—9th District**
 Introduced: 94, 342, 528, 532, 736, **1014**, 1286, 1400, 1592, 1636
 Co-Introduced: 6, 74, **86**, 120, **232**, 418, 600, **636**, 676, 760, 1494, **1610**, 1652, 7010, **7012**
 Committees: Criminal Justice, Vice Chair; Military and Veterans Affairs, Space, and Domestic Security, Vice Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Communications, Energy, and Public Utilities; Reapportionment; Rules; and *Joint Legislative Auditing Committee*
- GRIMSLEY, DENISE—21st District**
 Introduced: 24, 108, 132, 152, 210, 236, **238**, 428, **450**, 504, 526, **580**, 620, 640, 674, 676, 692, 946, **964**, 1048, 1250, 1306, 1316, 1370, 1518, **1604**
 Co-Introduced: **86**, **232**, 456, 902, 906, 1054, 1116, **1294**, **7012**
 Local Bill—Introduced: 52
 Committees: Communications, Energy, and Public Utilities, Chair; Agriculture; Appropriations; *Appropriations Subcommittee on Health and Human Services*; Health Policy; Transportation; *Joint Administrative Procedures Committee, Alternating Chair*; and *Joint Legislative Budget Commission*
- HAYS, ALAN—11th District**
 Introduced: 394, 400, 534, 610, 612, **624**, 646, 660, 764, 842, 1002, **1004**, 1006, 1018, 1052, 1122, 1142, 1192, 1232, 1308, 1364, 1384, 1530, 1588
 Co-Introduced: **86**, 98, 128, **232**, 234, **966**, 7010, **7012**
 Committees: *Appropriations Subcommittee on General Government, Chair*; Governmental Oversight and Accountability, Vice Chair; Appropriations; Environmental Preservation and Conservation; Ethics and Elections; and Fiscal Policy
- HUKILL, DOROTHY L.—8th District**
 Introduced: 76, 96, 98, 116, **194**, 198, 200, 256, **354**, 376, 464, **466**, **494**, 510, **540**, 596, 622, **678**, **682**, **854**, 1272, 1284
 Co-Introduced: **86**, **232**, 266, **672**, 7010, **7012**
 Committees: Finance and Tax, Chair; Communications, Energy, and Public Utilities, Vice Chair; Appropriations; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Banking and Insurance; Fiscal Policy; and *Joint Committee on Public Counsel Oversight*
- HUTSON, TRAVIS—6th District**
 Introduced: 78, 82, 118, 150, **158**, **190**, **196**, **218**, 322, 356, 432, 462, 578, 588, **592**, 614, 648, 704, 720, 742, 750, 874, 982, **1046**, 1114, 1156, 1310, 1454, 1464, 1510, 1564, 1566, 1618, 1620, 1626, 1640, 1654, 1660, 1716
 Co-Introduced: **86**, 110, 120, 128, 162, 170, 172, **232**, **350**, 420, 460, 518, 604, 872, **966**, 1018, 1196, 1652, 7010, **7012**, 7046
 Committees: *Appropriations Subcommittee on Criminal and Civil Justice*; Children, Families, and Elder Affairs; Commerce and Tourism; Communications, Energy, and Public Utilities; Community Affairs; and Environmental Preservation and Conservation
- JOYNER, ARTHENIA L.—19th District**
 Introduced: 16, 70, 74, 84, 122, 368, 370, 454, 476, 478, 654, **708**, 712, 714, 724, 856, 888, 924, 926, 1092, 1116, **1242**, 1252, 1254, **1444**, **1468**, 1596, **1610**, 1686, 1724, **1728**, **1742**
 Co-Introduced: 6, **86**, 142, **232**, 328, 330, **386**, 408, 448, **450**, **494**, **498**, **636**, 760, 1230, 1584, 7010, **7012**, 7046
 Committees: *Appropriations Subcommittee on Criminal and Civil Justice, Vice Chair*; Appropriations; Health Policy; Higher Education; Judiciary; Rules; and *Joint Legislative Budget Commission*

LATVALA, JACK—20th District

Introduced: 340, 456, 814, 818, **826**, 906, 934, 1082, 1158, 1182, 1250, **1274**, 1276, **1322**, 1336, 1462, **1470**, 1646, **1758**, **1762**, **1794**
 Co-Introduced: **86**, 98, 120, 128, **232**, 746, 942, 1002, 1168, 1250, 1286, **7012**

Committees: *Appropriations Subcommittee on Transportation, Tourism, and Economic Development, Chair*; Appropriations; Commerce and Tourism; Governmental Oversight and Accountability; Regulated Industries; and Rules

LEE, TOM—24th District

Introduced: 250, 302, 362, 372, 520, 638, 790, **908**, 972, 1638
 Co-Introduced: **86**, **232**, 7010, **7012**

Committees: Appropriations, Chair; *Appropriations Subcommittee on General Government*; Banking and Insurance; Reapportionment; Rules; and *Joint Legislative Budget Commission, Alternating Chair*

LEGG, JOHN—17th District

Introduced: **310**, 324, 650, **666**, 806, 858, 862, 950, 968, 978, 984, 1060, 1068, 1076, 1078, 1080, 1164, 1302, 1578, 1580, 1634, **1768**, **1780**, **1782**
 Co-Introduced: **232**, **7012**

Committees: Education Pre-K - 12, Chair; Ethics and Elections, Vice Chair; *Appropriations Subcommittee on Education*; Fiscal Policy; Governmental Oversight and Accountability; and Higher Education

MARGOLIS, GWEN—35th District

Introduced: 262, 270, 292, 392, 606, 728, 730, 1058, 1066, 1090, 1108, 1576, 1598, 1644
 Co-Introduced: 6, **86**, 120, **190**, **232**, 306, **310**, 328, 488, 492, 600, 676, **716**, 1314, **7012**

Committees: Regulated Industries, Vice Chair; Appropriations; *Appropriations Subcommittee on General Government*; Banking and Insurance; Finance and Tax; and Fiscal Policy

MONTFORD, BILL—3rd District

Introduced: 40, 114, 334, **350**, 374, 444, 500, 774, **922**, 990, 1010, 1124, 1130, 1136, 1146, 1148, 1172, 1440, 1488, 1608, 1668, **1726**, **1732**, **1744**, **1752**, **1764**, **1778**
 Co-Introduced: **86**, 128, **232**, 520, **912**, 1360, **1770**, 7010, **7012**
 Local Bill—Introduced: 22, 62

Committees: Agriculture, Chair; *Appropriations Subcommittee on Education, Vice Chair*; Appropriations; Banking and Insurance; Education Pre-K - 12; Reapportionment; and Rules

NEGRON, JOE—32nd District

Introduced: 26, 64, **86**, 746, 832, 994, 996, 1168, 1194
 Co-Introduced: 128, **158**, 162, **218**, **232**, 408, 630, 750, 872, **966**, **1044**, 1360, 7010, **7012**

Committees: *Appropriations Subcommittee on Criminal and Civil Justice, Chair*; Appropriations; Banking and Insurance; Ethics and Elections; Higher Education; Regulated Industries; and Rules

RICHTER, GARRETT—23rd District

Introduced: **80**, **130**, **180**, **182**, **312**, 318, 320, 336, 402, **458**, 502, **514**, 548, **628**, 632, **754**, **772**, 792, 918, 944, 948, 970, **1288**, **1386**, 1474, 1536, **1730**, **1740**, **1750**, **1776**
 Co-Introduced: **86**, **232**, 260, **966**, 1126, 1188, 7010, **7012**

Committees: Ethics and Elections, Chair; Banking and Insurance, Vice Chair; Appropriations; *Appropriations Subcommittee on Health and Human Services*; Commerce and Tourism; Regulated Industries; and Rules

RING, JEREMY—29th District

Introduced: 138, 140, 142, 144, 146, 148, 226, 266, 268, 358, 468, 516, 594, 644, 680, 726, 794, **936**, 988, 998, 1226, 1278, 1280, 1292, 1368, 1472

Co-Introduced: 6, **12**, **86**, 120, **232**, 234, 694, 758, 1360, 1700, **1728**, 7010, **7012**

Committees: Governmental Oversight and Accountability, Chair; Judiciary, Vice Chair; Appropriations; *Appropriations Subcommittee on Education*; Children, Families, and Elder Affairs; and Commerce and Tourism

SACHS, MARIA LORTS—34th District

Introduced: 246, 746, 786, 788, 876, 878, 904, 920, 952, 1028, 1198, 1230, 1674, 1676, 1678, 1680, 1682, 1684, 1688, 1700, 1702, 1706, 1708
 Co-Introduced: **86**, **88**, 96, 128, **184**, **232**, 268, 328, 398, 408, 460, 518, 584, 600, 706, **716**, 760, 784, **1294**, 1312, 1714, 7010, **7012**

Committees: Higher Education, Vice Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Communications, Energy, and Public Utilities; Fiscal Policy; Military and Veterans Affairs, Space, and Domestic Security; and Regulated Industries

SIMMONS, DAVID—10th District

Introduced: 954, 1026, **1030**, **1032**, 1034, **1038**, **1040**, **1042**, **1110**, 1118, 1244, **1402**, **1412**, 1414, **1416**, 1418, **1422**, 1428, **1534**, 1570, 1606, 1704
 Co-Introduced: **86**, **232**, **966**, 7010, **7012**

Committees: Rules, Chair; Appropriations; *Appropriations Subcommittee on Education*; Banking and Insurance; Environmental Preservation and Conservation; Higher Education; Judiciary; Reapportionment; and *Joint Legislative Budget Commission*

SIMPSON, WILTON—18th District

Introduced: **88**, **90**, **100**, 128, 390, **436**, 546, 770, 840, 986, 1260, 1262, 1264, 1266, 1268, 1270, 1290, 1500, **1508**, 1528, 1712
 Co-Introduced: **86**, 98, **232**, 324, 344, **716**, **966**, 1168, **1780**, 7010, **7012**

Committees: Community Affairs, Chair; Environmental Preservation and Conservation, Vice Chair; *Appropriations Subcommittee on General Government*; Finance and Tax; Judiciary; Transportation; and *Joint Legislative Auditing Committee*

SMITH, CHRISTOPHER L.—31st District

Introduced: 156, 260, 264, 272, 274, 276, 282, **288**, 290, 418, 536, 538, 732, 864, 866, 868, 880, 882, 1214, 1258, 1344, 1346, 1352, 1354, 1438, 1452, 1584, 1586, 1792
 Co-Introduced: 6, 16, **86**, **232**, 314, 600, **708**, 758, 760, 1108, 1264, 7010, **7012**

Committees: *Appropriations Subcommittee on Health and Human Services, Vice Chair*; Appropriations; Banking and Insurance; Environmental Preservation and Conservation; Ethics and Elections; and *Joint Committee on Public Counsel Oversight, Alternating Chair*

SOBEL, ELEANOR—33rd District

Introduced: 406, 410, 412, 414, 424, 496, **498**, 530, 594, 688, **716**, 718, 848, 974, 1234, 1240, 1348, 1476, 1478, 1480, 1612, 1614, **1616**, 1666, 1796
 Co-Introduced: **86**, 120, 166, **232**, 306, 408, 460, 760, 818, 994, 1002, 1056, 1096, **1174**, **1184**, 1360, **1728**, 7010, **7012**, **7028**

Committees: Children, Families, and Elder Affairs, Chair; Health Policy, Vice Chair; Agriculture; *Appropriations Subcommittee on Health and Human Services*; and Education Pre-K - 12

SOTO, DARREN—14th District

Introduced: 38, 66, 166, 240, 296, 364, 366, 398, 512, 518, 522, 700, 740, 798, 892, 1072, 1096, 1098, 1180, 1238, 1326, 1330, 1482, 1484, 1486, 1494, 1502, 1512, 1532, 1542, 1582, 1698, 1774
 Co-Introduced: 6, 74, **80**, **86**, 120, 128, **232**, 234, 248, 290, 306, 320, 330, **350**, **386**, 404, 408, 412, 456, 460, 676, 688, 694, 760, 818, 884,

912, 916, **966**, 1002, 1056, 1168, 1252, 1254, 1490, 1544, 1640,
1770, 7010, **7012**

Local Bill—Introduced: 36

Committees: Rules, Vice Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; Environmental Preservation and Conservation; Finance and Tax; Judiciary; and *Joint Committee on Public Counsel Oversight*

STARGEL, KELLI—15th District

Introduced: 304, 316, 542, 562, **586**, 602, 608, **668**, 684, 722, 822,
824, 830, 956, 976, 1062, 1088, 1216, 1426, **1432**, 1522, 1664, 1722,
1754

Co-Introduced: **86**, 128, 156, 162, **232**, **436**, 520, **966**, 1356, 7010,
7012

Committees: Higher Education, Chair; *Appropriations Subcommittee on Education*; Fiscal Policy; Judiciary; Military and Veterans Affairs, Space, and Domestic Security; Regulated Industries; and *Joint Committee on Public Counsel Oversight*

THOMPSON, GERALDINE F. “GERI”—12th District

Introduced: 102, 104, **112**, 134, 136, 154, 284, 294, 482, 484, 600,
796, 810, 980, 1000, 1008, 1246, 1296, 1572, 1574, 1594

Co-Introduced: 6, **86**, 120, 156, **232**, 418, 448, 760, 1056, **1444**, **1468**,
1584, 1724, **1742**, 7010, **7012**, 7046

Committees: Commerce and Tourism, Vice Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Community Affairs; Ethics and Elections; Transportation; and *Joint Administrative Procedures Committee*

JOURNAL OF THE SENATE

BILLS, RESOLUTIONS, AND MEMORIALS
INTRODUCED BY COMMITTEES

REGULAR SESSION
January 12 through March 11, 2016

[Source: Office of Legislative Services]

(Boldfaced bill numbers passed both houses.)

AGRICULTURE

Introduced: 1318
Committee Substitute: 760, 1010, 1264, 1310, 1318

APPROPRIATIONS

Introduced: 12, 86, 90, 92, 100, 184, 230, 350, 436, 468, 552, 636, 668, 708, 772, 922, 936, 1106, 1170, 1322, 1418, 1422, 1534, 1604, 1662, 1686, 2500, 2502, 2504, 2506, 2508, 2510, 7060
Committee Substitute: 12, 86, 90, 92, 100, 152, 170, 172, 184, 212, 230, 234, 350, 372, 400, 434, 436, 468, 524, 534, 546, 548, 552, 604, 636, 668, 676, 684, 708, 718, 746, 748, 750, 756, 760, 766, 770, 772, 800, 822, 868, 886, 894, 918, 922, 936, 992, 1010, 1026, 1050, 1052, 1060, 1106, 1166, 1168, 1170, 1248, 1250, 1262, 1282, 1290, 1310, 1316, 1322, 1392, 1418, 1422, 1442, 1462, 1496, 1528, 1534, 1604, 1638, 1662, 1686, 1714, 7008, 7018, 7034, 7050, 7054, 7056, 7058, 7068

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
TOURISM, AND ECONOMIC DEVELOPMENT

BANKING AND INSURANCE

Introduced: 286, 458, 540, 562, 626, 828, 854, 966, 1104, 1170, 1274, 1386, 1416, 1422, 7032
Committee Substitute: 76, 260, 286, 336, 342, 458, 540, 548, 562, 596, 626, 650, 676, 774, 822, 828, 854, 940, 966, 970, 986, 992, 1036, 1084, 1094, 1104, 1118, 1120, 1142, 1164, 1170, 1248, 1274, 1386, 1416, 1422, 1442, 1490, 1630

CHILDREN, FAMILIES, AND ELDER AFFAIRS

Introduced: 202, 232, 590, 860, 7018, 7034, 7048, 7054
Committee Substitute: 202, 232, 408, 590, 670, 730, 750, 794, 860, 862, 1102, 1138, 1164, 1250, 1420, 7018, 7034, 7054

COMMERCE AND TOURISM

Introduced: 180, 182, 562, 754, 772, 938, 7040
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Protective Injunction Electronic Filing Pilot Program; evaluate pilot program; OPPAGA, S988, H781

Animals

Cannabis, low-THC; study to determine benefits and contraindications of use for treatment of animals with seizure disorders or other life-limiting illnesses; University of Florida in consultation with a veterinary research organization, S852

Arthur G. Dozier School for Boys, reinterment of unidentified or unclaimed remains; task force to recommend to the Department of State the creation and maintenance of a memorial and the location of a site for such burials; Dozier Task Force, **S708(2016-163)**, H533

Child Dependency

Initial assessment; study feasibility of one or more statewide initial assessment tools to determine appropriate placement, needs of, and initial services for children placed in out-of-home care; Children and Families Department and community-based care lead agencies, H599

Construction Industry

Task force to address shortage of individuals trained in building construction and inspection; Construction Industry Workforce Task Force, S704, **H535(2016-129)**

Diseases

Miami-Dade Infectious Disease Elimination (IDEA), sterile needle and syringe exchange pilot program; study by OPPAGA, **S242(2016-68)**, H81

Economic Development

Major League Baseball spring training baseball franchises; retention; analysis by Economic and Demographic Research Office and OPPAGA, S1646, H1325

Microfinance programs, evaluation; Economic and Demographic Research Office and OPPAGA, H1325

Education

Computer science instruction; develop recommendations to prepare students for successful postsecondary education and careers in computer science, information technology, and related fields; Higher Education Coordinating Council, H887

Construction costs; study statutory cost per student station; Education Department and Economic and Demographic Research Office; OPPAGA, S524, H873, **H7029(2016-237)**

Education Finance Program funds; study to determine portability of local portion of funds; Center for Applied Economic Research, Florida Polytechnic University, H669

Rapid Response Education and Training Program; analyze and assess effectiveness of education and training programs in addressing labor market and occupational trends and needs; Education Department, S836

School accountability system; review alignment and consistency within components of accountability system; determine capacity of districts and schools to administer required statewide standardized assessments with instruction to students who are not being assessed; develop timeline for transition to school grades; analyze pay for performance plan and its impact on teacher recruitment and retention; Education Department, S1124, H1135

State Requirements for Education Facilities (SREF), construction of educational facilities; identify requirements that can be eliminated or modified to decrease costs; recommend whether SREF should be retained; OPPAGA and Education Department, S524, **H7029(2016-237)**

Elections

Military and Overseas Voting Assistance Task Force; study the development and implementation of an online voting system that allows an absent uniformed services voter to electronically submit a voted absentee ballot; State Department, **S184(2016-242)**, H429

Health Care

Pediatric cardiac disease; standards for personnel and facilities rendering cardiac services to children; Cardiac Advisory Council, S378, S1518, H617

Telehealth

Survey health care facilities, health maintenance organizations, health care practitioners, and health insurers; determine telehealth utilization and insurance coverage; Health Care Administration Agency, Health Department, and Insurance Regulation Office, **H7087(2016-240)**

TASK FORCES/STUDIES (Cont.)**Health Care (Cont.)**

Surveys and research findings, review; make recommendations to increase use and accessibility of telehealth services; identify barriers to implementing or accessing telehealth services; Telehealth Advisory Council, **H7087(2016-240)**

Telehealth Task Force; compile and analyze certain data and conduct a comparative analysis of health insurance coverage available for telehealth services and for in-person treatment; Health Care Administration Agency, S1686, H1353

Homelessness

Homeless Management Information System (HMIS) task force; make recommendations on statewide implementation of HMIS; State Office on Homelessness, **S1534(2016-210)**, H1235

Income Inequality

Impact statement; estimate anticipated effect of proposed legislation on income inequality among residents; OPPAGA, S1342

Study to identify legislative actions and funding necessary to achieve specified goals; OPPAGA, S1340

Lands

Public land inventory; study technical and economic feasibility of including specified lands in the Florida State-Owned Lands and Records Information System (FL-SOLARIS) database; Environmental Protection Department, S1290, **H1075(2016-233)**

Law Enforcement

Bargaining units; work group to develop a sworn law enforcement career development plan for certain bargaining units represented by the Florida Police Benevolent Association; Management Services Department, **H5003(2016-62)**

Cold Case Task Force; examine policies and procedures used by law enforcement agencies in investigating recent homicides and cold case homicides; Law Enforcement Department, S174, S564

Marine Animals

Manatee speed zone effectiveness study; evaluate effectiveness of manatee speed zones; Fish and Wildlife Conservation Commission to contract with independent party, S1506, H1273

Medicaid

Behavioral health care and primary care services, develop plan to obtain federal approval to increase funding; Health Care Administration Agency and Children and Families Department, **S12(2016-241)**, H7097

Dental services; comprehensive report on provision of dental services under Statewide Medicaid Managed Care program; examine effectiveness of Managed Medical Assistance plans; Health Care Administration Agency/OPPAGA, S994, **H819(2016-109)**

Mental Health

Licensure; develop plan for modifying licensure statutes and rules to provide options for a single, consolidated license for providers of mental health and substance abuse services; Children and Family Services Department and Health Care Administration Agency, H7097

Motor Vehicles

Electric vehicles, assess mileage-based user tax for battery-powered specified electric vehicles; evaluate equity and efficiency of methods for calculating vehicle miles traveled; study by the Energy Office and Southern States Energy Board, S786

Oil and Gas

Exploration and production; study on high-pressure well stimulation; Environmental Protection Department, S318, H191

Pools

Calder Sloan Swimming Pool Electrical-Safety Task Force; study standards for grounding, bonding, lighting, wiring and all electrical aspects for safety around public and private swimming pools; Florida Building Commission, S530, S704, H295, **H535(2016-129)**

Poverty; study and develop strategies to address causes of poverty in the state; Commission/Council on Poverty, S556, H371

Public Officers and Employees

Charitable campaign; recommend process to select and approve nonprofit charitable organizations to participate in a new single state employee charitable campaign; Management Services Department, H593

Schools

Not-for-Profit After School Program Standards Study Group; recommend reasonable and affordable minimum health, sanitat-

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tion, and safety standards for after-school programs provided by not-for-profit organizations, S156, H133, H1423

Sexual Crimes

Forensic Medical Evidence Kit Task Force; develop system that tracks and manages forensic medical evidence kits to enhance accountability, transparency, and information sharing among stakeholders in processing kits; Law Enforcement Department, S1614, H1331

Social Services

Temporary cash assistance program; develop and implement a work plan agreement for participants; Economic Opportunity Department, H563, H1299

Substance Abuse

Advance directives for substance abuse disorders, use of; work-group to review use of advance directives in mental health, for substance use disorders in other states, and similar legal instruments; Children and Families Department, **S12(2016-241)**

Licensure; develop plan for modifying licensure statutes and rules to provide options for a single, consolidated license for providers of mental health and substance abuse services; Children and Family Services Department and Health Care Administration Agency, H7097

Traffic Safety

Motor vehicle accidents; review all accidents resulting in death due to drowning in a water body contiguous with a state road occurring within a specified timeframe; Transportation Department, S522, S1392, H357, **H7061(2016-239)**

Transportation

Adopted work program; evaluate and determine economic benefits of state's investment in DOT's adopted work program; Economic and Demographic Research Office, **H7061(2016-239)**

Central Florida Regional Transportation Authority; review and evaluate operational effectiveness of the authority; OPPAGA, S738, H155

Driver-assistive truck platooning technology study; pilot project to test vehicles equipped to operate using such technology; Transportation Department and Highway Safety and Motor Vehicles Department, S1392, S1394, **H7027(2016-181)**, **H7061(2016-239)**

Interchange improvements; study feasibility of state interchange improvements to enhance economic development opportunities; Transportation Department, **H7061(2016-239)**

Toll facilities; study potential for express toll lanes to display estimated travel times; Transportation Commission, S1690, H961

Water and Wastewater Utilities Relocation Study Committee; review, study and make recommendations concerning the coordination and funding of the relocation of public utility facilities located within the public right-of-way due to construction or an improvement of roads and bridges; Transportation Department, S1204, H1069

Veterans

State veterans' nursing homes; determine need and site selection; Veterans' Affairs Department, H581

Water and Wastewater

Interactive map, web-based; evaluate feasibility and cost of creating and maintaining; study by Environmental Protection Department, **S552(2016-1)**, H7005

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JOURNAL OF THE SENATE

SENATE BILLS, RESOLUTIONS, AND MEMORIALS BY NUMBER
WITH SUBJECT, INTRODUCER, AND DISPOSITION

REGULAR SESSION
January 12 through March 11, 2016

(To Obtain the Number of a Bill, see Subject Index)

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Ch. — Chapter Number, Bill Passed
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- 43 Churches or Religious Organizations (Plakon and others) (BA) 562, (FR)585, (BA)633 Ch. 2016-50
- 59 Agritourism (State Affairs Committee and others) (FR)318, (BA)417, (BA)443, 521 Ch. 2016-14
- HM
69 Haitian American Heritage Month (Local and Federal Affairs Committee and others) (FR)259 DSC/CBP-HR 9057
- HB
75 Electronic Monitoring Devices (Judiciary Committee and others) (BA)485, (FR)495 Ch. 2016-15
- 79 Property Insurance Appraisers and Property Insurance Appraisal Umpires (Regulatory Affairs Committee and others) (FR)512 DSC
- 85 Recovery Care Services (Fitzenhagen and Renner) (FR)585, (BA)825, (BA)833, (BA)852 DM
- 89 Florida Kidcare Program (Health Care Appropriations Subcommittee and others) (FR)644 DSC/CBP-HB 5101
- 91 Severe Injuries Caused by Dogs (Judiciary Committee and others) (FR)319, (BA)359 Ch. 2016-16
- 93 Law Enforcement Officer Body Cameras (Jones and others) (BA)665, (FR)728, (BA)739, 740 Ch. 2016-76
- 103 Transactions in Fresh Produce Markets (Health and Human Services Committee and others) (FR)349, (BA)491, (BA)492, (BA)547 Ch. 2016-51
- 111 Jury Service (Combee and others) (FR)513, (BA)546 Ch. 2016-52
- 119 Educational Facilities (Bileca and others) (FR)476 DSC/CBP-CS/CS/HB 7029
- 127 Continuing Care Facilities (Health Innovation Subcommittee and Cummings) (FR)319, (BA)360 Ch. 2016-17
- 131 Unattended Persons and Animals in Motor Vehicles (Judiciary Committee and others) (FR)259, (BA)266 Ch. 2016-18
- 139 Dental Care (Appropriations Committee and others) (FR)585, (BA)888, (BA)917, (BA)995 Vetoes
- 145 Financial Transactions (Regulatory Affairs Committee and others) (FR)319, (BA)491, (BA)546 Ch. 2016-53
- 151 Installation of Tracking Devices or Tracking Applications (Criminal Justice Subcommittee and Cortes) (BA)711, (FR) 728 DCS
- 153 Healthy Food Financing Initiative (State Affairs Committee and others) (FR)644, (BA)888, (BA)890, (BA)918, (BA)921, 1157, 1158 Ch. 2016-221
- 163 Weapons and Firearms (Judiciary Committee and others) (FR)350 DSC
- 173 Medical Faculty Certification (Health Quality Subcommittee and others) (FR)319, (BA)492, (BA)548 Ch. 2016-54
- 183 Administrative Procedures (State Affairs Committee and others) (FR)513, (BA)824, (BA)841, (BA)849 Ch. 2016-116
- 189 Teacher Certification (K-12 Subcommittee and others) (FR) 476, (BA)888, (BA)917 Ch. 2016-117
- 191 Regulation of Oil and Gas Resources (State Affairs Committee and others) (FR)319 DSC
- HJR
193 Solar or Renewable Energy Source Devices/Exemption from Certain Taxation and Assessment (Regulatory Affairs Committee and others) (BA)885, 887, (FR)914 Passed CBP-CS/HB 195
- HB
195 Special Election (Regulatory Affairs Committee and others) (FR)768, (BA)791, (BA)847 Ch. 2016-118 CBP-CS/HJR 193
- HJR
197 Term Limits for Appellate Courts (Civil Justice Subcommittee and others) (FR)513 DSC
- HB
221 Health Care Services (Health and Human Services Committee and others) (FR)586, (BA)620, (BA)623, (BA)706, (BA)1157, 1160, (BA)1161, (BA)1415, 1416 Ch. 2016-222 CBP-HB 423, CS/CS/HB 1175
- HB
229 Bullying and Harassment Policies in Schools (K-12 Subcommittee and others) (BA)751, (FR)768 Ch. 2016-119
- 231 Motor Vehicle Manufacturer Licenses (Judiciary Committee and others) (BA)712, (FR)728 Ch. 2016-77
- 241 Children and Youth Cabinet (Harrell and Albritton) (FR)350, (BA)360 Ch. 2016-19
- 249 Culinary Education Programs (Health and Human Services Committee and others) (FR)476, (BA)908, (BA)920 Ch. 2016-120
- 259 Temporary Care of a Child (Health and Human Services Committee and others) (FR)586 DSC
- 273 Public Records (Government Operations Subcommittee and others) (FR)259, (BA)269, (BA)283 Ch. 2016-20
- HJR
275 Homestead Tax Exemption/Senior, Low-Income, Long-Term Residents (Finance and Tax Committee and others) (FR)431, (BA)780, (BA)781, (BA)844, 845 Passed CBP-CS/HB 277
- HB
277 County and Municipality Homestead Tax Exemption (Finance and Tax Committee and others) (FR)431, (BA)781, (BA)845 Ch. 2016-121 CBP-CS/HJR 275
- 287 Principal Autonomy Pilot Program Initiative (Education Committee and others) (FR)476, (BA)937, (BA)1432 Ch. 2016-223
- 293 Public Records/Juvenile Criminal History Records (Judiciary Committee and others) (FR)513, (BA)535, (BA)639 Ch. 2016-78
- 299 Expressway Authorities (Economic Affairs Committee and Nunez) (FR)350, (BA)671, (BA)672, (BA)735 Ch. 2016-122
- 303 Unlicensed Activity Fees (Burton and Wood) (FR)513, (BA) 661, (BA)739 Ch. 2016-79
- 307 Medical Use of Cannabis (Health and Human Services Committee and others) (FR)644, (BA)655, (BA)657, (BA)658, (BA) 661, (BA)741, (BA)742 Ch. 2016-123
- 325 Involuntary Examinations under the Baker Act (Health Quality Subcommittee and others) (FR)350 DSC
- 347 Utility Projects (Finance and Tax Committee and others) (FR) 645, (BA)909, (BA)921 Ch. 2016-124
- 351 Contaminated Sites (State Affairs Committee and Drake) (FR) 350, (BA)401 DM/CBP-CS/SB 100
- 371 Florida Council on Poverty (Appropriations Committee and others) (FR)729 DSC
- 373 Mental Health Counseling Interns (Health Quality Subcommittee and others) (FR)586, (BA)715, (BA)738 Ch. 2016-80 CBP-CS/SB 12
- 375 Physician Assistants (Health Care Appropriations Subcommittee and others) (FR)586, (BA)833, (BA)852 Ch. 2016-125
- 381 Public Records/Florida State Boxing Commission (Regulatory Affairs Committee and Raburn) (FR)351, (BA)400 Ch. 2016-21
- 387 Offenses Evidencing Prejudice (Stevenson and others) (FR) 514, (BA)657 Ch. 2016-81
- 413 Title Insurance (Regulatory Affairs Committee and others) (FR)320, (BA)616, (BA)699 Ch. 2016-82
- HM
417 Article V Convention for Congressional Term Limits (Metz and others) (FR)259, (BA)339 Passed
- HB
419 Highlands Road and Bridge District, Pasco County (Burgess) (FR)729, (BA)806, (MO)806, (CR)835 Ch. 2016-244
- 423 Access to Health Care Services (Pigman and others) (FR)587, (BA)893, 902, 1155, 1156 Ch. 2016-224 CBP-CS/CS/CS/HB 221, CS/HB 977, HB 1241
- 427 Recreational Vessel Registration (Transportation and Economic Development Appropriations Subcommittee and others) (FR)514, (BA)797, (BA)842 Ch. 2016-126
- 431 Fire Safety (Regulatory Affairs Committee and others) (FR) 514, (BA)714, (BA)739 Ch. 2016-83 CBP-CS/CS/CS/HB 535
- 439 Mental Health Services in the Criminal Justice System (Judiciary Committee and others) (FR)514, (BA)834, (BA)853 Ch. 2016-127 CBP-CS/SB 12

- HB
447 Local Government Environmental Financing (Agriculture and Natural Resources Appropriations Subcommittee and others) (FR)768, (BA)890, (BA)892, (BA)**918** Ch. 2016-225
- 479 Special Districts (Local Government Affairs Subcommittee and others) (FR)320, (BA)418, (BA)419, (BA)**444** Ch. 2016-22
- 481 Columbia County Law Library (Porter) (FR)729, (BA)**806**, (MO)806, (CR)835 Ch. 2016-245
- 491 Water and Wastewater (Regulatory Affairs Committee and others) (FR)645, (BA)902, (BA)903, (BA)917, **918**, 1158, **1159** Ch. 2016-226
- 499 Ad Valorem Taxation (Appropriations Committee and others) (FR)646, (BA)781, (BA)786, (BA)**846** Ch. 2016-128 CBP-HB 5003
- 509 Transportation Network Companies (Economic Affairs Committee and others) (FR)320 DSC
- 519 Gilchrist County Development Authority (Perry) (FR)729, (BA)**806**, (MO)806, (CR)835 Ch. 2016-246
- 525 Small Community Sewer Construction Assistance Act (Be-shears and others) (FR)515, (BA)**547** Ch. 2016-55
- 535 Building Codes (Regulatory Affairs Committee and others) (FR)646, (BA)811, (BA)812, (BA)851, **852** Ch. 2016-129 CBP-CS/CS/HB 431
- 541 Addresses of Legal Residence (Spano and others) (FR)320, (BA)416, (BA)**442** Ch. 2016-23
- 545 Human Trafficking (Justice Appropriations Subcommittee and others) (BA)487, **488**, (FR)495 Ch. 2016-24
- 549 Offenses Concerning Racketeering and Illegal Debts (Burton) (FR)515, (BA)671, (BA)**737** Ch. 2016-84
- 561 Organizational Structure of the Department of Environmental Protection (Agriculture and Natural Resources Appropriations Subcommittee and others) (BA)**636**, (FR)647 Ch. 2016-85
- 563 Public Assistance (Health and Human Services Committee and others) (FR)587, (BA)716, (BA)717, (BA)**738** DM
- 585 Instruction for Homebound and Hospitalized Students (Burgess and others) (FR)321, (BA)937, (BA)**995** Ch. 2016-227
- 589 Environmental Control (State Affairs Committee and others) (FR)647, (BA)833, (BA)834, (BA)**853** Ch. 2016-130 CBP-HB 5003, CS/SB 922
- 593 Government Accountability (Appropriations Committee and others) (FR)769 DSC/CBP-CS/HB 479, CS/CS/CS/HB 651, CS/CS/HB 7029, HB 7071
- 599 Child Welfare (Health and Human Services Committee and others) (FR)587, (BA)601, (BA)610, (BA)**704** DM
- HM
601 Promotion of Economic Recovery in Puerto Rico (Local and Federal Affairs Committee and others) (FR)729, (BA)**966** Passed
- HB
613 Workers' Compensation System Administration (Regulatory Affairs Committee and Sullivan) (BA)**631**, (FR)647 Ch. 2016-56
- 627 Community Contribution Tax Credits (Economic Development and Tourism Subcommittee and others) (FR)770, (BA)812, (BA)**852** Ch. 2016-131
- 633 Public Food Service Establishments (Raulerson and others) (FR)515, (BA)618, (BA)**709** Ch. 2016-86
- 649 Eagle Bay Sub-Drainage District, Okeechobee County (Local Government Affairs Subcommittee and Pigman) (FR)729, (BA)**806**, (MO)806, (CR)835 Ch. 2016-247
- 651 Department of Financial Services (Regulatory Affairs Committee and others) (FR)648, (BA)668, (BA)670, (BA)740, (BA)764, **765** Ch. 2016-132 CBP-SB 908
- 655 City of Jacksonville, Duval County (Fullwood) (FR)770, (BA)**883**, (MO)883, (CR)914 Ch. 2016-248
- 659 Automobile Insurance (Regulatory Affairs Committee and others) (FR)730, (BA)908, (BA)909, (BA)**920** Ch. 2016-133
- 669 Educational Choice (Education Committee and others) (FR)476 DSC/CBP-CS/CS/HB 7029
- 675 Federal Immigration Enforcement (Judiciary Committee and others) (FR)351 DSC
- 685 Victim Assistance (Criminal Justice Subcommittee and Slosberg) (FR)648 DSC
- 695 Title Insurance (Regulatory Affairs Committee and Boyd) (FR)351, (BA)493, (BA)548, **549** Ch. 2016-57
- HB
701 Art in the Capitol Competition (K-12 Subcommittee and others) (BA)**637**, (FR)648 Ch. 2016-87
- 703 Vessels (Highway and Waterway Safety Subcommittee and others) (FR)515, (BA)780, (BA)**843** Ch. 2016-134
- 705 Qualifications for Educational Interpreters (K-12 Subcommittee and others) (FR)477 DSC
- 709 City of Tallahassee, Leon County (Williams) (FR)770, (MO)883, (BA)**884**, (CR)914 Ch. 2016-249
- 719 Education Personnel (Education Appropriations Subcommittee and others) (FR)477, (BA)492, (BA)493, (BA)**548** Ch. 2016-58 CBP-HB 5003
- 739 Secondhand Dealers (Judiciary Committee and others) (BA)**633**, (FR)649 Ch. 2016-59
- 749 Agriculture (State Affairs Committee and others) (FR)649, (BA)665, (BA)**736** Ch. 2016-88 CBP-CS/CS/HB 7007
- 769 Mental Health Treatment (Judiciary Committee and others) (FR)588, (BA)835, (BA)**854** Ch. 2016-135
- 773 Special Assessments on Agricultural Lands (State Affairs Committee and others) (BA)**704**, (FR)730 Ch. 2016-89
- 783 Unclaimed Property (Regulatory Affairs Committee and others) (BA)723, (FR)730, (BA)**737** Ch. 2016-90
- 785 St. Lucie County Fire District, St. Lucie County (Finance and Tax Committee and others) (FR)730, (BA)806, (MO)806, **807**, (CR)835 Ch. 2016-250
- 791 Local Tax Referenda (Local and Federal Affairs Committee and others) (FR)515 DSC
- 793 Florida Bright Futures Scholarship Program (Education Appropriations Subcommittee and others) (FR)516, (BA)561, (BA)562, (BA)631, (BA)698, (BA)719, **720** Ch. 2016-91
- 799 Out-of-State Fee Waivers for Active Duty Servicemembers (Avila and others) (FR)477, (BA)616, (BA)**699** Ch. 2016-136
- 819 Sunset Review of Medicaid Dental Services (Diaz and others) (FR)516, (BA)667, (BA)**735** Ch. 2016-109
- 821 Reimbursement of Assessments (Civil Justice Subcommittee and Rooney) (FR)516, (BA)965, (BA)**995** Ch. 2016-228
- 833 Public School Recess (Plasencia and others) (FR)477 DSC
- 835 Education (Education Appropriations Subcommittee and others) (FR)477 DSC/CBP-CS/HB 837
- 837 Education Programs for Individuals with Disabilities (Education Committee and others) (FR)478, (BA)786, (BA)790, (BA)**846** Ch. 2016-137 CBP-HB 5003, CS/CS/HB 7029
- 845 Bay County Bridge Authority, Bay County (Trumbull) (FR)730, (MO)806, (BA)**807**, (CR)835 Ch. 2016-251
- 847 Pasco County (Burgess) (FR)731, (MO)806, (BA)**807**, (CR)835 Ch. 2016-252
- 871 Broward County (Clarke-Reed) (FR)731, (MO)806, (BA)**807**, (CR)835 Ch. 2016-253
- 875 Motor Vehicle Service Agreement Companies (Insurance and Banking Subcommittee and others) (FR)351, (BA)493, (BA)**549** Ch. 2016-60
- 891 Northwest Florida Community Hospital Board of Trustees, Washington County (Drake) (FR)731, (MO)806, (BA)**807**, (CR)835 Ch. 2016-254
- 895 West Manatee Fire and Rescue District, Manatee County (Local Government Affairs Subcommittee and Boyd) (FR)731, (MO)806, (BA)**808**, (CR)835 Ch. 2016-255
- 911 City of Delray Beach, Palm Beach County (Hager) (FR)731, (MO)806, (BA)**808**, (CR)835 Ch. 2016-256
- 931 Operations of the Citizens Property Insurance Corporation (Regulatory Affairs Committee and others) (FR)770, (BA)797, (BA)803, (BA)**848**, **1027** Ch. 2016-229
- 941 Department of Health (Health and Human Services Committee and others) (FR)588, (BA)617, (BA)618, (BA)625, (BA)627, (BA)701, **702** Ch. 2016-230 CBP-HB 5103
- 965 Firesafety (Health and Human Services Committee and others) (FR)516, (BA)715, (BA)**738** Ch. 2016-92
- 967 Family Law (Stevenson and others) (FR)516, (BA)562, (BA)631, (BA)698, (BA)**720** Ch. 2016-93
- 971 Community Development Districts (Local Government Affairs Subcommittee and Sullivan) (FR)516, (BA)661, (BA)**740** Ch. 2016-94
- 977 Behavioral Health Workforce (Health Quality Subcommittee and others) (FR)589, (BA)904, (BA)909, (BA)914, (BA)918, **919** Ch. 2016-231 CBP-HB 423

- HB
981 Administrative Procedures (Richardson and others) (FR)649, (BA)939, (BA)**995** Ch. 2016-232
- 989 Implementation of the Water and Land Conservation Constitutional Amendment (Harrell and others) (FR)590, (BA)937, (BA)939, (BA)1433, **1434** Ch. 2016-201
- 1003 Employment After Retirement of School District Personnel (K-12 Subcommittee and others) (FR)478 DSC/CBP-CS/CS/HB 7029
- HJR
1009 Tax Exemption for Totally and Permanently Disabled First Responders (Local and Federal Affairs Committee and others) (FR)431, (BA)797, (BA)843, **844** Passed
- HB
1017 Reemployment Assistance Fraud (Economic Development and Tourism Subcommittee and others) (FR)770 DSC
- 1025 Public Records/Utility Security Information (State Affairs Committee and others) (BA)**700**, (FR)731 Ch. 2016-95
- 1033 Information Technology Security (State Affairs Committee and others) (BA)**750**, (FR)771 Ch. 2016-138 CBP-CS/SB 624
- 1039 Babcock Ranch Community Independent Special District, Charlotte and Lee Counties (Caldwell and others) (FR)771, (MO)883, (BA)**884**, (CR)914 Ch. 2016-257
- 1051 Anchoring Limitation Areas (State Affairs Committee and others) (BA)714, (FR)731, (BA)**739** Ch. 2016-96
- 1061 Nurse Licensure Compact (Pigman and others) (FR)590, (BA)790, (BA)791, (BA)**847** Ch. 2016-139 CBP-HB 1063
- 1063 Public Records and Meetings/Nurse Licensure Compact (Pigman and others) (FR)590, (BA)616, (BA)**709** Ch. 2016-97 CBP-HB 1061
- 1071 South Broward Hospital District, Broward County (Local Government Affairs Subcommittee and others) (FR)732, (MO)806, (BA)**808**, (CR)835 Ch. 2016-258
- 1075 State Areas (State Affairs Committee and others) (FR)649, (BA)940, (BA)942, (BA)964, **965** Ch. 2016-233
- 1081 North Sumter County Hospital District, Sumter County (O'Toole) (FR)732, (MO)806, (BA)**808**, (CR)835 Ch. 2016-259
- 1083 Agency for Persons with Disabilities (Appropriations Committee and others) (FR)591, (BA)779, (BA)780, (BA)**842** Ch. 2016-140 CBP-HB 5003, HB 5101, CS/HB 7003
- 1125 Eligibility for Employment as Child Care Personnel (Health and Human Services Committee and others) (FR)591, (BA)600, (BA)601, (BA)704, **705** Ch. 2016-98 CBP-CS/HB 7053
- 1133 Applicability of Revenue Laws to Out-of-state Businesses During Disaster-Response Periods (Economic Affairs Committee and others) (FR)650, (BA)666, (BA)**736** Ch. 2016-99
- 1147 Character-development Instruction (K-12 Subcommittee and others) (FR)517, (BA)892, (BA)**919** Ch. 2016-141
- 1149 Alternative Sanctioning (Criminal Justice Subcommittee and others) (BA)**708**, (FR)732 Ch. 2016-100
- 1155 Membership Associations (K-12 Subcommittee and others) (FR)478, (BA)835, (BA)854 DCS/CBP-CS/CS/HB 7029
- 1157 Postsecondary Education for Veterans (Higher Education and Workforce Subcommittee and others) (FR)478, (BA)824, (BA)841, (BA)848, **849** Ch. 2016-142
- 1175 Transparency in Health Care (Health and Human Services Committee and others) (FR)591, (BA)813, (BA)823, (BA)852, (BA)917, (BA)**954**, 1035, **1036** Ch. 2016-234 CBP-CS/CS/CS/HB 221
- 1181 Bad Faith Assertions of Patent Infringement (Judiciary Committee and others) (BA)**706**, (FR)732 Ch. 2016-101
- 1187 Department of Business and Professional Regulation (Regulatory Affairs Committee and others) (FR)771 DSC/CBP-CS/CS/CS/HB 535
- 1195 Technology (Government Operations Appropriations Subcommittee and others) (FR)772 DSC
- 1205 Fumigation (Magar) (FR)517, (BA)598, (BA)700, (BA)**713** Ch. 2016-143
- 1219 Veterans' Employment (Veteran and Military Affairs Subcommittee and others) (BA)**635**, (FR)651 Ch. 2016-102
- 1221 Barron Water Control District, Glades and Hendry Counties (Hudson and Pigman) (FR)732, (MO)806, (BA)808, **809**, (CR)835 Ch. 2016-260
- HB
1233 Federal Home Loan Banks (Insurance and Banking Subcommittee and others) (FR)517, (BA)805, (BA)850, **851** Ch. 2016-144
- 1241 Ordering of Medication (Plasencia and others) (FR)592, (BA)618, (BA)619, (BA)**710** Ch. 2016-145 CBP-HB 423
- 1245 Medicaid Provider Overpayments (Health and Human Services Committee and Peters) (FR)592, (BA)615, (BA)**708** Ch. 2016-103
- 1265 Greater Naples Fire Rescue District, Collier County (Passidomo) (FR)732, (MO)806, (BA)**809**, (CR)835 Ch. 2016-261 CBP-CS/HB 1267
- 1267 Greater Naples Fire Rescue District, Collier County (Local Government Affairs Subcommittee and others) (FR)732, (MO)806, (BA)**809**, (CR)835 Ch. 2016-262 CBP-HB 1265
- 1269 Adult Cardiovascular Services (Health and Human Services Committee and others) (FR)592 DSC
- 1297 Discretionary Sales Surtaxes (State Affairs Committee and others) (FR)517, (BA)792, (BA)**848** Ch. 2016-146
- 1305 Emergency Allergy Treatment in Schools (Education Committee and others) (FR)478, (BA)786, (BA)**846** Ch. 2016-235
- 1325 Economic Development (Transportation and Economic Development Appropriations Subcommittee and Boyd) (FR)517 DSC/CBP-CS/CS/HB 1361
- 1333 Sexual Offenders (Judiciary Committee and others) (BA)**703**, (FR)732 Ch. 2016-104
- 1335 Long-term Care Managed Care Prioritization (Health and Human Services Committee and Magar) (FR)593, (BA)780, (BA)842, **843** Ch. 2016-147 CBP-HB 5003
- 1339 City of Webster, Sumter County (Local Government Affairs Subcommittee and O'Toole) (FR)772, (MO)883, (BA)**884**, (CR)914 Ch. 2016-263
- 1341 State-owned Motor Vehicles (Appropriations Committee and Young) (FR)772 DSC
- 1347 Illicit Drugs (Appropriations Committee and others) (FR)518, (BA)598, (BA)**700** Ch. 2016-105
- 1355 Gainesville Regional Utilities, Alachua County (Regulatory Affairs Committee and others) (FR)733, (MO)806, (BA)**809**, (CR)835 Vetoed
- 1361 Growth Management (Economic Affairs Committee and others) (FR)651, (BA)666, (BA)667, (BA)**736** Ch. 2016-148
- 1365 Competency-Based Education Pilot Program (Education Appropriations Subcommittee and others) (FR)478, (BA)904, (BA)905, (BA)**919** Ch. 2016-149
- 1411 Termination of Pregnancies (Health and Human Services Committee and others) (FR)651, (BA)792, (BA)796, (BA)847, **848** Ch. 2016-150
- 1417 Hillsborough County (Young) (FR)772, (MO)883, (BA)**884**, (CR)914 Ch. 2016-264
- 1433 Martin County (Magar) (FR)733, (MO)806, (BA)**809**, (CR)835 Ch. 2016-265
- 1439 Hillsborough County Public Transportation Commission/Transportation Network Companies (Local Government Affairs Subcommittee and others) (FR)772 DSC
- 3509 Relief/Andrea Castillo/City of Hialeah (Civil Justice Subcommittee and Nunez) (FR)518, (BA)778, (BA)**841** Ch. 2016-266
- 3515 Relief/Q.B./Palm Beach County School Board (Civil Justice Subcommittee and Fitzenhagen) (FR)519, (BA)**933** Ch. 2016-267
- 3517 Relief/Alex Zaldivar, Brienna Campos, & Remington Campos/Orange County (Civil Justice Subcommittee and others) (FR)519, (BA)778, (BA)**841** Ch. 2016-268
- 3525 Relief/Melvin & Alma Colindres/City of Miami (Civil Justice Subcommittee and Artilles) (FR)519, (BA)778, (BA)**841** Ch. 2016-269
- 4001 Licenses to Carry Concealed Weapons or Firearms (Steube and others) (FR)351 DSC
- 4009 Slungshot (Combee and Van Zant) (FR)519, (BA)623, (BA)624, (BA)**711** Ch. 2016-106
- 4027 Traffic Infraction Detectors (Artilles and others) (FR)915 DSC
- 4035 Pesticide Registration (Combee and Albritton) (FR)772 DSC
- 5001 General Appropriations Act (Appropriations Committee and Corcoran) (BA)**363**, (FR)363, (MO)363, 387, 396, 521, 835,

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- 5003 Implementing the 2016-2017 General Appropriations Act (Appropriations Committee and Corcoran) 363, (FR)365, (BA) 367, (MO)367, **386**, (MO)387, 396, 521, 1382, **1415**, 1431 Ch. 2016-62 CBP-CS/CS/HB 499, CS/CS/CS/HB 589, CS/CS/HB 719, CS/HB 837, CS/CS/HB 1083, CS/HB 1335, HB 5001, HB 5101, CS/HB 7003, HB 7027, CS/CS/HB 7029, CS/CS/HB 7061, CS/SB 1322
- 5005 State-administered Retirement Systems (Appropriations Committee and Corcoran) (BA)388, (FR)388, (MO)**389**, 521, **1418** Ch. 2016-63 CBP-HB 5001
- 5007 Collective Bargaining (Appropriations Committee and Corcoran) (BA)**387**, (FR)387, (MO)387, 521, **1419** Ch. 2016-64 CBP-HB 5001
- 5101 Health Care Services (Health Care Appropriations Subcommittee and Hudson) 363, 387, (BA)390, (FR)390, **396**, (MO)397, 521, 1382, 1415, **1431** Ch. 2016-65 CBP-CS/CS/HB 1083, HB 5001, HB 5003, CS/HB 7003, CS/SB 12
- 5103 Alzheimer's Disease Research (Health Care Appropriations Subcommittee and Hudson) (BA)**397**, (FR)397, (MO)397 Ch. 2016-25 CBP-CS/CS/HB 941, HB 5001
- 7003 Individuals with Disabilities (Government Operations Appropriations Subcommittee and others) (FR)211, (BA)214, (MO)**215** Ch. 2016-3 CBP-CS/CS/HB 1083, HB 5003, HB 5101
- 7007 Department of Agriculture and Consumer Services (State Affairs Committee and others) (FR)351, (BA)804, (BA)805, (BA) 849, **850** Ch. 2016-61 CBP-CS/CS/HB 749
- 7013 Fish and Wildlife Conservation Commission (Agriculture and Natural Resources Subcommittee and others) (FR)353, (BA) 615, (BA)707, **708** Ch. 2016-107
- HJR
 7015 Property Tax Assessments (Finance and Tax Committee and Rodrigues) (FR)431 DSC
- HB
 7017 Career and Adult Education (Higher Education and Workforce Subcommittee and others) (FR)479 DSC
- 7019 Education Access and Affordability (Education Committee and others) (FR)479, (BA)905, (BA)908, (BA)919, **920** Ch. 2016-236
- 7021 Education (Education Committee and others) (FR)773 DSC/CBP-CS/CS/HB 7029
- 7023 Ad Valorem Tax Exemption for Deployed Servicemembers (Finance and Tax Committee and others) (BA)**398**, (FR)408 Ch. 2016-26
- 7025 At-risk Vessels (Highway and Waterway Safety Subcommittee and others) (FR)519, (BA)549, (BA)**550** Ch. 2016-108
- 7027 Department of Transportation (Transportation and Ports Subcommittee and others) (FR)353, (BA)662, (BA)665, (BA) 740, **741**, **1432** Ch. 2016-181 CBP-HB 5003, CS/CS/HB 7061
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